

# REGENERATION SERVICES COMMITTEE AGENDA



**Thursday 11 June 2015**

**at 9.30 am**

**Committee Room B, Civic Centre, Hartlepool**

MEMBERS: REGENERATION SERVICES COMMITTEE

Councillors S Akers-Belcher, Clark, Cook, Cranney, Lindridge, Morris and Thompson

**1. APOLOGIES FOR ABSENCE**

**2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

**3. MINUTES**

- 3.1 To receive the minutes of the meeting held on 12 March 2015 (*previously published*)

**4. BUDGET AND POLICY FRAMEWORK ITEMS**

- 4.1 Planning Obligations Supplementary Planning Document (SPD) – *Assistant Director (Regeneration)*

**5. KEY DECISIONS**

None.

**6. OTHER ITEMS REQUIRING DECISION**

- 6.1 Authorities Monitoring Report for Financial Year 2013/2014 – *Assistant Director (Regeneration)*  
6.2 Tourist Buses Summer 2015 – *Assistant Director (Regeneration)*



**7. ITEMS FOR INFORMATION**

7.1 Conservation Grants – *Assistant Director (Regeneration)*

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

**FOR INFORMATION:**

Date of next meeting – 16 July 2015 at 9.30 am in the Civic Centre, Hartlepool.



# REGENERATION SERVICES COMMITTEE

11<sup>th</sup> June 2015



**Report of:** Assistant Director (Regeneration)

**Subject:** PLANNING OBLIGATIONS SUPPLEMENTARY  
PLANNING DOCUMENT (SPD)

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Budget and Policy Framework

## 2. PURPOSE OF REPORT

2.1 The purpose of this report is to seek endorsement of the Planning Obligations Supplementary Planning Document (SPD) (see **Appendix 1**) from Regeneration Services Committee and permission to submit the SPD to Full Council for adoption.

## 3. BACKGROUND

3.1 Policy GEP9 of the saved Hartlepool Local Plan 2006 provides the policy basis for requested developer contributions where they are necessary and relevant to a planning application. Policy GEP9 does not provide any details regarding the levels of contributions required, it simply states which types of contributions may be sought.

3.2 The purpose of this Supplementary Planning Document (SPD) is to provide developers and other interested parties with information and guidance concerning the Local Authority's approach towards securing planning obligations associated with development within the Borough.

3.3 The Local Authority will continue to use planning conditions and legal agreements as part of the planning application process to ensure that new developments in the town are sustainable, well designed and attractive and will have a positive impact on the townscape of Hartlepool. New developments however often put 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'. These are usually concluded under Section 106 of the Town & Country Planning Act 1990 (as amended) and are agreements between local planning authorities and developers

(and the landowner where the developer does not own the land) that secure contributions (in cash or in kind) to address community and infrastructure needs associated with development.

- 3.4 The SPD has been prepared in accordance with relevant national guidance set out in the National Planning Policy Framework (NPPF), Planning Practice Guidance and the Community Infrastructure Levy Regulations 2010 (as amended). Through the 2010 CIL Regulations the Government introduced a new charge which Local Authorities in England and Wales are empowered, but not required, to charge on most types of new development. The Government states that CIL will improve predictability and certainty for developers as to what they will be asked to contribute, will increase fairness by broadening the range of developments asked to contribute and will enable important sub-regional infrastructure to be funded. However since its introduction it has become evident that it is more deliverable in some areas rather than others, where, given the current market conditions, CIL is proving to be unviable and undeliverable.
- 3.5 During the development of a new Local Plan work will be undertaken on viability testing to determine whether or not it is going to be feasible to bring forward a CIL charging schedule or whether the continued use of Planning Obligations would be the best option locally.
- 3.6 The SPD is compliant with the CIL regulations and all planning obligations are subject to the legal tests, which are used to determine use of a S106 agreement and are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended. The tests are:
  1. necessary to make the development acceptable in planning terms;
  2. directly related to the development; and
  3. fairly and reasonably related in scale and kind to the development.
- 3.7 This SPD clearly sets the thresholds for developer contributions through planning obligations in terms of the following:
  - Affordable housing
  - Open Space, Outdoor Sport / Recreation and Play Facilities
  - Built Sport Facilities
  - Green Infrastructure
  - Highway Infrastructure
  - Community Facilities, and
  - Training and Employment.
- 3.8 The SPD does not contain any policies. However the levels and types of contributions required have been tested and proved to be viable and deliverable in most developments in the town over the past three years or so.

- 3.9 The only exception to this is the level of affordable housing achieved. Since the publication of the 2012 Tees Valley Strategic Housing Market Assessment (SHMA), Hartlepool's affordable housing need has been identified as 27.5%, however the amount achieved in most instances has been reduced through the viability process to ensure deliverability of schemes; the SPD is written in a way which allows flexibility and where there are issues regarding viability allows for contributions to be reduced to ensure development is viable.
- 3.9 This flexibility is an essential element of this Supplementary Planning Document and will be crucial to developer negotiations in the delivery of affordable housing, especially as the 2015 Hartlepool Strategic Housing Market Assessment demonstrates an increased affordable housing need of 144 affordable housing units per year. This represents an affordable need of 44% when considered against the overall annual target of 325 dwellings.

#### **4. METHODOLOGY**

- 4.1 In order to ensure the planning system is open and transparent it is considered vital that the Planning Obligations SPD is consulted on and then adopted to provide developers with information at an early stage in the planning process as to the types and levels of contributions which will be necessary as a result of their application.
- 4.2 Following authorisation from Regeneration Services Committee in May 2014, an 8 week public consultation on the draft Planning Obligations Supplementary Planning Document was undertaken.
- 4.3 The means of public consultation included:
- Copies of the documents made available at the Civic Centre
  - A statutory notice in the Hartlepool Mail
  - A local press release
  - Reference on the Planning Policy section on the Council's website
  - Letters to Parish Councils
  - Letters to statutory consultees and other stakeholders
- 4.4 Through the consultation 12 responses were received from statutory consultees, developers and interested parties. All responses have been carefully considered, details of the comments received and Hartlepool Borough Council's response (including resulting amendments to the document) is attached as **Appendix 2**.

#### **5. CHANGES TO NATIONAL PLANNING PRACTICE GUIDANCE**

- 5.1 On 28 November 2014, additional National Planning Practice Guidance (NPPG) on Planning Obligations was published by the Government.

This outlines new minimum thresholds to ensure that planning obligations are not sought from small and self build development. This guidance details specifically that:

- *contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm*
- *in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under [section 157\(1\) of the Housing Act 1985](#), which includes National Parks and Areas of Outstanding Natural Beauty*
- *affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home*

5.2 The guidance also details information on planning obligations in relation to the reuse of vacant buildings with the introduction of a Vacant Building Credit, this acknowledges the benefits of bringing a vacant building back into use by outlining that the *developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions would be required for any increase in floorspace.*

5.3 The release of this additional guidance presents different thresholds from those detailed in the consultation draft SPD. In the main this will increase the minimum threshold from over 5 to over 10 units, with the exception of Affordable Housing where this new guidance presents the opportunity to reduce the threshold from 15 to over 10 units (over 5 units in the designated rural area which covers the entire parishes of Brierton, Claxton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley). Whilst this has not been consulted on specifically through this process, this is the most recent national guidance (which was developed in response to consultation) and therefore re-consultation on the SPD for this reason is unnecessary as the new thresholds are set out in national guidance. Should these requirements create viability issues which could potentially impact upon any development, there is flexibility within the detail of the SPD to allow for developers to negotiate the level of contributions with the provision of appropriate viability information.

## 6. PROPOSALS

- 6.1 The Planning Obligations Supplementary Planning Document (SPD), attached as **Appendix 1** has been updated from the draft document to reflect the comments (as applicable) received through consultation (**Appendix 2**) and the Government changes to National Planning Practice Guidance (NPPG) on Planning Obligations outlined in Section 5.1-5.3 of this report.
- 6.2 The main changes and amendments to the Planning Obligations Supplementary Planning Document (SPD) are summarised below:
- Thresholds for Planning Obligations have been updated in line with National Planning Practice Guidance published on 28 November 2014.
  - Levels of contributions have been updated following the receipt of additional evidence from statutory organisations and endorsement of the 2015 Hartlepool Strategic Housing Market Assessment.
  - A threshold and level of contribution table has been provided as an appendix to the SPD to give a clearer reference point developers and other interested parties.
  - Further clarity has been given to viability assessment requirements.
  - Inclusion of 'trigger points' in relation to the payment of planning contributions on large scale developments to be negotiated as part of legal agreements.
  - Additional section on Heritage Assets has been included as a result of a response from English Heritage (now renamed as Historic England).

## 7. RISK IMPLICATIONS

- 7.1 Without an up to date approved Planning Obligations Supplementary Planning Document (SPD) in place the Council is at risk of not securing all of the developer contributions outlined within this document. This poses a serious risk in relation to the sustainable development of Hartlepool.

## 8. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 8.1 There are no issues in relation to the crime and anti-social behavior.

## 9. FINANCIAL CONSIDERATIONS

- 9.1 The Planning Obligations Supplementary Planning Document (SPD) sets out the financial contributions to be made by developers as part of the planning process. This SPD will be the key document setting out

the thresholds for and levels of contributions which must be made by developers as part of developments in Hartlepool. The SPD is however written in a flexible way which will ensure the viability of development coming forward.

## **10. LEGAL CONSIDERATIONS**

- 10.1 The Planning Obligations Supplementary Planning Document (SPD) has been set out in line with the Community Infrastructure Levy Regulations 2010 as amended, National Planning Policy Framework and the National Planning Practice Guidance.

## **11. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 11.1 There are no equality and diversity considerations in relation to Planning Obligations Supplementary Planning Document (SPD), the aim of securing planning obligations is to support the achievement of Sustainable Development.

## **12. RECOMMENDATIONS**

- 12.1 That Members consider the Planning Obligations Supplementary Planning Document (SPD) for endorsement and approve the document for submission to Full Council for consideration for adoption.

## **13. REASONS FOR RECOMMENDATIONS**

- 13.1 The Planning Obligations Supplementary Planning Document (SPD) needs to be adopted to form part of the Local Development Framework and provides the basis for securing planning obligations.

## **14. BACKGROUND PAPERS**

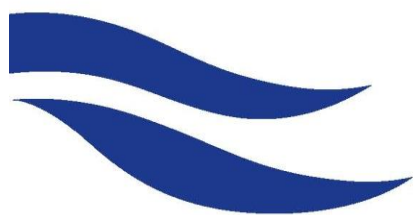
- 14.1 Report to Regeneration Services Committee on 8<sup>th</sup> May 2014.

## **15. CONTACT OFFICERS**

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# Hartlepool Local Planning Framework

## Planning Obligations Supplementary Planning Document

**Final for Endorsement**



**June 2015**



This document is the Supplementary Planning Document (SPD) which outlines Hartlepool Borough Council's approach on Planning Obligations which will be required in relation to development within the Borough.

A draft version of this document was published for a formal eight-week public consultation between 23<sup>rd</sup> May 2014 and 18<sup>th</sup> July 2014 period as part of the development process. As a result of this consultation 12 comments were received from 10 different organisations. These comments have been considered in a feedback report which has been published, and have been taken into account in producing this final document.

This document also reflects the Government changes on Planning Obligations as part of the Planning Practice Guidance published on 28<sup>th</sup> November 2014 and the updated housing figures presented in Hartlepool Strategic Housing Market Assessment (SHMA) endorsed by Hartlepool Council on 19<sup>th</sup> March 2015.

This Supplementary Planning Document (SPD) and other background documents are available on the Council's website at:

[www.hartlepool.gov.uk](http://www.hartlepool.gov.uk)

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**1.0 Introduction**

- 1.1 The purpose of this Supplementary Planning Document (SPD) is to provide developers and other interested parties information and guidance concerning the local authority's approach towards securing planning obligations associated with development within the Borough.
- 1.2 The Local Authority will continue to use planning conditions as part of the planning application process to ensure that new developments in the town are well designed, attractive and will have a positive impact on the townscape of Hartlepool. New development however, 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'. These are usually concluded under section 106 of the Town & Country Planning Act 1990 (as amended) and are agreements between local planning authorities and developers (and the landowner where the developer does not own the land) that secure contributions (in cash or in kind) to address community and infrastructure needs associated with development.
- 1.3 The Council previously undertook consultation to ascertain which types of contribution needed to be covered within the SPD. A consultation draft was consulted on in 2009/10, but this was never adopted as a result of the introduction of the Community Infrastructure Levy (CIL) Regulations and the uncertainty that this created. It has become clearer recently that there is still a need for an adopted SPD which covers s106 agreements. This will enable any contributions deemed necessary as a result of the development to be secured. From April 2015 it will be used to determine the level of onsite contributions needed and will be used to pool more strategic contributions needed off site as a result of the development. The Council will clearly set out where the contribution is to be used to ensure there is a direct correlation between the contribution and the development. No more than 5 contributions from developments will be pooled towards the delivery of one specific infrastructure improvement (for example no more than 5 towards the improvement of Mill House swimming pool).
- 1.4 This SPD will help to ensure that developments make a positive contribution to sustainable development by providing social, economic and environmental benefits to the community as a whole.
- 1.5 This SPD is made up of two sections. Section One sets out the local authorities general principles with regards to Planning Obligations, and Section Two explains the thresholds and formulae used to calculate the levels of Planning Obligations that the local authority may wish to seek.
- 1.6 Once adopted, this SPD will be a material consideration in determining planning applications and if development proposals do not comply, the SPD may be used as a basis for the refusal of planning permission by the local authority. Section 106 Agreements have to be agreed and in

place before planning permission can be granted. It is advised that any potential developer should contact the local authority at the earliest stages of the development process to discuss their proposal and establish whether there is likely to be a requirement for a Planning Obligations agreement.

## **2.0 Purpose of SPD**

- 2.1 This Supplementary Planning Document (SPD) has been prepared to set out comprehensively the local authority's approach, policies and procedures in respect of Planning Obligations. It aims to increase understanding and enable developers to take into account the potential costs of a proposed development at the earliest stage.
- 2.2 It is recognised that this SPD is being prepared during hard economic times and this is reflected in the levels of contributions that are required from developers and the flexibility that the SPD creates where viability may be an issue. The types of specific contributions which may be sought, the thresholds which will trigger the need for those contributions and the levels of contributions necessary have been set at realistic levels that will allow the delivery of these vital infrastructure improvements whilst still ensuring the viability of development in line with the guidance set out in the National Planning Policy Framework and Planning Practice Guidance.
- 2.3 The Local Authority will regularly review this SPD and should the economic climate improve the levels of contributions will be reassessed. If a developer feels that the levels of contribution requested make their development unviable they will be expected to submit a viability assessment of the scheme at validation stage (to avoid unnecessary delays), which will be assessed by the Council.
- 2.4 The Planning Obligations SPD will provide guidance on the requirements and mechanisms for contributions from development for infrastructure and other related provision. It will:
- provide greater clarity for developers and applicants;
  - speed up the processing of applications;
  - provide a clearer framework for assessing requirements and for calculating contributions;
  - play an important role in ensuring community and infrastructure needs are fulfilled as part of new development; and
  - Link to other relevant SPD's which give further information, for example the Green Infrastructure SPD and Action Plan.

2.5 The major areas that are expected to arise in considering development proposals are:

- Affordable Housing
- Children's Play / Play Facilities
- Playing pitches & Outdoor Sports Provision
- Built Sport Facilities
- Highway Infrastructure
- Education provision
- Community Facilities
- Green Infrastructure
- Training and Employment
- Heritage

2.6 This list is not exhaustive, but illustrates some of the local authority's main priorities. However, in certain circumstances, other contributions may be sought towards issues such as housing market renewal, flood protection or renewable energy. Conversely, in certain circumstances, if it is illustrated that the development is providing a significant regeneration benefit, such as the clearance of a problem building or renovation of a heritage asset, there may be an opportunity to reduce the developer contributions associated with that development, e.g. through the Vacant Building Credit.

### **3.0 Status of SPD**

3.1 The SPD expands on established national planning policies and also policies contained within the adopted Hartlepool Local Plan 2006, in particular GEP9 (Developer Contributions) and will support documents produced as part of the Local Development Framework. The guidance within this SPD will therefore be a material consideration in determining planning applications.

3.2 This SPD has been prepared in accordance with relevant national guidance set out in the National Planning Policy Framework (NPPF), National Planning Practice Guidance and the Community Infrastructure Levy Regulations 2010 (as amended). Hartlepool Borough Council is currently preparing a new Local Plan and consequently the Adopted Hartlepool Local Plan (2006) and its saved policies will be retained until it is replaced by the new Local Plan and any other Local Development Documents. It is anticipated that the emerging Local Plan will include specific Planning Obligations and Affordable Housing Policies.

3.3 On adoption, this SPD will have been approved by Regeneration Services Committee and formally presented to Full Council, the process of development included a formal consultation period of eight weeks.

**4.0 National Policy**

4.1 Planning Obligations are secured via legal agreements usually made under section 106 of the Town and Country Planning Act 1990 (as amended) usually in association with planning permissions for new development. They normally relate to any aspect of a development that cannot be controlled by imposing a planning condition. They can serve various purposes including:

- restricting the use of land
- requiring specific operations to be carried out, in, on, under or over the land
- requiring land to be used in a specific way
- requiring a sum or sums to be paid to the Local Planning Authority on a specified date or dates, or periodically.

4.2 The legal tests for when you can use s106 agreements are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended. The tests are:

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

4.3 These tests replaced the five tests which were previously set out in Circular 5/05. As with Circular 5/05 pooling developer contributions from planning obligations in cases where individual developments will have some impact but not sufficient to justify the need for a discrete piece of infrastructure is permitted, however only 5 contributions can be pooled towards any discrete piece of infrastructure. Local authorities are still required to use formulae and standard charges as part of their framework for negotiating and securing planning obligations. This helps to speed up negotiations, and ensure predictability, by indicating the likely size and type of some contributions in advance.

National Planning Policy Guidance (NPPF) March 2012

4.4 Planning Obligations are covered in paragraphs 203 to 205 of the NPPF, which highlights the tests identified at paragraph 4.2, and requires local authorities to take account of market conditions over time and to be sufficiently flexible to avoid development being stalled.

National Planning Practice Guidance (NPPG) March 2014

4.5 Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms. Obligations should meet the tests as set out in the Community Infrastructure Levy 2010 Regulations and within the NPPF.

4.6 The NPPG states that policies for seeking obligations should be set out in a development plan document to enable fair and open testing of the policy at examination and that Supplementary Planning Documents



## APPENDIX 1

should not be used to add **unnecessarily** to the financial burdens on development and should not be used to set rates or charges which have not been established through development plan policy. **(Note: Hartlepool Borough Council have an adopted Planning Obligations Policy GEP9 which is saved. The requirements set out within this SPD have been shown through viability testing to be deliverable on most schemes within Hartlepool over recent years. The requirements (with the exception of the Playing Pitches, Tennis Courts and Bowling Green contributions which were included following consultation with Sport England) within this SPD were recently tested at examination for the Hartlepool Local Plan which was found sound subject to modifications (which did not relate to the obligation requirements) but then subsequently withdrawn. It is considered the requirements made by the SPD have therefore been robustly tested and examined and are also flexible in viability terms).**

- 4.7 It goes on to state that planning obligations should not be sought – on for instance, public art – which are clearly not necessary to make a development acceptable in planning terms and notes that the Government is clear that obligations must be fully justified and evidenced. Where affordable housing contributions are being sought, obligations should not prevent development from going forward.
- 4.8 The Government currently places great emphasis on ensuring the viability and deliverability of development and the NPPG emphasises the need for contributions to be flexible and negotiable and to take into account site specific issues which may impact on delivery.
- 4.9 The NPPG goes on to state that policy for seeking obligations should be grounded in an understanding of development viability through the plan making process and that on individual schemes developers, where obligations are required, should submit scheme viability to be assessed, preferable through an open book process.
- 4.10 The NPPG also gives some guidance on the ability to renegotiate planning obligations where both parties are in agreement or by means of appeal. This may become necessary where obligations were secured in older applications and the schemes would not be viable in the current market with the delivery of the obligation.
- 4.11 The Government released additional Planning Practice Guidance on Planning Obligations in November 2014 and March 2015 to strengthen this position. New minimum thresholds have been introduced and this SPD has been updated to reflect these changes.

Community Infrastructure Levy

- 4.12 Through the 2010 CIL Regulations the Government introduced a new charge which Local Authorities in England and Wales are empowered, but not required, to charge on most types of new development. The

Government feels that CIL will improve predictability and certainty for developers as to what they will be asked to contribute, will increase fairness by broadening the range of developments asked to contribute and will enable important sub-regional infrastructure to be funded. However since its introduction it has become evident that it is far more deliverable in areas around London and the southeast and that in other areas, given the current market conditions, CIL is proving to be unviable and undeliverable.

- 4.13 During the development of a new Local Plan the Local Authority will undertake some viability testing to determine whether or not it is going to be able to bring forward a CIL charging schedule or whether the Local Authority chooses not to use CIL and instead continues to use Planning Obligations.

## 5.0 Regional Policy

- 5.1 Following the revocation of the Regional Spatial Strategy for the North East, there is no longer a regional level of guidance and the Local Authority therefore relies on local and national policy and guidance.

## 6.0 Local Policy

- 6.1 The Local Authority needs a structured and transparent approach to obtaining contributions in the future.
- 6.2 Policy GEP9 (Developer Contributions) of the adopted Hartlepool Local Plan April 2006 is a saved policy which this SPD links to. It sets out where obligations will be used and the benefits that will be sought in furtherance of the Plan's strategy. Supplementary Note 8 on Developer Contributions supports policy GEP9 (this Note will be superseded by this SPD). Policy GEP9 states:

### **POLICY GEP9 - DEVELOPERS' CONTRIBUTIONS**

*"The Borough Council will seek contributions from developers for the provision of additional works deemed to be required as a result of the development. Contributions may be required for:*

- ♦ *Highway and infrastructure works,*
- ♦ *Improvements to public transport and the pedestrian and cycleway network (see policy tra19),*
- ♦ *The layout and maintenance of landscaping and woodland planting,*
- ♦ *the layout and maintenance of open space and play facilities (see policy rec2),*
- ♦ *The provision of neighbourhood parks (see policy rec3),*
- ♦ *Works to enhance nature conservation features,*
- ♦ *Additional measures for street cleansing and crime prevention (see policies com12 and rec13),*
- ♦ *The acquisition and demolition of surplus housing stock and housing improvements in low demand housing areas (see policies hsg6 and hsg5),*
- ♦ *The rationalisation of retail facilities, and*
- ♦ *Any other community facilities deemed necessary by the local authority as a result of the development.*

*Contributions may necessitate developers entering into legal agreements with the borough council."*

- 6.3 Whilst Policy GEP9 does not specifically highlight a type of contribution, such as affordable housing, more recent evidence points to the need for such provision, these types of obligation may still be requested.
- 6.4 In Hartlepool, three Neighbourhood Plans are being developed by communities, these will set out planning policy at the community level, following adoption these will become part of the Local Development Framework. Where development sites are within a designated Neighbourhood Plan area, developers must have regard to policies set out in the relevant Neighbourhood Plan.

## **7.0 Priorities**

- 7.1 Planning Obligations will be negotiated on a site-by-site basis. The priority given to any particular type of Planning Obligation will be at the discretion of the Local Authority. It would not be possible to set out townwide priorities relating to development types in any sort of priority order as each development proposal will have different circumstances, whether they are physical, financial, environmental or social. Priorities may vary and will depend on a number of factors including local need as well as central government guidance and the current political agenda on both a national and local level.
- 7.2 Whilst each obligation will be negotiated on a site-by-site basis the local authority will have due regard for the priority theme areas within the Community Strategy along with other studies that have been undertaken such as the 2015 Open Space, Sport and Recreation Audit and Assessment, the 2014 Green Infrastructure SPD and Action Plan, the 2013 Indoor Sports Facilities Strategy, the 2012 Playing Pitch Strategy, the most up-to-date School Organisation Plan and 2015 Hartlepool SHMA. The desires of the Community Strategy and the findings of these studies will help in guiding where the contributions will be spent.
- 7.3 There may be site-specific requirements other than those highlighted in this SPD that are flagged up whilst an application progresses and these should also need to be included in any planning agreement.

## **8.0 Types of Obligations and Thresholds**

- 8.1 The thresholds for seeking planning contributions are set out in Table 1. These thresholds should be read as a guide for normal procedure and are set at practical levels that can be easily identified and measured. However each planning application will be judged on its own merits and in light of local concerns. There may be instances where obligations will be sought that are below the threshold level if the

local authority feel that the impact the development will have justifies the need to require contributions.

- 8.2 Planning Obligations and thresholds are set out in Table 1 on page 13 of this document.
- 8.3 Planning Obligations will be sought on developments below these thresholds if the Local Authority feels that the site in question is part of a larger development site. When determining contributions, the Local Authority will look at the cumulative impact of a number of adjoining small developments. Developing sites incrementally or sub-dividing a site to avoid contributions will not be acceptable. Where it is likely that this could occur the Local Authority would request a comprehensive masterplan to be developed for the area to ensure that the full potential and regeneration benefits of the site are realised. This includes cases where one site is divided between different developers, or is proposed to be developed in a phased manner.
- 8.4 This is to ensure that the necessary contributions are divided fairly between developers on the whole site and so that services and facilities, to meet overall needs, can be delivered in a comprehensive, rather than piecemeal fashion.

## **9.0 In Kind Contributions**

- 9.1 The presumption will be that where there is a requirement for on-site improvement, the developer will provide facilities themselves. Where the Local Authority wishes to provide certain facilities themselves, developers will be required to donate the land free of charge, together with a financial contribution in lieu of the developer providing the facilities.

## **10.0 Financial Contributions and Pooling of Contributions**

- 10.1 In cases where the level of contribution secured by the development is insufficient on its own to provide a facility e.g. a new play area, then a financial contribution will be paid to the Local Authority upon commencement of the development or at an agreed point of the development. This payment will be held in an account along with other similar contributions received. No more than 5 contributions will be pooled towards the provision of a distinct piece of infrastructure, such as a new play area or as a contribution towards maintenance of such a piece of infrastructure (see Section 15). The pool of money within this account will be used to pay for the implementation of schemes once there are sufficient funds. Any contributions that remain unspent at the end of the time period specified in the planning agreement may be repaid upon request by the developer.

**11.0 Existing Uses**

- 11.1 For the majority of contributions that the Local Authority will be seeking the existing use of the site will be taken into account when determining the levels of contributions. For example, for residential developments, all contributions, with the exception of affordable housing, play and green infrastructure, will be based on the increase in population caused by the new development. If the new proposal will result in a lower population then no other contributions would be sought.
- 11.2 The exceptions to this rule are affordable housing, green infrastructure and play. As affordable housing is not a requirement that is linked to the demands of an increasing population, existing uses will not be taken into account. The level of affordable housing will be determined by the total number of dwellings proposed in the new development. It is also considered that the provision of play and green infrastructure in relation to new housing developments is critical to help to ensure a healthy and active population and as such contributions will be required in all new housing/residential schemes of over 10 dwellings, or over 5 dwellings in rural areas.

**12.0 Unilateral Undertakings**

- 12.1 A Unilateral Undertaking is made where an applicant offers a planning obligation in support of a planning application or a planning appeal. Unilateral Undertakings bind the developer to their terms but not the Local Authority. When submitted in connection with an appeal, the appellant's solicitors normally draft the Undertaking, although the Local Authority will usually welcome an opportunity to discuss terms prior to submission to the Inspector.

**13.0 Index Linking**

- 13.1 In large scale developments which will be delivered in a number of phases, it is likely that financial contributions will be paid in stages. Trigger dates for the payment of financial contributions will be written into the legal agreement.
- 13.2 In order to maintain the value of financial contributions between the date of the planning permission and the date that they are paid, the payments will be index linked in accordance with the All Items Retail Prices Index excluding Mortgage Interest Payments Index (RPIX) published by the Office for National Statistics (ONS), or such replacement index as agreed between the parties.
- 13.3 The Council will charge interest for the late payment of financial contributions. Any such liability will be written into the legal agreement

so that developers are aware of the implications of late payment and agree to the terms when completing the agreement.

#### **14.0 Review of Baseline Figures**

- 14.1 In order to ensure “best value” the Local Authority will regularly review all baseline figures used to calculate Planning Obligations. If any legislation or guidance upon which the strategy is based is subject to change, any such changes would be taken into consideration when reviewing this SPD.
- 14.2 Where evidence suggests a significant change to thresholds and the level of developer contributions, the Local Authority will review relevant sections of this SPD in line with formal adoption procedures; this will include consultation where appropriate.

#### **15.0 Maintenance Costs**

- 15.1 Where planning contributions are secured for facilities that are predominantly for the benefit of users of the associated development then it may be appropriate for the maintenance of these facilities to be contributed to by the developer. The length of maintenance contributions will be determined on a case by case basis and will take into account the viability of a development. Larger, mixed use developments which are introducing new infrastructure such as parks or green spaces will normally be required to make maintenance contributions to cover at least 20 years.

#### **16.0 Economics of Provision - Viability**

- 16.1 For those developments listed (Table 1), both residential and non-residential, the Local Authority expects the full relevant Planning Obligation requirements, as outlined in this document, to be taken into account when negotiating the price of the land. Applicants should engage in pre-application discussions with the Local Authority. In order for the Local Authority to consider reducing or waiving certain requirements, the developer must be able to show that there is abnormal development costs associated with the site that could not reasonably have been foreseen at the time the land was bought. In exceptional circumstances, for example where the site is found to be heavily contaminated, it may be possible to accept reduced Planning Obligations contributions in order to achieve an acceptable land use or development.
- 16.2 Viability assessments should be submitted to the Local Authority by the developer to demonstrate that planning obligation requirements affect the deliverability of proposals. Developers can submit viability

assessments in their preferred format (this may include the HCA Viability Assessment Model).

## **17.0 Legal and Admin Costs**

- 17.1 The lead responsibility of producing a section 106 Legal Agreement lies with the developer. Developers will be required to pay any legal/professional fees incurred by the Local Authority's in the preparation and completion of the section 106 agreement. Legal fees will be charged at the hourly rate of the officer completing the agreement.

## **18.0 Drafting of Agreements**

- 18.1 The developer will be expected to submit a draft section 106 legal agreement on submission of a planning application. The Local Authority has a standardised template which will be used where practicable that will enable agreements to be drawn up quickly so as not to slow down the planning process. The developer can use its own legal team to complete this or, the section 106 agreements can be drafted by the Local Authority's Legal Services Team or by Solicitors acting on the Local Authority's behalf. The Council's legal fees will be included in all legal agreements.

## **19.0 Monitoring**

- 19.1 The Local Authority has an established process for monitoring and managing Section 106 Legal Agreements, including a database with details of all agreements and where those financial contributions have been / will be spent. The Local Authority will pro-actively pursue any late payments. There is an admin charge payable for this.

## **20.0 Contact Details**

- 20.1 Although this document sets out the types of contributions that will be sought, early contact with a member of the planning policy team will be advisable to discuss the likely obligations that may be sought on particular developments.

Matthew King	Planning Policy Team Leader	<a href="mailto:matthew.king@hartlepool.gov.uk">matthew.king@hartlepool.gov.uk</a>	01429 284084
Fiona Stanforth	Planning Policy Officer	<a href="mailto:fiona.stanforth@hartlepool.gov.uk">fiona.stanforth@hartlepool.gov.uk</a>	01429 523532
Alison Macklam	Monitoring Officer (Development Control)	<a href="mailto:alison.macklam@hartlepool.gov.uk">alison.macklam@hartlepool.gov.uk</a>	01429 284380

Landuse	Contribution towards	Threshold (number of units)	Level of Contribution	Reference in SPD
<b>Residential Development</b>				
Affordable Housing / Housing Market Renewal		Over 10 units*	44% (target figure)	Section 21 (page 14-21)
Built Sports facilities		Over 10 units*	£250 per dwelling	Section 23 (page 27-30)
Community Facilities - Education		Over 10 units*	Case by case	Section 26 (page 41-45)
Other Community Facilities		Site-by-Site	Case by case	Section 26 (page 41-45)
Green Infrastructure		Over 10 units*	£250 per dwelling	Section 24 (page 31-35)
Highway Infrastructure		Site-by-Site	Case by case	Section 25 (page 36-40)
Outdoor sport and play facilities - <i>Children's Play / Play Facilities</i>		Over 10 units*	£250 per dwelling	Section 22 (page 22-26)
Outdoor sport and play facilities - <i>Playing Pitches</i>		Over 10 units*	£233.29 per dwelling	Section 22 (page 22-26)
Outdoor sport and play facilities - <i>Tennis Courts</i>		Over 10 units*	£57.02 per dwelling	Section 22 (page 22-26)
Outdoor sport and play facilities - <i>Bowling Green</i>		Over 10 units*	£4.97 per dwelling	Section 22 (page 22-26)
Training and Employment		Over 10 units*	Case by case	Section 27 (page 46-47)
Travel Plan		Over 50 units	N/A	Section 25 (page 36-40)
<b>Commercial Development</b>				
<b>A1</b> Retail - Shops (all other A use classes – case by case)	Green Infrastructure	500sq m (gross) or more of additional floorspace	£20,000 for initial 500sq m (gross). Contribution increases by £1,000 per additional 100sq m (gross) of floorspace	Section 24 (page 31-35)
	Highway Infrastructure		Case by case	Section 25 (page 36-40)
	Training and Employment		Case by case	Section 27 (page 46-47)
	Travel Plan		Case by case basis	Section 25 (page 36-40)
<b>B1</b> Including Offices	Green Infrastructure	1000sq m (gross) or more of additional floorspace	£5,000 for initial 1000sq m (gross). Contribution increases by £1,000 per additional 100sq m (gross) of floorspace	Section 24 (page 31-35)
	Highway Infrastructure		Case by case	Section 25 (page 36-40)
	Training and Employment		Case by case	Section 27 (page 46-47)
	Travel Plan		Case by case basis	Section 25 (page 36-40)
<b>C1</b> Hotels	Green Infrastructure	New hotels or extensions of 10 bedrooms or more to existing hotels (based on no. of bedrooms)	Case by case basis	Section 24 (page 31-35)
	Highway Infrastructure		Case by case	Section 25 (page 36-40)
	Training and Employment		Case by case	Section 27 (page 46-47)
	Travel Plan	Case by case basis	Case by case basis	Section 25 (page 36-40)
<b>D2</b> Including leisure	Green Infrastructure	1000sq m (gross) or more of additional floorspace	Case by case basis	Section 24 (page 31-35)
	Highway Infrastructure		Case by case	Section 25 (page 36-40)
	Training and Employment		Case by case	Section 27 (page 46-47)
	Travel Plan	Case by case basis	Case by case basis	Section 25 (page 36-40)
<b>Other</b>	Case by Case basis	Case by case basis	Case by case basis	

**TABLE 1: Planning Obligations SPD Thresholds and Levels of contribution**

**NB.** Levels of Contributions set in this SPD may be subject to change when evidence documentation is updated.

**\* In Designated Rural Areas a lower threshold applies, planning obligations will be applied to developments over 5 units. In line with National Guidance the threshold of 1000 square metres also applies to the 10unit or more threshold for determining planning obligations. A flow diagram is provided as Figure 1.**



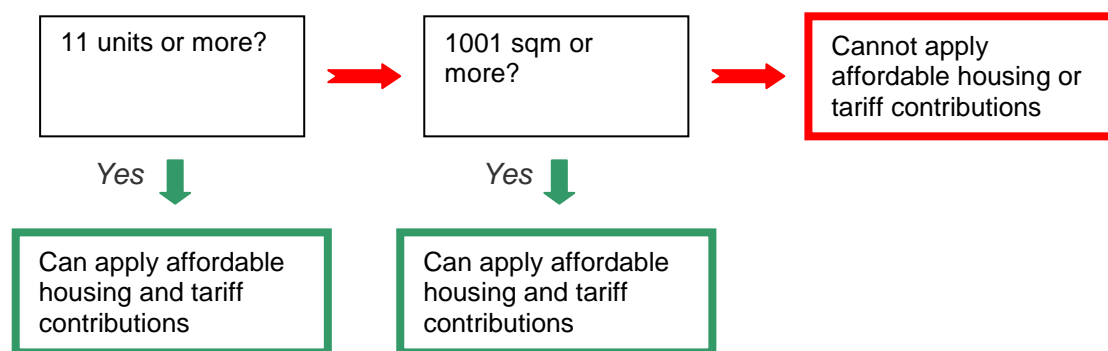
## Figure 1 – Thresholds

In applying Government guidance on planning obligations thresholds, the flow chart and table below set out how the following guidance of the National Planning Practice Guidance is interpreted by Hartlepool Borough Council and applied in this SPD.

*“National planning policy defines specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development, as set out in the [Written Ministerial Statement on small-scale developers](#).*

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm (gross internal area).” (National Planning Practice Guidance)*

Affordable housing and tariff planning obligations will be required from schemes that have 11 residential units or more, or schemes below this threshold with a gross combined floorspace of more than 1000sqm.



Examples	Can Planning Obligations be applied?	Explanation
11 unit scheme, with a total combined gross floorspace of 1,100sqm	Yes	11 or more units are being provided
11 unit scheme, with a total combined gross floorspace of 900sqm	Yes	11 or more units are being provided
10 unit scheme, with a total combined gross floorspace of 1,100sqm	Yes	There are less than 11units but it will provide more than 1,001 sqm combined gross floorspace
10 unit scheme, with a total combined gross floorspace of 900sqm	No	There are less than 11units and it will provide less than 1,000 sqm combined gross floorspace

**Part Two – Specific Contributions****21.0 Affordable Housing****21.1 Policy and Background Information**

Various national, sub-regional and local policy documents as identified below and evidence base highlight the need for affordable housing in new developments. Some of the key documents which support the need for affordable housing are listed below.

National Planning Policy Framework (2012)

21.2 The principle aim of the NPPF is to drive forward sustainable development. In terms of housing it aims to boost significantly the supply of housing, both market and affordable. It requires local planning authorities to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area where the developments are proposed and that they are consistent with other policies in the NPPF.

21.3 To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, the NPPF requires local planning authorities to:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where they have identified that affordable housing is needed, set policies<sup>1</sup> for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.
- Determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise. It notes that the NPPF is a material consideration in decision making. (Bearing this in mind recent pieces of evidence base work, such as the 2015 Hartlepool Strategic Housing Market Assessment, which provide up to date

<sup>1</sup> The emerging Local Plan will set policies on affordable housing. Counsel advice has advised that given there is an up-to-date evidence base in the form of the 2015 Hartlepool Strategic Housing Market Assessment affordable housing provision / contributions can be sought.

evidence, are also considered material considerations in the determination of planning applications.)

- 21.4 It also supports the identification and re-use of empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, the use of compulsory purchase powers to acquire the properties.

**Evidence of Local Need**

- 21.5 Until 2006 the need to provide affordable housing in new developments had not been an issue in Hartlepool as affordability had not been a problem given the relatively low cost of housing (compared with the national average), the existing supply of social housing and the variety of choice across the market. This is reflected within the Hartlepool Local Plan 2006 which does not have a specific policy on affordable housing provision. Subsequent changes in the housing market and detailed assessments of the sub-regional and local housing markets revealed increasing problems of affordability, which consequently increased the need for new affordable housing.
- 21.6 The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identified a growing and immediate need for the provision of new affordable housing and illustrated a significant annual need across the Tees Valley for affordable housing and within Hartlepool a need for 89 new affordable homes annually (for Hartlepool this equated to 27.5% annually) with the primary need being smaller 1 and 2 bedroom properties. It also highlighted the need for new bungalow provision across the borough. The study recommended a 70:30 split between social rented and intermediate tenure properties. The evidence provided within this document has enabled the Council to successfully secure the provision of affordable homes on schemes which have been approved in recent years.
- 21.7 The Hartlepool Strategic Housing Market Assessment (SHMA) 2015 provides an up-to-date position in terms of housing need and identifies the net imbalance in affordable housing as 144 per year. Set against the baseline for total housing need of 325 identified in the SHMA, this equates to 44%. However through the development of the emerging Local Plan, demolitions and backlogs will be examined which may result in revisions to this percentage.
- 21.8 In terms of a split between social rented and intermediate tenure properties, the 2015 SHMA details to same ratio as the 2012 Tees Valley document. Further detail on the type and tenure of housing need is outlined in the Hartlepool Strategic Housing Market Assessment (SHMA) 2015.
- 21.9 Given the clear illustration over the past few years that there is a irrefutable and immediate need for the provision of affordable homes, within new housing developments and subject to viability testing, the

Council will seek the delivery of affordable homes by the following means.

### **Negotiating Affordable Housing**

#### **Threshold**

- 21.10 Affordable housing will be required on all planning applications for residential development that consist of a gross addition of over 10 dwellings in urban areas and over 5 dwellings in rural areas<sup>2</sup>, including renewal of lapsed unimplemented planning permissions, changes of use and conversions. A floorspace threshold also applies; see Figure 1 (page 13).
- 21.11 Given the level of identified need and the limited opportunities for securing affordable housing provision in the Borough, planning permission will not be granted for residential applications that meet or exceed the gross additional thresholds and do not include any on-site affordable housing or off-site provision, unless they illustrate the regeneration benefits noted in paragraph 2.6.
- 21.12 The Council will be alert to the sub-division of sites or phasing of development as an attempt to avoid providing an affordable housing requirement. Therefore, for the purposes of establishing the affordable housing requirement, planning applications will be viewed as any composite or naturally defined larger area, whether or not subject to phased development and regardless of ownership. If development is proposed in phases, later phases may be required to fulfil affordable housing requirements from previous phases, where it has not already been adequately provided.

#### **Level of Contribution**

- 21.13 An affordable housing target of 44%<sup>3</sup> will be required on all sites above the minimum threshold where there is an identified local need and/or where the economic viability of schemes allows. The Council do recognise this is a high target<sup>4</sup>, where viability evidence is submitted to illustrate that this level is not achievable, a lower percentage may be agreed through the Council assessing the development through its viability testing model.

#### **Where Affordable Housing is Provided**

- 21.14 Generally all affordable housing will be delivered through on-site provision. Only in exceptional circumstances will it be acceptable for provision to be made off-site. Applicants will need to provide sound,

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<sup>2</sup> Identified Affordable Housing Threshold in line with Planning Practice Guidance released on Planning Obligations 2014.

<sup>3</sup> This level may be subject to change following housing figures identified in the emerging Local Plan.

<sup>4</sup> This target applies to the entire units on the development and not just the development above the level of the identified threshold.

robust evidence why the affordable housing cannot be incorporated on-site and show how off-site provision or commuted sums will contribute to the creation of sustainable mixed communities elsewhere in the Borough.

- 21.15 The delivery emphasis of affordable housing will be very strongly favoured to provide on-site provision as there is a short supply of available development land within the urban area of Hartlepool to cater for off-site developments. In the unlikely event that a developer is proposing the provision of affordable housing off-site, there should be early discussions with the Council to identify a suitable site or sites.
- 21.16 In the unlikely event that off-site provision is agreed, similar to the on-site provision; the timing of off-site provision will be related to the completion of numbers of properties on the associated general market housing site. The general approach will be to secure completion of the affordable homes proportionally to the general market housing, unless the timing is otherwise agreed with the Council. In this situation affordable housing contributions may directly relate to the Local Authority's build provision of affordable housing and registered providers.
- 21.17 Where an off-site provision is agreed to be acceptable, the level of contribution will be calculated by deducting the transfer price of the unit from its open market value (OMV).

#### ***Example of Financial Contribution:***

*Based on a development of 200 homes in the urban area*

*A = The average market price of a house on the scheme = £125,000*

*B = The average onsite affordable house if sold on the open market = £100,000*

*Commuted sum = 40%\* of affordable price is £40,000 (ie 40% of £100,000)*

*(\*this is based on a Registered Provider being able to source funding, either by grant or mortgage, to pay for 60% of the open market price.)*

*Affordable housing obligation of 44% requires provision of 88 affordable homes*

*The application is for 200 dwellings. A 44% affordable requirement means that a commuted sum contribution is required for 88 affordable units.*

*Therefore 88 units x £40,000 = £3,520,000 total contribution.*

**Type and Tenure**

- 21.18 Developers will be expected to achieve an aspirational target of 70% social rented or affordable rented and 30% intermediate tenure mix on each site. Housing type and tenure split will be negotiated on a site-by-site basis, having regard to the most up-to-date evidence of need, mix of tenures of existing housing nearby, the desire to create balanced communities and the constraints and requirements of providing on-site provision.
- 21.19 The aspirational tenure split of 70% social rented or affordable rented and 30% intermediate affordable housing is considered most appropriate to meet Hartlepool's strategic housing aims and the identified housing need within the town. This is based on the robust 2015 Hartlepool Strategic Housing Market Assessment evidence and recent evidence from the Council's housing waiting list. The need is compounded by the reduction of social rented stock through the 'Right to Buy' scheme.
- 21.20 Bearing in mind the aspirational target, the Council recognises that negotiation on a site-by-site basis would be the best approach; ensuring that nearby housing is taken into consideration in the desire to create sustainable balanced and mixed communities. Where a developer is proposing a target that deviates from the 70/30 split, there should be early discussions with the Council to ensure an appropriate target is achieved.

**Future Management of Affordable Housing**

- 21.21 All affordable units should be delivered in partnership with a Registered Provider by means of a section 106 legal agreement, with appropriate provision to secure the retention of the properties as affordable units in perpetuity. The terms of sale from the developer to the Registered Provider must be suitable to meet these requirements.
- 21.22 The Council regards partnership delivery with a Registered Provider (RP) as the preferred means of securing affordable housing, tied in by means of a section 106 legal agreement to which the RP will be party. This applies to all the forms of affordable housing. (Again the Local Authority must be approached by the developer when consideration is being given to which RP is to be involved).
- 21.23 Where a developer is proposing providing affordable housing involving an RP, there should be early discussions with the Council to draft the Section 106 Legal Agreement.

**Design and Specification of Affordable Housing**

- 21.24 The Council promotes the development of energy efficient housing. It is important not only to minimise the running costs of a home to the occupier but also to reduce carbon emissions. It is expected that all affordable properties will achieve high levels of energy efficiency in line with the Governments Zero Carbon Policy, affordable homes in particular should seek to address energy efficiency even more so and it is often the case that if homes are Homes and Communities Agency (HCA) funded they are required to meet a higher energy efficiency level. Amendments to the building regulations are expected in 2015, the Council may seek to use the provisions in the new legislation to set its own bespoke energy efficiency standards but in the meantime the Council expect developers to demonstrate how they meet with the requirements of NPPF paragraph 96 and use of the Code for Sustainable Homes is one method that will be supported<sup>5</sup>.
- 21.25 In respect of affordable homes which are receiving funding from the HCA, these properties would be expected to meet the design standards set out within the HCA Design and Quality Standards in April 2007 or any subsequent standards that amend or replace those standards.
- 21.26 The Council will expect applicants to ensure that the affordable properties are integrated into the overall development, in terms of their built form and external appearance, so that they are indistinguishable from the other properties on the site. Affordable properties should not be marked out by being of poorer design, specification and quality of finish than neighbouring properties. It is recommended that the skills and experience of RP's be employed at an early stage in the design process to ensure that the future management of the affordable housing units is fully considered.

**Pepper Potting of Affordable Housing**

- 21.27 The Council supports the development of sustainable mixed and balanced communities. In order to avoid the negative implications of social exclusion and isolation, affordable homes within housing schemes should be evenly distributed across the site (which is known as pepper potting) and not disproportionately allocated to the periphery or in one particular area. The Council will normally require affordable homes to be grouped together in clusters of no more than 5 properties.
- 21.28 In apartment and flat developments the Council requires pepper potting to be maintained. However it is recognised that other issues may impact upon the distribution of affordable units in apartment blocks, including difficulties in their management and financial concerns

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<sup>5</sup> The relevant guidance will be applied, following the amendments to the Building Regulations for energy efficiency.

regarding levels of service charges. The benefits of this will be weighed against the scope to achieve a better degree of pepper potting. The level of pepper potting on apartment schemes will be negotiated on a site-by-site basis.

- 21.29 The Council expects the location of the affordable housing will be discussed and agreed at an early stage in conjunction with the appointed RP. At Reserved Matters application it will be necessary for the developer to liaise with a Registered Provider and to identify the location of the affordable properties on the final plan. The final location must be agreed before development commences.

### **Accessibility**

- 21.30 The Council expect developers to have regard to the changing needs of residents over time, in ensuring that homes are easily adaptable, residents know that they are likely to be able to reside in their home if they become less able bodied. If easily adaptable then costs are kept to a minimum. The Lifetime Homes Standards are likely to be phased out; however they are still a useful tool in delivering adaptable homes and the principles are supported by the Council.

### **Affordability and Service Charges**

- 21.31 Although the emphasis in determining affordability is primarily focussed on rent or purchase price, it is the total cost of occupation that ultimately determines affordability. Some residential developments have high levels of service charges, and this has an impact upon the relative affordability of the accommodation. Such potentially significant additional costs may result in affordable housing extending beyond the financial reach of those in housing need. It is therefore anticipated that the cost of service charges will be minimised. The proposed level of service charges will form part of pre-application discussions.

### **Funding for Affordable Housing**

- 21.32 The Homes and Communities Agency (HCA) has historically been the main provider of public funding for affordable housing, however in recent years this ability to fund schemes has diminished significantly due to the national economic crisis. Their approach is that affordable housing on Planning Obligation sites should be delivered without the input of grant. If grant were to be considered on a site, their objective would be to ensure that the site delivers more affordable housing or a different mix or higher standards, than would have been possible without grant. If funding becomes available the HCA will assess the 'additionality' offered by a scheme in making a decision regarding potential funding. Developers should therefore assume that no grant will be available to fund the affordable housing, unless an agreement has been made with the HCA. Before the HCA is approached developers must ensure that the Local Authority will support a bid to the HCA for grant funding.



**Transfer Prices**

- 21.33 The Council will seek to negotiate, on a site-by-site basis, transfer prices as these are likely to fluctuate depending on housing market and site conditions.

**Future Policy Changes**

- 21.34 The Local Authority will ensure that evidence is kept up-to-date and will include a Policy within the emerging Local Plan on affordable housing.
- 21.35 If new evidence changes the levels or mix of affordable housing required, the new evidence will supersede the requirements set out within this SPD until such a time as this SPD is refreshed to reflect the changes.

## 22.0 Outdoor Sport and Play Facilities

- 22.1 The Government's commitment to Parks and Open Spaces<sup>6</sup> has evolved significantly in recent years. They are among the community's most valued features. Well managed open spaces not only make an area more attractive but they also contribute towards sustainable development through creating places in which people want to invest and locate, the promotion of healthier lifestyles, urban renaissance, social inclusion and community cohesion.

### National Policy Background

#### National Planning Policy Framework (2012)

- 22.2 Recognises how open space including parks and sports fields plays a vital role in the delivery of sustainable development. It states "access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities."
- 22.3 In order to do this it requires that "planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required."
- 22.4 It also recognises the vital importance of existing provision and the need to protect these spaces and facilities in the future, stating "existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."

<sup>6</sup> This does not cover Green Infrastructure or Built Sports Facilities which are dealt with separately within the following two chapters.

**Local Policy Background**Hartlepool Local Plan (Adopted 2006)

- 22.5 There are a number of policies within the Local Plan that support the delivery of open space, leisure and play facilities as part of new developments in the town. Policy GEP9 (Developer Contributions) highlights that the local authority will seek contributions from developers for the provision of additional works deemed to be required as a result of the development towards “the layout and maintenance of open space and play facilities” and also for “the provision of neighbourhood parks.”
- 22.6 Policy Rec2 (Provision for play in new housing areas), Policy Rec3 (Neighbourhood Parks), Policy Rec4 (Protection of Outdoor Playing Space) and Hsg9 (New Residential Layout – Design and other Requirements) all indicate that developer contributions may be needed towards the provision of play and leisure space in the town.
- 22.7 Policy GN2 is also especially critical in protecting against the loss of open space as a result of developments in the town. The policy sets circumstances where the loss of open space to facilitate a development may be permitted but goes on to stipulate that an adjacent site should be enhanced or compensatory open space must be provided on an alternative site, which is in line with national guidance outlined in the NPPF.

Open Space, Sport and Recreation Audit and Assessment (2008 & 2015)

- 22.8 As part of the evidence base for the development of the Local Development Framework Hartlepool Borough Council undertook a PPG17 Assessment which was concluded in April 2008. A new Open Space, Sport and Recreation Audit and Assessment was endorsed in January 2015 to update the evidence base supporting the Local Plan. The specific objectives of the new assessment, reflecting those of the previous assessment, are to:
- provide information about existing community needs and aspirations;
  - analyse how these results vary according to the different demographic characteristics of different groups and communities within Hartlepool;
  - research standards of provision; and
  - develop a set of appropriate standards for Hartlepool.
- 22.9 The types of Open Space that were assessed as part of the study include:
- Urban parks and gardens
  - Amenity greenspace
  - Play areas

- Outdoor sport facilities (including schools where there is public access either formally or informally)
- Green corridors
- Natural and semi natural greenspaces
- Allotments
- Churchyards and cemeteries
- Common land
- Civic spaces

22.10 The Open Space, Sport and Recreation Audit and Assessment 2015 can be viewed at;

[http://www.hartlepool.gov.uk/downloads/file/12169/open\\_space\\_sport\\_and\\_recreation\\_assessment-january\\_2015](http://www.hartlepool.gov.uk/downloads/file/12169/open_space_sport_and_recreation_assessment-january_2015)

It sets out the standards that have been endorsed for different types of open space within Hartlepool.

Hartlepool Playing Pitch Strategy (PPS) (2012)

22.11 In December 2012 Hartlepool Borough Council adopted a new Playing Pitch Strategy which was developed with the support of Sport England. The PPS guides the delivery of playing fields and outdoor sports facilities and to inform decision making in relation to pitch provision. It sets out the key issues and priorities for facilities for football, cricket, rugby union, rugby league, hockey, tennis and bowls across Hartlepool and identifies specific actions, timescales and responsibilities for implementation and delivery.

**Thresholds**

22.12 Given the importance of outdoor sport and play facilities in creating a town in which people are healthy and active and have a range and choice of high quality activities in which they can partake, the threshold for contributions towards this for residential developments is over 10 dwellings<sup>7</sup>.

22.13 This threshold has been reached following an assessment of potential housing sites which may come forward in the future in the Borough and taking into account the yields which would be expected from each site. Given that all housing will have an impact on the need for play space within the town, and taking into account the cumulative impact of the developments which are likely to be delivered in the coming years it is necessary to set the threshold at this level so that play facilities within the Borough provide high quality play space which adequately meets the needs of the current and expected future population.

**Amount and Location of Provision**

22.14 The amount and location of the provision of outdoor sport and play facilities will vary from site to site. The Local Authority will always

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<sup>7</sup> In Designated Rural Areas a lower threshold applies, planning obligations will be applied to developments over 5 units. Planning obligations will also be applied in cases where a development of 10 units or less has a combined internal floor space in excess of 1000sqm.

require a contribution towards play provision on all residential developments of over 10 houses<sup>8</sup>. Larger sites of more than 100 homes will be expected to incorporate on site provision. On smaller sites this contribution will be towards off site facilities in the vicinity of the development. The developer should liaise with the Local Authority to ensure that the quality and layout of play facilities meets the requirements of the Local Authority.

- 22.15 Developments (as identified in the table 3 below) which bring together large numbers of people will be required to make a contribution towards play facilities and outdoor sports facilities in the vicinity of the development. The Open Space, Sport & Recreation Assessment 2015 and the 2012 Playing Pitch Strategy will be used to identify where the financial contribution should be spent.

**Table 3 – level of Contributions Outdoor Sport and Play Facilities**

Type of development	Planning Obligation	Level of Contribution
Residential	Play Facilities	£250 per unit (where development exceeds 100units onsite provision required.)
Residential	Playing Pitches	£233.29 per unit
Residential	Tennis Courts	£57.02 per unit
Residential	Bowling Greens	£4.97 per unit

- 22.17 The levels of contribution outlined in the table are based on standards in relation to Outdoor Sport set out within the Hartlepool Playing Pitch Strategy (2012):

- Playing Pitches 0.9 Hectares per 1000 population.
- Tennis Courts is 0.02 hectares per 1000 population.
- Bowling Greens is 0.03 hectares per 1000 population.

- 22.18 Calculations have been made using Sport England's facility's cost information available at;  
<http://www.sportengland.org/media/198443/facility-costs-4q13.pdf>. In exceptional circumstances given the nature of the development (e.g. one person units) the level of contributions may be split to household composition to be developed.

- 22.19 The playing pitch standard is 9000sq.m per 1000 population which equates to 9sq.m per person. Cost per square metre for constructing varying sizes of football pitches, and rugby pitches has been averaged, and it equates to £11.27 per sq.m.

<sup>8</sup> In Designated Rural Areas a lower threshold applies, planning obligations will be applied to developments over 5 units. Planning obligations will also be applied in cases where a development of 10units or less has a combined internal floor space in excess of 1000sqm.

Therefore the cost per person of Hartlepool's playing pitch standard is  
 $\text{£}111.27 \times 9 = \text{£}101.43$

Based on an average household of 2.3 persons<sup>9</sup> this is **£233.29** per unit / household.

- 22.20 The tennis court standard is 200 sq.m per 1000 population which equates to 0.2sq.m per person. The costs for tennis courts including floodlighting is £123.94 per sq.m.

Therefore the cost per head of Hartlepool's tennis court standard is  
 $\text{£}123.94 \times 0.2 = \text{£}24.79$

Based on an average household of 2.3 persons this is **£57.02** per unit / household.

- 22.21 The bowling green standard is 30sq.m per 1000, which equates to 0.03sq.m per person. The cost of a bowling green (flat or crown green) works out at £71.86 per sq.m.

Therefore the cost per head of the standard is therefore  $\text{£}71.86 \times 0.03 = \text{£}2.16$ .

Based on an average household of 2.3 persons this is **£4.97** per unit / household.

### **Maintenance of facilities**

- 22.22 Where the developer makes a payment for off-site play or outdoor sports facilities, they will also be expected to pay a commuted sum for the maintenance of the facility for a 20 year period from the point at which the facility is completed. Where the developer is not the sole contributor towards the overall cost of a facility, there will be an apportionment of the maintenance cost based on the percentage of its contribution towards the overall cost of the facility.

- 22.23 Discussions with the appropriate department within the Local Authority will be necessary at the application stage to determine the level of maintenance contribution that is necessary towards the upkeep of the facility.

### **Timescale for contributions to be paid to and held by Local Authority**

- 22.24 All developer contributions should be paid to the Local Authority on commencement of the development. The contributions will be paid into an account by the Local Authority.

- 22.25 In exceptional circumstance in large-scale development, it may be appropriate that payments or provision would be phased in order to meet the proportional impact of each phase. Trigger points for payments or provision will be included in the legal agreement, as will the period in which any contribution will have to be spent.

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<sup>9</sup> Tees Valley Unlimited - the average household size is the resident household population divided by the number of occupied households. Tees Valley figures are Mid Year; England & Wales figure for 2011 is Census day.

**23.0 Built Sports Facilities**

- 23.1 The provision of local sports facilities is essential to the health and well being of the population. Where new development occurs it is vital that sufficient sports provision is made to encourage residents to lead active lifestyles.
- 23.2 Hartlepool has a lack of sports facilities suitable for the higher levels of performance sport so talented athletes invariably need to travel to other towns where facilities meet their needs. Current facilities are not capable of staging or supporting major sporting events. Many of the local sports facilities are low quality and there is an urgent need for investment to modernise, improve and expand facilities.

**National Policy Background**

- 23.3 There are numerous national policies aimed at improving the quality and provision of sporting facilities across the country. One of Sport England's priorities is to use the success and national pride that was created by the 2012 London Olympics and people's passions for sport to encourage a more active and sporting nation.
- 23.4 Almost all of the national policies recognise the importance and significance of sport and education in meeting a number of different agenda, including:
- Increasing participation in physical activity
  - Reducing obesity, particularly amongst children and young people
  - Economic regeneration
  - Increasing access and targeting under-represented groups.

**National Planning Policy Framework (2012)**

- 23.5 The NPPF promotes the use of shared facilities included sport facilities and advises local authorities to plan positively for them and to guard against their loss, particularly where this would reduce the community's ability to meet their day to day needs. It also identifies the need for local assessments of facilities to identify any qualitative or quantitative issues that need to be addressed, thus helping to ensure adequate provision is made to meet the needs of the community.

**Assessing Needs and Opportunities Guidance (Sport England) (2013)**

- 23.6 Sport England has consulted on this piece of draft guidance which focuses on the practicalities of producing a clear and robust assessment to help develop and apply local planning policy. The guide will therefore assist Local Authorities with meeting the requirements of the National Planning Policy Framework (paragraph 73) and will ensure that built sports facilities meet the needs and aspirations of the communities that use them.

**Local Policy Background**Hartlepool Local Plan (Adopted 2006)

- 23.7 The Hartlepool Local Plan recognises the need for sports and leisure facilities which will attract large numbers of visitors to locate in sustainable locations in line with national guidance. As such policy Rec14 (Major Leisure Developments) sets out a sequential approach that should be followed in locating major new sports and leisure facilities within the town.

Indoor Leisure Facility Strategy (2013)

- 23.8 In 2013 the Local Authority appointed consultants to undertake a refresh of the indoor leisure facilities strategy which was carried out previously by consultants in 2007. It looks at the provision of sports halls, swimming pools, and other indoor leisure activities within the town. It recognises that the development and/or refurbishment of sporting and other cultural facilities in Hartlepool could contribute significantly to the achievement of priorities in terms of addressing Government aims to achieve higher levels of activity in the population.
- 23.9 The strategy had 4 specific objectives:
- To provide a firm foundation upon which policy decisions and funding for future development can be based;
  - To support initiatives by voluntary and private sector groups to develop new or improved indoor sports facilities for the Borough that meets broader strategic aims;
  - To develop and maximise the opportunities for school and community sport through educational facilities; and
  - To improve the quality and provision of the Council's indoor sports facilities to meet the expectations of local residents.
- 23.10 The consultants were also asked to look at asset management issues and options including the development of new facilities, the re-development of existing facilities and the closure or disposal of facilities.
- 23.11 There are a number of significant findings, conclusions and recommendations which the report identifies, they are:
- The current position regarding facilities is not sustainable in the long-term as many key sites are beyond their economic life – in particular, the school swimming pools are life expired.
  - The newer facilities at the Headland and Brierton are key facilities in terms of the Borough's provision now and longer-term into the future.
  - The strategy recommends that a new Borough leisure centre facility is constructed to replace the existing provision at Mill House. Ideally this should be done in such a way that the swimming facilities in particular remain in operation until such time as this opens. The capital cost is estimated to be in the region of £16m or at a significantly reduced cost if new pool facilities were constructed alongside the present dry facilities at



the Mill House site. A further assessment of this would be required.

- Highlights the potential for a new pool at Brierton Sports Centre at a capital cost estimated to be in the region of £5m.
- In order to ensure access to a pool facility on the North West of the Borough, the pool at High Tunstall should be retained. This will require refurbishment works (estimated minimum £250k). The alternative would be to construct a replacement pool estimated at £3.5m.
- The redevelopment and/or refurbishment of the school/college sports halls serves to consolidate the service provision to the town's residents but additional investment may be required to provide separate entrances, reception areas etc.
- The Council has a role to ensure that educational facilities are developed, managed and operated in a consistent manner and in accord with industry and legislative standards.
- The current provision of sports halls is well over what is required if the parameters of the facilities planning model (FPM) are to be adopted but current programmes of use demonstrate that there is actual demand for more than the minimum suggested.
- Whilst not eligible to be included as part of Sport England's Facility Planning model, Belle Vue Community, Sports and Youth Centre plays an important part in the overall provision of the town's facilities.
- The strategy would provide a good range of indoor multi-purpose sports facilities but in order to maximise their value in the development of sport and physical activity, it will be important to ensure the delivery of an enhanced and coordinated programme of participation opportunities, both targeted at specific user groups and available to the general resident and visitor population.
- The Council will need to consider and explore the financial options open to it in terms of the delivery of the Strategy. This may also ultimately mean considering alternative management arrangements for the facilities in order to provide the capital investment required rather than continuing the management under the current in-house arrangement.

23.12 It is clear that even without further growth of the town, significant investment is needed in the built leisure facilities around the town. It is therefore reasonable to expect that new development which will further add to the strain on these facilities contributes towards the improvement and where necessary re-provision or new provision of facilities. The Council will seek other sources of grant funding and private investment which will be used alongside any developer contributions to meet the needs of the town. The Council will use the findings and recommendations of the study to direct developer contributions for built sport facilities to the most appropriate location in relation to a development.

**Thresholds**

- 23.13 Given the importance of indoor sports facilities (both wet and dry) in creating a town in which people are healthy and active and have a range and choice of high quality activities in which they can partake, it is considered that all new developments with over 10 dwellings<sup>10</sup> should contribute towards built sports facilities within the town.

**Levels and Location of Provision**

- 23.14 Given that no more than 5 developer contributions can be pooled towards one discrete element of infrastructure, developers will be informed at application stage where their contribution is being directed. It is likely that contributions from major strategic developments will be put towards the Mill House Leisure Centre renewal or replacement.

**Table 4 – Level of Contribution for Built Sports Facilities**

Type	Level of Contribution
Residential	£250 per unit towards new or improved built sports facilities

**Maintenance of facilities**

- 23.15 Given the scale of the major indoor leisure facilities, and taking into account development viability, no maintenance costs will be required from developers towards the upkeep of the facility.

**Timescale for contributions to be held by Local Authority**

- 23.16 All developer contributions will be paid to the Council on commencement of the development. The contributions will be paid into an account by the Local Authority. This pot of money will be used towards the delivery of built sports facilities in the town.
- 23.17 In exceptional circumstance in large-scale development, it may be appropriate that payments or provision would be phased in order to meet the proportional impact of each phase. Trigger points for payments or provision will be included in the legal agreement, as will the period in which any contribution will have to be spent.

<sup>10</sup> In Designated Rural Areas a lower threshold applies, planning obligations will be applied to developments over 5 units. Planning obligations will also be applied in cases where a development of 10 units or less has a combined internal floor space in excess of 1000sqm.

## 24.0 Green Infrastructure

### 24.1 Green infrastructure is defined as:

*"The physical environment within and between our cities, towns and villages. It is a network of multi-functional open spaces, including formal parks, gardens, woodlands, green corridors, waterways, street trees and open countryside. It comprises all environmental resources, and thus a green infrastructure approach also contributes towards sustainable resource management".<sup>11</sup>*

24.2 Green infrastructure planning involves the provision of strategically planned networks that link existing (and proposed) green spaces with green corridors running through urban, suburban, urban fringe, and rural areas. Through the maintenance, enhancement and extension of these networks multi-functional benefits can be realised for local communities, businesses, visitors and the environment.

24.3 Green infrastructure offers opportunity for the accommodation of Sustainable Drainage Systems (SuDs) and flood alleviation schemes where inclusion of such provision is required.

### National Policy Background

#### National Planning Policy Framework

24.4 The NPPF notes the importance of green infrastructure and describes it as a *"network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities."* It notes that Green Infrastructure can be used as an adaption measure in areas of risk in terms of issues such as flooding. It goes on to state that in the preparation of plans local authorities should *"set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure."*

#### National Planning Policy Guidance (2014)

24.5 This guidance contains a significant amount of information on the importance of biodiversity, ecosystems and green infrastructure and sets out helpfully the law regarding its protection such as Section 40 of the Natural Environment and Rural Communities Act 2006 which places a duty on all local authorities, in the exercise of their functions, to the purpose of conserving biodiversity. Key documents such as the Natural Environment White Paper are also discussed which provides important details on ecologic networks.

24.6 The NPPG also provides guidance on elements of green infrastructure such as Local Sites and Nature Improvement Areas, Ancient Woodland and Veteran Trees and provides guidance on how it should be

<sup>11</sup> Green Infrastructure Planning Guide; Northumbria University, North East Community Forests, University of Newcastle upon Tyne, Countryside Agency, English Nature, Forestry Commission, Groundwork, 2005

considered in the preparation of a planning application. It notes that sufficient green infrastructure should be designed into a development to make the proposal sustainable. If this green infrastructure helps to mitigate any significant harm to biodiversity (among other benefits) then this should be taken into account in deciding whether compensation may also be needed.

- 24.7 The NPPG also notes how planning conditions and obligations can be used to ensure that mitigation or compensatory measures, such as a biodiversity offsetting scheme are secured.

Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services

- 24.8 This document highlights England's strategic direction in terms of biodiversity up to 2020. Biodiversity is key to the survival of life on Earth. Its loss deprives future generations of irreplaceable genetic information and compromises sustainability. It notes that the recent National Ecosystem Assessment also shows just how much nature provides for us in this country. For example, the enormous value of inland wetlands to water quality, the value of pollination to agriculture, the health benefits of experiencing nature and, not least, how nature and wildlife enrich all our lives. All of these are elements of green infrastructure and illustrate its importance in sustainable development.

Natural Environment White Paper: The Natural Choice; Securing the Value of Nature (2011)

- 24.9 The white paper places the value of nature at the centre of the choices our nation must make: to enhance our environment, economic growth and personal wellbeing. By properly valuing nature today, we can safeguard the natural areas that we all cherish and from which we derive vital services.
- 24.10 It notes that *"Economic growth and the natural environment are mutually compatible. Sustainable economic growth relies on services provided by the natural environment, often referred to as 'ecosystem services'. Some of these are provided directly, such as food, timber and energy. Others are indirect, such as climate regulation, water purification and the productivity of soil."* One of the key actions of the White Paper is to establish a Green Infrastructure Partnership with civil society to support the development of green infrastructure in England.

**Sub Regional Policy Background**

Tees Valley Green Infrastructure Strategy (2008)

- 24.11 One of the greatest challenges facing the Tees Valley is to create attractive places and an environment that offers a quality of life that will encourage people to stay and will attract new investment and entrepreneurs.
- 24.12 Green infrastructure can play a key role in helping to achieve the economic and sustainable vision for the Tees Valley. The scale of

development and regeneration envisaged requires a new way of looking at the environment, and in particular how new development and redevelopment can contribute to environmental quality.

- 24.13 The green infrastructure concept offers a way of viewing open space provision as a resource that should be planned strategically and delivered in an integrated way across regions and sub-regions. The vision for green infrastructure in the Tees Valley is:

*“To develop by 2021 a network of green corridors and green spaces in the Tees Valley that:*

- Enhances the quality of place and environment for existing and future communities and potential investors;*
- Provides an enhanced environmental setting and context for new development, regeneration projects, and housing market renewal initiatives and produces schemes of high quality design;*
- Creates and extends opportunities for access, recreation and enhancement of biodiversity, and*
- Provides a buffer against the effects of climate change.”*

#### Tees Valley Biodiversity Action Plan

- 24.14 The Tees Valley BAP was produced in 1999 and consists of a series of Species and Habitat Action Plans setting out the current status, targets for protection and enhancement plus the actions to be taken by each partner organisation. It is carried out by the Tees Valley Biodiversity Partnership, which is a partnership of local organisations and people working together to benefit our wildlife. This document takes the objectives and targets of the UK Biodiversity Action Plan and translates and amplifies them into a Tees Valley context. Focusing on the most significant elements of the Tees Valley’s environment, it sets out the actions needed to achieve those objectives and targets.

#### Hartlepool Local Plan (2006)

- 24.15 Although there are no specific references to the term “green infrastructure” within the Local Plan, many of the policies within the plan are aimed at ensuring that the environmental assets of the Borough are all safeguarded and enhanced where possible. These include the coastline and its environs (WL3), the Green Network (Policies GN1 and GN3), open spaces (Policy GN6), natural environments (Policy Rec8, Rec10, WL2, WL5 & WL7) green wedges (Policy GN2), parks (Policy Rec3), recreational routes (Policy Rec9) and the rural hinterland (Policies Rur1 and Rur7). Policy GEP 9 (Developer Contributions) also highlights those contributions that the Local Authority may seek where deemed to be necessary as a result of the development. Contributions towards landscaping and woodland planting, open space, neighbourhood parks and nature conservation features are all included in this policy and are seen as important elements of green infrastructure.

Hartlepool Green Infrastructure SPD and Action Plan (2014)

- 24.16 These documents form part of the Local Development Framework and will be used in the determination of planning applications and also to ensure that the Borough's green spaces are not only protected but enhanced for the benefit of all. Where planning contributions are secured towards green infrastructure as part of a planning application the SPD and Action Plan will be used to direct the contribution to the most appropriate scheme in relation to the application.

**Thresholds**

- 24.17 Given the importance of green infrastructure in creating a town and region in which people want to live and work and businesses want to invest in, the threshold for contributions towards green infrastructure for residential developments is over 10 dwellings<sup>12</sup>. Other types of developments may be expected to contribute towards this initiative as it is seen as critical in ensuring the town develops in a sustainable way in the future.

**Level of Contribution**

- 24.18 Given the importance that is placed on green infrastructure both at a national and regional level, the Local Authority will require all types of developments indicated in Table 5 below to contribute. This level of contribution has been illustrated to be viable (via viability testing) on schemes within Hartlepool over recent years.

**Table 5 – Level of Contribution for Green Infrastructure**

Type	Level of Contribution
Residential	£250 per dwelling
<b>Commercial:</b>	
<b>A1</b> Food Retail/Non Food Retail	£20,000 Threshold of 500sq m (gross). Contribution increases by £1,000 per additional 100sq m (gross) of floorspace
<b>B1</b> Including Offices	£5,000 Threshold of 1000sq m (gross). Contribution increases by £1,000 per additional 100sq m (gross) of floorspace
Other	Case-by-Case basis

- 24.19 All developer contributions will be paid to the Local Authority on commencement of the development. The contributions will be paid into an account by the Local Authority. Contributions will be subdivided into pots of no more than five contributions towards the delivery and

<sup>12</sup> In Designated Rural Areas a lower threshold applies, planning obligations will be applied to developments over 5 units. Planning obligations will also be applied in cases where a development of 10 units or less has a combined internal floor space in excess of 1000sqm.

maintenance of a particular piece of green infrastructure as outlined within the Green Infrastructure SPD and Action Plan. Developers will be informed when and where their contribution has been invested.

- 24.20 In exceptional circumstance in large-scale development, it may be appropriate that payments or provision would be phased in order to meet the proportional impact of each phase. Trigger points for payments or provision will be included in the legal agreement, as will the period in which any contribution will have to be spent.

## 25.0 Highway Infrastructure

### National Policy Background

#### National Planning Policy Framework (2012)

- 25.1 Sets the position in terms of how transport should be dealt with both in plan preparation and in the determination of planning applications. It notes that *“transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives”* and that *“in preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”*
- 25.2 It goes on to state that *“all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:*
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
  - safe and suitable access to the site can be achieved for all people; and*
  - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*
- 25.3 Where it is likely improvements to the highway network will be required as a result of the development, the NPPF notes that the scale of obligations should still provide competitive returns to a willing landowner and developer. It notes that it is therefore important for local authorities to understand the costs of infrastructure associated with development of the sites within a developing plan.

### Sub Regional Policy Background

#### Tees Valley Strategic Infrastructure Plan (2014)

- 25.4 This plan gives an overview of the Tees Valley's transport network noting some of the key issues and challenges. One of the main issues it highlights is that the majority of travel is currently by private car and this has resulted in a number of *“pinch points”* on the highway network which impacts on the reliability of the road network. The Plan highlights some of the key investments and improvements which are needed over the coming years to increase the national competitiveness of the sub region.



**Local Policy Background**Hartlepool Local Transport Plan 3 (LTP) (2011-26)

- 25.5 The LTP, in tandem with the Hartlepool extant and emerging Local Plan, will help shape transport policy in the Borough. The LTP should be used alongside the extant and emerging local plans in reference to transport strategy and policies. The local plan will, through its written statement and policies, seek to reflect the strategies set out in the LTP.
- 25.6 LTP3 recognises the significant reductions in funding (from the previous 2 LTP's) towards implementing a sustainable transport network within Hartlepool. It however also recognises that by addressing transport problems and concerns we can improve access to jobs and skills, enhance the competitiveness of the region, and also improve social inclusion, health and access to key services.
- 25.7 The LTP is split into two main sections looking at longer term highway aspirations and needs and a shorter term delivery plan.

Hartlepool Local Plan (2006)

- 25.8 National, regional and local transport policy recognises the need for sustainable transport solutions (such as the promotion of public transport, cycling, walking etc), and that current trends in increased car ownership and usage cannot be supported in the longer term. As such, future transport investment needs to focus on measures that encourage modal shift away from the car and increase travel choice by improving conditions for pedestrians, cyclists and public transport users. This is in line with policies Tra5 (Cycleways Network), Tra16 (Car Parking Standards), Tra20 (Travel Plans).
- 25.9 The Local Plan highlights a number of policies where improvements to the road infrastructure in town will be necessary. Where viable, developments in the vicinity of these improvements will be expected to contribute toward the cost of implementing these schemes where it is shown that the development will have an impact on the road network.

Hartlepool Transport Assessments and Travel Plans SPD (2010)

- 25.10 The document promotes good practice in support of the Council's vision for sustainable development. It gives guidance additional to that set out in the Hartlepool Local Plan with regard to transport and accessibility by encouraging a choice of transport options for new development which are safe, efficient, clean and fair. The guidance seeks to minimise the need to travel and to improve accessibility by providing real alternatives to the private car. The document encourages developers to take account of transport issues at an early stage in the preparation of development proposals and describes what measures should be taken to achieve the transport objectives through the implementation of Travel Plans.

Hartlepool Local Infrastructure Plan (2012)

- 25.11 The Local Infrastructure Plan (LIP) was developed to support the production of the Local Plan (which was subsequently withdrawn following the examination) and highlighted the pressures that were put on specific highway infrastructure as a result of the proposed development. The LIP was drawn up in consultation with the Highways Agency and helps to give an understanding of some of the key areas of the highway network which will need investment if development in certain areas of the town comes forward. The LIP is an adopted document which will be refreshed as the new Local Plan is drawn up<sup>13</sup>. It should be referred to by developers considering development in the town before a new Local Plan is in place.

**Off-site Provision**

- 25.12 Assuming that car ownership and use patterns remain or increase it can be expected that new developments will increase the number of vehicular trips on the surrounding road network. This could cause problems for the safe and free flow of traffic. In these circumstances, works or contributions will be required to mitigate the negative impacts of the development.
- 25.13 To look at the impacts developments within the Local Plan will have on the road network the Council will work closely with neighbouring authorities (where there are cross boundary implications from a development), the Local Enterprise Partnership (LEP) / Tees Valley Unlimited (TVU) and the Highways England (HE) to ensure that developments which are proposed will not adversely impact on the highway network to such an extent that the development is not acceptable. Modelling will be undertaken using both sub regional and HE models to assess the likely impact from developments. Where works to the highways networks are necessary this will need to be factored in at an early stage to assess the deliverability of the scheme.
- 25.14 Developers have a responsibility to provide improvements to the transport network within the vicinity of their site to cater for increased vehicular movement, or increased size of vehicles needing to use nearby junctions. The extent of any improvements required to ensure the safe and efficient operation of the development and the local highway network will be determined in the light of the Transport Assessment Statement submitted with the planning application. Highway access improvements will normally be secured through a section 278 agreement. Highway mitigation measures on the wider network will normally be secured through a Planning Obligation Agreement. Highway improvements will only be required where they are essential for the operation of the development and the adjacent highway network.

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<sup>13</sup> Upon endorsement of an updated Hartlepool Local Infrastructure Plan as part of the Local Plan development, this will become the reference document for this SPD, superseding the Hartlepool Local Infrastructure Plan (2012).

25.15 Therefore, all works required under the Transport Assessment (TA) or Transport Statement (TS) will need to be secured under the Planning Obligations Agreement or via condition.

25.16 Developers have an important role to play in encouraging sustainable travel and will be required to submit a travel plan with all applications likely to generate significant amounts of travel. Development proposals for all major developments within the boundaries of Hartlepool will require a travel plan when the following thresholds are exceeded:

**Table 6 – Development Thresholds requiring a Travel Plan**

<b>LAND USE CLASS</b>	<b>THRESHOLD</b>
A1 - Food Retail and Non Food Retail	500sq m (gross)
B1 - Business	1000sq m
B2 General Industry B8 Storage or Distribution	2500sq m
Residential – Dwelling Houses	50 units
Other	Case-by-Case

25.17 Travel plans can be secured through conditions on the planning permission, rather than through the Planning Obligations Agreement. However, there will be circumstances where the Travel Plan will be required through the Agreement. This will be on sites where there are particular concerns that the targets within the Travel Plan will not be met or where they are so important to the decision to grant planning permission that they must be adhered to. In these cases the Agreement will secure the submission of the Travel Plan and will also put in place measures to pursue targets and address any failure to meet targets.

25.18 There will be a requirement placed on the developer to submit annual reports on whether, or to what extent, the Travel Plan targets have been met for that year. DfT 'Good Practice Guidelines – Delivering Travel Plans through the Planning Process' (2009) states in Section 9 that *Local Authorities should consider charging for Travel Plan monitoring and Review to help encourage implementation of Travel Plans that have been secured*. The Council will require this unless it can be illustrated that to do so would impact on the viability of the development to such an extent that it would mean that the scheme was not deliverable.

#### **Level of Contribution**

25.19 The type and level of contribution required for off-site highways works can only be determined on a site by site basis through the developments TA. If there is an existing use on the development site, the traffic generation from that use will be taken into account when

determining the impact of the new proposal. The developer will only be expected to mitigate the impact of the additional traffic caused by their new use.

- 25.20 In instances where highway works are needed as a direct result of the development, and considering the lack of public funding available for investment in highway infrastructure, the full cost of the mitigation measures will need to be met by the developer unless there is any grant funding available, for example through the HA which could help to cover the costs of the work. The presumption will be that the works will be either carried out by the Local Highway Authority, under a section 278 Agreement, or by the developer to a specification and timetable agreed with the Local Authority. In the vast majority of cases the works will need to be carried out before the legal completion of the first unit within the development.
- 25.21 Where a number of different developments will give rise to a need for off-site highways improvements, contributions will be required from each development towards those works. The level of contribution for each development will be determined by applying a pro-rata contribution based on the trip generation of each development.

## 26.0 Community Facilities

- 26.1 Community facilities including schools, community centres, libraries and health care facilities are vital to ensure communities are prosperous, sustainable, healthy, vibrant and safe. The provision of a range of community facilities is particularly important on large sites where whole new communities are being created. It is also important however, to ensure that the scale of existing facilities keep up with expanding populations through smaller incremental developments.
- 26.2 Community facilities generally will be dealt with on a site-by-site basis to allow the impact of the development to be assessed against the need for particular facilities which such a development would create. In terms of contributions towards education provision, capacity in nearby schools, along with other known developments and the pressures they will create will be taken into consideration in determining whether contributions are needed. The following paragraphs set out some general principles and highlight the types of community facilities which may be required. In some instances contributions may be required not only towards the development of new facilities but also towards the sustainable refurbishment or extension of existing facilities.

### National Planning Background

#### National Planning Policy Framework (2012)

- 26.3 The NPPF states that *“the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- *give great weight to the need to create, expand or alter schools; and*
  - *work with schools promoters to identify and resolve key planning issues before applications are submitted.”*

#### National Planning Policy Guidance (2014)

- 26.4 This guidance sets out in Policy statement – planning for schools development, the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. Placing a duty on Local Authorities to *‘make full use of their planning powers to support state-funded schools applications. This should include engaging in pre- application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.’*

### **Local Policy Background**

#### Hartlepool Local Plan (2006)

- 26.5 Policy GEP9 of the Hartlepool Local Plan 2006 supports the requirement for contributions towards community facilities such as schools, thus helping to ensure that the boroughs education infrastructure can cope with developments over the coming years.

#### Education Facilities

- 26.6 Education infrastructure is an integral part of new residential development and is essential in order to achieve sustainable communities. Developments that are likely to generate an increased demand for school places will need to contribute towards expanding existing education facilities where the development is not of a sufficient size to require a new school. This will include contributions and/or the allocation of land to enable schools to be built or extended.
- 26.7 Contributions will only be sought for these developments where there is insufficient capacity in existing local schools to cope with the pressures associated with development in the area. When looking at spare capacity the Local Authority will also take into account other developments in the vicinity, and information on projected future pupil numbers.
- 26.8 The following types of residential development will be exempt from education obligations: sheltered housing, student accommodation, care homes and residential homes for the elderly.

### **Primary Schools**

- 26.9 For developments of 750 dwellings or more a primary school will normally be required on-site, subject to spare capacity in local schools. In cases where a school is to be provided on site, the developer will normally be expected to set aside sufficient land and to pay towards the construction of the educational facilities to the Local Authority's design and specification. Early dialogue between all parties will be critical to ensure that additional sources of funding can be obtained to enable the school to be provided at the necessary point in time to meet demand. In certain circumstances, if the developer can illustrate that the construction of the school cannot be justified in viability terms; the Local Authority may be willing to accept a parcel of land on site which would be used to construct new education facilities with a reduced financial contribution to assist with construction costs.

### **Off-site Provision**

- 26.10 At the current point in time it is unlikely that a new, off-site school would be required as a result of any development site in Hartlepool. Sites over the threshold noted above would provide a school on site and other sites would be required to make a financial contribution towards the extension or refurbishment of a nearby school where it is considered by the Local Education Authority that the schools in

proximity to development will be unable to cope with the additional children generated by the development.

### **Financial contributions**

- 26.11 A local formula has been developed, reflecting the number of pupils expected to reside in the dwellings during and beyond completion of the development. The calculations for primary schools are summarised below<sup>14</sup>:

#### **Primary Contribution (based on example of 200 homes)**

15 community primary school pupils per 100 houses built

3.6 Roman Catholic primary pupils per 100 houses built

Total -18.6 primary pupils in total per 100 houses built

$200 \text{ (Number of houses to be built)} / 100 \times 18.6 \text{ primary pupils} = 37.2 \text{ (total primary pupils from development) (round down if below 0.5)}$

In order to calculate the overall cost of providing these places, the cost per place must be calculated. The DfE annually updates the cost of guidance relating to the provision of educational facilities.

The cost factor per primary school place (outside of London) is currently (2014) **£9,165**.

The commuted sum sought from the development for Primary education provision can then be calculated as  $37 \text{ (places)} \times £9,165 \text{ (cost per place)} = £339,105$

- 26.12 All financial contributions will be index linked (using the Retail Prices Index – all items) to the date of the determination of the planning application by the council. Where there is clear evidence that the costs of relevant works/services have increased or decreased (having regard to the most up to date cost data published by the council), then any financial contributions sought through planning obligations may be adjusted accordingly.

### **Secondary schools - On-site or Off-Site provision**

- 26.13 The need for an additional secondary school is not considered likely in Hartlepool, given the planned rebuilding and remodelling of the town's existing schools via the current government programme which will see Manor School rebuilt. In the future should the town expand significantly, and, as a result, there is an identified need for a new secondary school, this will be considered at that time. However there may be a requirement for investment into existing secondary schools where there is insufficient capacity within nearby schools or where there is capacity but investment is needed in the building to secure that capacity for the

<sup>14</sup> Cost per place subject to change in line with the most recent produced figures from DfE.

future. If a contribution is required, the following calculation will be used:

***Secondary Contribution (based on example of 200 homes)***

10 secondary pupils per 100 houses built  
3 Roman Catholic secondary pupils per 100 houses built  
Total - 13 secondary pupils in total per 100 houses built

$200 \text{ (Number of houses to be built)} / 100 \times 13 \text{ secondary pupils} = 26 \text{ (total secondary pupils from development)}$

In order to calculate the overall cost of providing these places, the cost per place must be calculated. The DfE annually updates the cost of guidance relating to the provision of educational facilities.

The cost factor per secondary school place (outside of London) is currently (2014) **£12,205**.

The commuted sum sought from the development for secondary education provision can then be calculated as  $26 \text{ (places)} \times £12,205 \text{ (cost per place)} = £317,330$

- 26.14 As with the contributions to Primary education these will be index linked (see 26.12).

Community Centres

- 26.15 Community centres provide an important focus for local people and contribute to the economic, social and cultural life of neighbourhoods by providing leisure, recreation, education and job training opportunities for a range of groups. Community centres can help to create sustainable neighbourhood centres that contribute to the local economy through provision of affordable space for meetings, training and functions together with workspace for local businesses, organisations and community enterprises. They provide a vital resource for building a cohesive community and as such are important in residential developments.

**National Policy Background**

National Planning Policy Framework (2012)

- 26.16 Localism is at the heart of the Government's changes to the planning system and a key element of that is ensuring the growth of cohesive communities. The NPPF requires local authorities to plan positively for the provision and use of shared space, community facilities (such as... meeting places...cultural buildings...) and other local services to enhance the sustainability of communities and residential environments and to guard against the loss of valuable community facilities which would reduce the community's ability to meet its day to day needs.



**Local Policy Background**

Hartlepool Local Plan (2006)

- 26.17 Policy GEP9 of the Hartlepool Local Plan 2006 enables the authority to seek contributions towards community facilities, such as community centres, where they are considered necessary as part of a development and where their provision would not impact on the overall viability of the development.

**On-site Provision**

- 26.18 On large residential sites (over 750 dwellings), where a new community centre is required on-site the Local Authority would require the developer to build the facilities themselves, to a design agreed by the Local Authority.

**Maintenance**

- 26.19 In situations where the developer has provided a new community centre facility, the Local Authority will seek a commuted sum to provide for the maintenance of the facility for an agreed period which is usually 20 years, subject to viability of the development.

**27.0 Training and Employment**

- 27.1 Within all new developments it is becoming important to encourage that Local Labour Agreements and Training initiatives help to provide local people with an opportunity to gain employment or training as part of the development. Within the town a number of agreements have been put in place over the past few years, all of which have contributed significantly towards ensuring good quality jobs and opportunities for the residents of Hartlepool.
- 27.2 These agreements can help to ensure that new developments employ a certain percentage of unemployed people, local residents and people with disabilities and also help to maintain these positions and levels in the future.
- 27.3 This includes seeking opportunities in the form of training and employment on schemes to repair and restore heritage assets in order to build capacity in terms of traditional crafts and skills which are in short supply in the North east region generally.

**Policy Background**

- 27.4 The Hartlepool Borough Council Targeted Training Recruitment and Training Strategy 2007 commits the Council to *“achieving the economic, social and environmental objectives set out in the Hartlepool Community Strategy so as to ensure a better quality of life for everyone, now and for generations to come. To achieve this, the Council commits to the following actions to the fullest extent possible within the relevant legal and policy frameworks and the available funding:*
- To include training, equal opportunities and employment requirements, and opportunities for small and medium sized enterprises, in its service requirements, where it considered appropriate.*
  - To include other social and environmental matters in its service requirements, where it considers appropriate.*
  - To use these requirements in all stages of the selection and appointment process, and as contract conditions.”*
- 27.5 The Council has an adopted Targeted Training and Employment Charter 2007. This Charter allows the Local Authority to incorporate targeted training and employment matters in planning and development proposals/briefs where it is appropriate and affordable.
- 27.6 In addition, the Council has also implemented the Constructing Hartlepool Strategy 2014 which complements the shared goals of key documents such as Hartlepool Vision, Masterplan, Economic Regeneration Strategy and Housing Strategy. Through this strategy,

developers will be invited to advise the Council on how they plan to incorporate local supply chains and targeted, recruitment and training (TRT) clauses within their planning proposal which will support business growth and enable greater access to employment and skills for local residents.

### **Thresholds**

- 27.7 All new developments over the thresholds in table 7 below will be required to put into place a training and employment plan.

**Table 7 – Development Thresholds requiring a Training and Employment Plan**

<b>Type</b>	<b>Threshold</b>
Residential	Over 10 units
<b>Commercial:</b>	
<b>A1</b> Food Retail/Non Food Retail	500sq m floorspace
<b>B1</b> Including Offices	1000sq m floorspace
<b>C1</b> Hotels	Over 10 bedspace
<b>D2</b> Including leisure	1000sq m floorspace
Other	Case-by-Case basis

### **Delivery Requirements**

- 27.8 Where a development is required to include training and employment as part of a planning obligation the local authority may ask for targeted recruitment and training requirements relating to both the construction of developments and the long term recruitment policy of the company who would operate the building or development.
- 27.9 Early discussions with the developer will help to ensure that there is a clear understanding of the specific targeted recruitment and training requirements that would be appropriate for the development and also to help set out the likely mechanisms that will ensure that these requirements can survive delays, changes in developer or other changes in circumstances that may influence the requirements of the development.
- 27.10 The contact point in relation to queries on Training and Employment requirements is Antony Steinberg, Economic Regeneration Manager, Tel. 01429 857081.

**28.0 Heritage****National Policy Background**National Planning Policy Framework (2012)

- 28.1 The Government's commitment to the protection and enhancement of Heritage assets through the planning system is set out in Section 12 of the NPPF. The NPPF requires local authorities to have a positive strategy for the conservation and enjoyment of the historic environment, outlining that in determining applications; local authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance (2014)

- 28.2 This guidance sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past.
- 28.3 This guidance states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- Public benefits may include heritage benefits, such as:
- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
  - reducing or removing risks to a heritage asset
  - securing the optimum viable use of a heritage asset in support of its long term conservation

**Local Policy Background**

- 28.4 Hartlepool has eight conservation areas which all vary in character. Six of the conservation areas lie in the main urban area of the town, and

the two others in outlying villages. Conservation area appraisals outline the character for each of the areas. There are 212 Listed Buildings and whilst Hartlepool has a number of buildings that are deemed of national importance there are many buildings that locally make a contribution to the character and historical legacy of the areas in which they are located. The Council has put together an extensive 'local list' of buildings to recognise the significance of these properties to Hartlepool. [A list of buildings of local interest is available to download.](#)

#### Hartlepool Local Plan (2006)

- 28.5 Policy HE1, HE2, HE3, HE8 and HE12 of the Hartlepool Local Plan 2006 sets out the Local Authority's position in relation to the protection and enhancement of heritage assets.

#### **Thresholds**

- 28.6 There are no set thresholds in relation to Heritage Assets; impact of development will be assessed on a case by case basis.

#### **Delivery Requirements**

- 28.7 Where a development affects heritage assets or their settings, harm may be caused to their historic significance in exceptional circumstances, therefore mitigation measures will be required as part of the development. By way of example these could include, but would not be limited to the following,
- 'In kind' payments, including land transfers: this could include the transfer of an 'at risk' building.
  - Repairs and improvements to, and the maintenance of, heritage assets where they are an infrastructure item as defined by the Planning Act 2008, such as cultural or recreational facilities, transport infrastructure such as historic bridges, and green and social infrastructure such as parks and gardens.
  - Opportunities for funding improvements to, and the mitigation of adverse impacts on, the historic environment, such as archaeological investigations, access and interpretation and the repair and reuse of buildings or other assets.
- 28.8 It is acknowledged that there could be circumstances where the viability of a scheme (otherwise designed to respect the setting of a heritage asset in terms of its quantum of development) could be threatened by planning obligation requirements. In these cases it is accepted that negotiation will take place with developers to ensure the protection and enhancement of heritage assets will take precedent.

**Appendix One – Glossary of Terms**

Affordability		A measure of what housing is affordable to certain groups of households.
Affordable Housing		Affordable housing is housing designed for those whose income generally deny them opportunity to purchase houses on the open market as a result of the difference between income and the market cost of housing. For further definition see NPPG.
Circular		Central Government guidance
Code for Sustainable Homes		A national standard for sustainable design and construction of new homes. The Code is still a useful method although it is likely to be wound down by the end of 2014.
Commencement of development		The date at which work begins on site.
Community Facilities		A facility that can be used by all members of the community i.e. community centre, phone box etc.
Community Strategy		Provides the planning framework for all services in Hartlepool, including the regeneration and neighbourhood renewal activity. Sets out a long term vision and details the principles and 7 priority aims necessary to achieve the vision and improve services.
Commuted Sum		A sum of money paid by a developer to the local authority to provide a service or a facility, rather than the developer providing it direct.
Design and Specification		Provides precise and explicit information about the requirements for a development design.
Developer Contributions		Relate to the provision of those items outlined within the section 106 legal agreement.
Development Plan Document	DPD	A Local Development Document in the Local Development Framework which forms part of the statutory Development Plan. The Local Plan, documents dealing with the allocation of land, action area plans and the proposals map are all Development Plan Documents.

Economic Viability Assessment		A means by which to assess the profitability of a scheme.
Financial contribution		A cash specific amount of money paid to the local authority.
Green Infrastructure		Green infrastructure involves natural and managed green areas in both urban and rural settings. It involves the strategic connection of open green areas and provides multiple benefits for people.
Hartlepool Local Plan		A Local Plan is a statutory document containing all the planning policies and standards that will be used to determine planning applications received by the Development Control Section. The plan is also intended to highlight areas where the Council is seeking to encourage new development within the Borough.
Heritage Asset		A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)
Homes and Communities Agency	HCA	The Homes and Communities Agency is the national housing and regeneration delivery agency for England. Their role is to create thriving communities and affordable homes.
Housing Market Renewal	HMR	An area allocated for improvements to the housing stock either by demolition and rebuild or by refurbishment.
Infrastructure		Can be many things and includes roads, rail, pipelines etc or social provision such as schools.
Intermediate Tenure		This type of housing, also known as Shared Ownership or Shared Equity, enables people to privately buy a share of a property being sold and pay a subsidised rent on the remainder.
Land use		The use that exists on a certain

		area of land, various land uses could be residential, agricultural, open space etc
Level of Contribution		The value of money or in kind contribution that a developer is required to pay as a result of the development.
Lifetime Homes		Lifetime Homes are ordinary homes incorporating 16 design criteria that can be universally applied to new homes. Each design feature adds to the comfort and convenience of the home and supports the changing needs of individuals and families at different stages of life.
Local Area Agreement	LAA	LAA's are a three year agreement, based on local Sustainable Community Strategies, that sets the priorities for a local area between the Council and other key partnerships.
Local Development Framework	LDF	The overarching term given to the collection of Local Development Documents which collectively will provide the local planning authority's policies for meeting the community's economic, environmental and social aims for the future of the area where this affects the development and use of land and buildings. The LDF also includes the Local Development Scheme, the Statement of Community Involvement and the Authorities Monitoring Report.
Local Highway Network		All the roads within the Borough, ranging from the A19 down to local roads within housing estates.
Local Transport Plan	LTP	Describes the long-term transport strategy for the Borough and sets out a programme of improvements to address the identified local transport problems.
Localism Act		The Localism Act has devolved greater powers to local government and neighbourhoods and given local communities more rights and powers over decisions about housing. It also includes reforms to



		make the planning system more democratic and more effective.
Maintenance		The repair and upkeep of a product.
Market Conditions		The prevailing performance of the economy across all sectors.
Masterplan		A detailed plan of the site and the type of development that would seek to be achieved for the whole site.
National Planning Policy Framework	NPPF	Sets out the national policy situation in one document which replaced the previous Planning Policy Statements and Planning Policy Guidance Notes.
National Planning Policy Guidance	NPPG	The Government has published the NPPG to support the National Planning Policy Framework and to give further guidance to developers and local authorities.
On-site		An area within the planning application boundary.
Open Market Value		The value of a product if advertised on the open market.
Open Space Assessment	OMV	An assessment of the quality and availability of open space within Hartlepool.
Pepper Potting		The principle of ensuring there is a spread of affordable housing throughout and overall development rather than all being provided in one specific area.
Piecemeal		Development that is carried out bit by bit.
Planning Condition		A requirement attached to a planning application to ensure that the development is of a high standard and to help mitigate against any implications an application may have. Conditions can relate to types of materials or assessments that may have to be carried out.
Planning Obligation		A legally binding agreement between the local planning authority and persons with an interest in a piece of land. Planning obligations are used to secure funds or works for significant and essential elements of a scheme to

		make it acceptable in planning terms. Planning obligations will have been set out in an agreement often known as a 'section 106 agreement' and may be used to prescribe the nature of development, to compensate for loss or damaged created by development or to mitigate a development's impact on surrounding built and natural environment.
Pre-application		The stage referred to prior to submission of an application.
Registered Providers	RP	Registered Providers are Government-funded not-for-profit organisations that provide affordable housing. They include housing associations, trusts and cooperatives. They work with local authorities to provide homes for people meeting the affordable homes criteria. As well as developing land and building homes, RPs undertake a landlord function by maintaining properties and collecting rent.
Section 106 Legal Agreement		Legally binding agreement entered into between a developer and the Council.
Section 278 Agreement		Where a development requires works to be carried out on the existing adopted highway, an agreement will need to be completed between the developer and the Council under Section 278 of the Highways Act 1980.
Social Rented		Housing that is rented to a tenant by a Registered Provider.
Strategic Housing Market Assessment	SHMA	Identifies land for housing and assess the deliverability and developability of sites. Provides the evidence base to support the delivery of sufficient land for housing to meet the community's need for more homes.
Subsidy		A form of financial assistance paid to a business or economic sector.
Supplementary Planning Document	SPD	A Local Development Document providing further detail of policies

		in Development Plan Documents or of saved local plan policies. They do not have development status.
Sustainability Appraisal	SA	Identifies and evaluates social, environmental and economic effects of strategies and policies in a Local Development Document from the outset of the preparation process. It incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive.
Sustainable		To maintain the vitality and strength of something over a period of time without harming the strength and vitality of anything else.
Sustainable Locations		A location that helps maintain the vitality and strength of something over a period of time without harming the strength and vitality of anything else.
Tees Valley		Stockton, Hartlepool, Middlebrough, Redcar and Cleveland and Darlington collectively known as the Tees Valley
Tenure		Tenure refers to the arrangements under which the household occupies all or part of a housing unit.
Threshold		A value at which a contribution would be sought. For example if the threshold is over 10 and a developer has a scheme for 10 houses they would not be required to contribute, however if a scheme was for 10 dwellings a contribution would be required.
Transfer Price		The discounted price at which a developer would transfer a property to a Registered Provider.
Transport Assessment	TA	A Transport Assessment is a comprehensive and systematic process that sets out at an early stage transport issues relating to a proposed development and identifies what measures will be

		taken to deal with the anticipated transport impacts of the scheme.
Transport Statement	TS	A simplified or basic report in the form of a Transport Statement may be sufficient. A transport statement is appropriate when a proposed development is expected to generate relatively low numbers of trips or traffic flows and would have only a minor impact on transport.
Travel Plans		A Travel Plan is a package of measures to assist in managing the transport needs of an organisation. The main objective of a Travel Plan is to provide incentives for users of a development to reduce the need to travel alone by car to a site.

## PLANNING OBLIGATIONS SPD CONSULTATION STATEMENT January 2015

Consultee	General Comment/ Paragraph in SPD	Comment	HBC Response
<b>P001 – Sport England</b>	General Comment	Sport England seeks to ensure that communities have access to sufficient high quality sports facilities that are fit for purpose. Using evidence and advocacy, we help to guide investment into new facilities and the expansion of existing ones to meet new demands that cannot be met by existing provision.	Noted.
	General Comment	Hartlepool Council is in a strong position to be able to understand the needs of sport in its area having undertaken a Playing Pitch Strategy in 2012, and an assessment of built sports facilities last year. It is clear that both these documents have informed the decision to include playing pitches and built sports facilities within the scope of the draft SPD. Sport England supports the scope of the SPD, and considers that it is a sound and justified document in respect of sport.	Noted and agreed that these are both justifiable obligations to be sought.
	Section 22 & 23.	<p>Both the PPS and Needs Assessment will have identified recommended standards of provision for pitches and sports facilities, and the needs arising from that. The section on built sports facilities clearly articulates these findings. What is not clear however is how these standards or needs have been translated in the costs per dwelling set out in the draft SPD. It is important that there is transparency in the process established by the SPD, and its subsequent robustness will be dependent on there being a clear link between the documents that inform it and value of financial contribution sought. As such we would strongly suggest that the clarity of the SPD is enhanced in this area. Sport England keeps an up to date register of facility costs, the latest of which can be found <a href="#">here</a>. We would be happy to help you translate your adopted standards / identified needs into a cost figure per dwelling / person should you require.</p> <p>Additional comments provided 15.01.2015  <i>“Having read the document I’m presuming you’re seeking our help in costing the standards established at the front end of the document for playing pitches, tennis courts, and bowling greens.</i></p> <p><i>The table specifies the following sports facility standards;</i></p> <p><i>The quantity standard for playing pitches 0.9 Hectares per 1000 population.</i></p>	<p>Noted. Sport England have been approached to provide a cost per dwelling based on their figures, this information will contribute towards the evidence base for justification of the £250 figure per dwelling for built sports.</p> <p>Additional threshold evidence provided on 15.01.2015 – to be reflected in SPD.</p>

		<p><i>The quantity standard for Tennis Courts is 0.02 hectares per 1000 population. The quantity standard for Bowling Greens is 0.03 hectares per 1000 population.</i></p> <p><i>Sport England's facility costs can be found at the following location on our website;</i></p> <p><i><a href="http://www.sportengland.org/media/198443/facility-costs-4q13.pdf">http://www.sportengland.org/media/198443/facility-costs-4q13.pdf</a></i></p> <p><i>The playing pitch standard is 9000sq.m per 1000 population which equates to 9sq.m per person. I have averaged out the cost per square metre for constructing varying sizes of football pitches, and rugby pitches, and it equates to £11.27 per sq.m. So the cost per person of Hartlepool's playing pitch standard is £11.27 x 9 = £101.43</i></p> <p><i>The tennis court standard is 200 sq.m per 1000 population which equates to 0.2sq.m per person. The costs for tennis courts include floodlighting (as a rule of thumb this approximately doubles the cost) and averages out at £123.94 per sq.m. So the cost per head of Hartlepool's tennis court standard is £123.94 x 0.2 = £24.79</i></p> <p><i>Finally the bowling green standard is 30sq.m per 1000, which equates to 0.03sq.m per person. The cost of a bowling green (flat or crown green) works out at £71.86 per sq.m. The cost per head of the standard is therefore £71.86 x 0.03 = £2.16."</i></p>	
	General Comment	<p>Finally I am not aware of the Council's position on Community Infrastructure Levy and whether the proposed SPD signals your intention not to use CIL at all. There are pros and cons to each approach in respect of sports facilities, and our advice to Local Authorities is that where their strategies have identified the need for "big ticket" sports facilities such as pools or sports halls then a CIL mechanism offers clear benefits because of the 5 development limit (per a single piece of infrastructure) on the use of S.106 agreements. Clearly the replacement of the Millhouse Centre and the expansion of provision at Brierton would fall within the scale of development normally delivered by CIL. If you intend to use S.106 money to help deliver these schemes you may have to break them down into key phases or constituent elements to overcome the 5 scheme rule, or have a clear understanding as to the key sites which will help you achieve your aspirations.</p>	<p>At present the Council is unclear whether it will proceed with CIL due to viability issues in development in the town. Setting a CIL level at a high enough level to bring in meaningful levels of finance towards the provision of infrastructure such as a new swimming pool would probably deter development as it would be seen as unviable. Measures are in place to effectively manage the 5 scheme rule.</p>

## 4.1 APPENDIX 2

<b>PO02 – Greatham Parish Council</b>	Para 21.9	States ‘affordable housing will be required on all planning applications for residential development that consist of a gross addition of 15 dwellings or more’ In the rural area a gross addition of 15 dwellings or more would be relatively rare and large addition to the small villages. In order that the need for affordable housing in the rural area is more likely to be addressed the Parish Council would suggest a lower figure of 5 dwellings be used in the rural area.	The concern is noted. Lower threshold in designated rural areas is recognised in the recent changes to PPG (28.11.2014). SPD to be updated to reflect changes to NPPG.
<b>PO03 – Taylor Wimpey</b>	General comments	The Community Infrastructure Levy is a system of agreeing planning contributions and obligations between local councils and developers under section 106 of the Town and Country Planning Act 1990. Regulation 122 of the Community Infrastructure Levy (Amended) Regulations, 2014, specifies limitations to the use of obligations by LPAs in the determination of planning permission. Regulation 122 states that; for a planning obligation to be lawful it must pass three statutory tests and be: a) Necessary to make the development acceptable in planning terms; b) Directly related to the development; and c) Fairly and reasonably related in scale and kind to the development.	Noted and comments to be reflected in SPD.
	Section 23	We contend that the requirement to contribute to the provision of ‘built sports facilities’ as laid out in section 23 of the Planning Obligations SPD fails to pass the second test. Test ‘b’ ensures that any obligation required goes to addressing any <i>direct</i> need or impact generated by a development. The requirement to contribute to sports facilities that may be located several miles away from a development cannot be supported as it cannot be reasonably expected that residents of said development will lead to increased pressure on their usage or indeed, derive any benefit from improvement to the facilities.	Noted. HBC do not agree with statement. Evidence available to support the provision of ‘built sports facilities’ through planning obligations as a direct means of achieving sustainable development (para 7 of NPPF). Obligations contribute towards town offer of built sports facilities which will be in strategic locations.
<b>PO04 – Persimmon homes</b>	General comments <b>Economic Climate</b>	Persimmon Homes are pleased that the Council recognise that the SPD is being prepared “during hard economic times” and that this is “reflected in the levels of contributions that are required from developers.” The recent house price fluctuations across the north east of England have highlighted the need for Local Authorities to be acutely aware of the challenges and precarious nature of the housing market. A failure to do so by adopting unrealistic targets for financial	Noted. If planning obligations result in an unviable development. Developers are encouraged to submit a viability assessment to

## 4.1 APPENDIX 2

		contributions or applying obligations incorrectly will result in drawn out negotiations, possible appeals and delays, and potentially prevent new housing from being delivered. Considering that one of the core purposes of the SPD is to provide greater clarity to the planning system in an attempt to speed up the decision making process, if the current economic conditions are not taken into account then the document could be counter productive. It is therefore imperative given the current economic uncertainty that housing obligations are just, necessary and deliverable so as not to act as a barrier and prevent new development within the Borough.	evidence this. Following this, a process for negotiation will take place.
	<b>Viability Appraisals</b>	<p>Persimmon Homes are satisfied that the council acknowledge that there will be occasions when the scale of contributions will make a development unviable and in such circumstances a viability assessment can be submitted to the council to demonstrate this issue. However, we wish to reiterate the tests outlined within paragraph 204 of the NPPF which state that planning obligations must be:</p> <ol style="list-style-type: none"> <li>1. Necessary to make the development acceptable in planning terms</li> <li>2. Directly related to the development</li> <li>3. Fairly and reasonably related in scale and kind to the development</li> </ol> <p>With this in mind, upon adoption of the Planning Obligations SPD, viability assessments should not be used as the mechanism to justify the council applying all planning obligations to every planning application. It is essential that only those planning obligations that directly relate to the development and are necessary to make the scheme acceptable in planning terms should be enforced to avoid unjust burdens on developers and risk the delivery of schemes. In the event that viability assessments are required to determine the extent of any planning obligation, such as affordable housing, the mechanism for evaluating 'viability' must be properly documented within the SPD and be clear and transparent to prospective applicants. It is not sufficient to say that such assessments will be dealt with on a case by case basis. Persimmon Homes would therefore be happy to assist the council further in the creation of a suitable viability assessment mechanism using industry standards to help accurately assess viability.</p>	<p>Noted. Agree with comments, SPD reflects comments made.</p> <p>In terms of planning obligations, the contributions outlined in the SPD are to support areas where there is always a continual requirement to develop and improve provision / facilities as additional development occurs. Within the detail of the SPD, there is flexibility to allow for developers to query contributions in terms of viability, information will be required to evidence this. HBC use the HCA model for viability assessments.</p>
	<b>Financial Contributions and Pooling of Contributions</b>	<p>Whilst Persimmon Homes have no objections to the pooling of contributions we believe that there should be clearly agreed timeframes as to when the money is expected to be spent and how. This should be agreed between the developer and the council and set out within the Section 106 Agreement.</p> <p>In terms of pooling contributions, Persimmon Homes would also like to draw the Council's attention to the CIL Regulations which in view of the role and nature of CIL have attempted</p>	<p>Noted. Covered in 10.1 of the SPD. SPD to be updated to include position on unspent funds / change in needs.</p>



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		<p>to scale back the way planning obligations operate. Limitations are therefore in place restricting the pooling of contributions from a maximum of five separate planning obligations for an item of infrastructure that is not locally intended to be funded by the levy. The limit of five also applies to types of general infrastructure contributions, such as education and transport so it is important any pooling of contributions is clearly documented by the council and shown to accord with the regulations. Published in May 2011 by DCLG, the document entitled “Community Infrastructure Levy: An overview” clarifies that when assessing whether five separate planning obligations have already been entered into for a specific infrastructure project or a type of infrastructure, local planning authorities must look over agreements that have been entered into since 6 April 2010. In finalising the details of this SPD, it is therefore essential that the Council refer back to and check that the document accords with the policies and principles of the CIL regulations and any associated documentation.</p> <p>In the event that the infrastructure should be found to be no longer necessary, or the contribution is not spent in the prescribed timeframe agreed within the Section 106, then the money should be returned to the developer. As a result, further reference should be given within the SPD as to how unspent monies will be remitted back to the developer.</p>	<p>Section 106 Agreements are managed and monitored by the Development Control Team. A useful contact list will be included as an appendix to the SPD.</p> <p>Reference to CIL included in the SPD.</p>
	<b>Existing Uses</b>	<p>The SPD states that the existing use of the site will be taken into consideration when determining the levels of contribution. Persimmon Homes strongly agree with this principle, particularly on brownfield sites to ensure that the development only contributes to the additional pressures on the surrounding infrastructure resulting from the development itself, and is not used to cover existing, unrelated efficiencies in infrastructure.</p>	Noted
	<b>Maintenance Costs</b>	<p>Whilst Persimmon Homes are pleased to see that developer contributions for the maintenance of certain forms of infrastructure will be determined on a case by case basis and will take into account viability, it would provide greater clarity if the council published a maintenance schedule outlining the cost of the possible charges. This would help developers consider the wider implications of planning obligations on viability at an earlier stage of the planning process.</p>	<p>Noted.</p> <p>To date maintenance costs have only been sought on significant strategic sites – HBC is not persuaded that this is viable within smaller developments. Inclusion of a schedule within the SPD is not considered appropriate as this will quickly be out dated and maintenance costs are site / project specific. Planning obligations are discussed at an early</p>

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			stage in the development management process, either through the one stop shop or planning application process.
	<b>Economics of Provision</b>	<p>Paragraph 16.1 of the SPD states that “for those developments listed in table 1, both residential and non residential, the Local Authority expects the full relevant Planning Obligation requirements, as outlined in this document, to be taken into account when negotiating the price of the land.”</p> <p>Persimmon Homes strongly object to this statement. It should not be the role of the Local Planning Authority to set what is an acceptable sale price. Paragraph 173 of the NPPF makes clear that there needs to be competitive returns to a willing land owner and a willing developer to enable the development to be deliverable. If an acceptable land value can not be agreed with the landowner that in turn provides accept returns for the developer then development will not go ahead. Therefore, rather than attempt to influence the market and land values, the SPD should be respondent to the market and sufficiently flexible as to ensure it does not prevent the delivery of much need housing given any changes to the market at the time. If a contribution is shown through viability assessments not to be viable, then an alternative solution or contribution should be found.</p> <p>In regards to what amounts to “competitive returns for a willing landowner”, this will vary on a case by case basis. However it is imperative that the council understand that for the majority of landowners such a sale of land is a once in a lifetime opportunity and therefore in terms of Land Value they attempt to get as much as possible from developers based on the market conditions at the time of the sale. If a landowner does not feel they will receive an acceptable land value, they will simply not sell the land at that time. If an acceptable land value cannot be achieved once planning obligations have been incorporated, it demonstrates that any policies requiring contributions or provisions are undeliverable and therefore unsound. It is therefore imperative that the Planning Obligations SPD is flexible enough to respond to changing market conditions to allow acceptable land values to be achieved in order to facilitate and protect the supply and delivery of housing within the borough. The bottom line is that if policies do not tempt landowners to sell, housebuilders can not build and then the council can not achieve their aims and objectives outlined within the Local Plan which form the basis of their ‘vision’.</p> <p>In terms of “competitive returns for a willing developer” Persimmon Homes consider this to be 20% GDV. In the Delivery of Local Plan Sites (2012) published by the council as evidence into the viability testing of the previous local plan which was withdrawn in late 2013, the council set the developer profit margin at 18%. In the production and testing of this SPD and the future policies, Persimmon Homes strongly object to this figure and strongly recommend 20% GDV as a more suitable benchmark inline with recognised</p>	<p>Noted</p> <p>Section 16.1 SPD refers to Planning Obligation required, there are no specific levels detailed in the SPD. Para 16.1 of the SPD is not contradictory to para 173 of the NPPF.</p> <p>Levels of GDV consistent with national levels. Viability is assessed on a case by case basis; there is flexibility within the scope of the SPD to allow for negotiation.</p> <p>Reference to the appeals is welcomed an noted, however notwithstanding the outcome of the appeals, HBC currently uses an accepted viability assessment method which considers viability on a site by site basis, and offers opportunity for negotiation.</p>

		<p>industry standards and case law.</p> <p>In the current economic climate where many lenders remain risk averse they are unlikely to lend unless reasonable profit margins can be demonstrated i.e. 20% GDV. Support for this statement is provided in the BNP Paribas Review of Stockton Borough Council Economic Viability Appraisal for the Planning Inspectorate, August 2009, in which it was stated; <i>“banks will not provide funding for a scheme that shows a profit of less than 20% on gross development value”</i>.</p> <p>In an appeal, APP/T3535/A/11/2147958, against Waveney District Council for the construction of 7 terraced houses, 10 detached houses and 1 bungalow the inspector noted;</p> <p><i>“also note that the DV sets the level of profit required as 18%, whereas I would expect a figure of 20% to be used, bearing in mind the risks associated with the current housing market”</i></p> <p>Finally, in another appeal at Shinfield, Reading against Wokingham Borough Council for the construction of a residential development comprising up to 126 dwellings, a sports pavilion, public open space, landscaping and associated works the inspector once again stated; <i>“that a figure of 20% of GDV, which is at the lower end of the range, is reasonable.”</i></p> <p>Therefore, whilst it is acknowledged that the actual profit margin will be dependent upon a wide range of issues and site characteristics, Persimmon Homes recommend that the Council respond to industry expectations and ensure that in viability appraisals the expected profit margin is set at least 20% unless an alternative is agreed with the developer/applicant. This will more closely aligned the council’s expectations to those of the developer and remove the requirement for applicants to justify their profit margins when they are within the nationally accepted limits whilst still providing a realistic benchmark on which viability can be judged and planning obligations sought.</p>	
	<b>Legal, Admin and Monitoring Costs</b>	<p>In terms of the costs associated with the legal, admin and monitoring aspects of Section 106 agreements, Persimmon Homes believe that these should be negotiated on a site by site basis between the developer and the council. Any costs should be proportionate the work and time involved on the planning officers behalf in respect to the obligations to ensure that any burden is reasonable and justified. These costs should be agreed between the council and developer prior to the signing of a Section 106 agreement.</p>	<p>Noted.</p> <p>The fee in terms of the monitoring is a set fee which can be found at <a href="http://www.hartlepool.gov.uk/info/608/development_control/107/development_control/5">http://www.hartlepool.gov.uk/info/608/development_control/107/development_control/5</a>.</p> <p>Will look to reference this in the SPD.</p> <p>In terms of the legal agreement this is the hourly</p>

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			<p>rate of the Legal Officer / Solicitor, available at request. A useful contact list will be included as an appendix to the SPD.</p> <p>Early liaison with HBC is advised during the application process.</p>
	Section 21.0	<p>The SPD states that affordable housing will be required on all planning applications for residential development that consist of a gross addition of 15 dwellings or more, including renewal of lapsed unimplemented planning permissions, changes of use and conversions. This threshold is inline with other Local Planning Authorities across the Tees Valley and County Durham region and therefore we support this figure.</p> <p>Whilst we do however object to the requirement for a 27.5% contribution given the current market conditions in the North East of England, we are pleased to see that a lower contribution can be provided when supported by a viability assessment. However as one of the core aims of the SPD is to provide certainty to developers and speed up the decision making process, we strongly believe that a more deliverable and achievable level of contribution should be sought. Therefore, whilst we understand that the figure is derived from the Tees Valley Strategic Housing Market Assessment 2012 (TVSHMA), we do not consider this to be an accurate representation of the current housing market due to the lack of developer involvement during its production and the fact it was produced during an economic downturn. In the years since it was published, the economic climate and housing market has changed significantly and therefore we feel that it is now outdated. We would therefore question the whether the 27.5% requirement is either justified, deliverable or consistent with national policy.</p> <p>The TVSHMA concludes that there is an affordable housing shortage of 89 dwellings per annum within the Hartlepool area. The method behind this figure is explained in detail within Appendix D, 'Table D1: CLG Needs Assessment Summary' of the TVSHMA. It basically combines the Existing Backlog which it aims to eliminate over a 5 year period, and the Newly Arising Need to form the Total Annual Affordable Need. The Annual Social Rented Capacity (based on a 3 year average of households moving within the stock) is then subtracted from this need to arrive at the Net Annual Shortfall. The information, as currently presented within the TVSHMA, is shown below:</p> <p>Total Backlog Need 1125 Quota to reduce over 5 Years 20%</p>	<p>Noted.</p> <p>The 27.5% affordable housing contribution is based on need which is evidenced in Tees Valley SHMA 2012.</p> <p>This figure will be updated following the Hartlepool SHMA for the new Local Plan.</p> <p>Assessments made using open market value (OMV).</p> <p>Should the outcome of the Standards Review on housing design have any significant impact on the content of the SPD and review will be undertaken.</p> <p>Deliverability on housing need is dealt with in the Deliverability Risk Assessment; this is currently being updated for the emerging plan. Viability is considered as part of this.</p>

	<p>Annual Backlog Reduction 225 Newly Arising Need 386 Total Annual Affordable Need 611 Annual Social Rented Capacity 523 <b>New Annual Shortfall 89</b></p> <p>The Council have subsequently converted this figure of 89 into a percentage of the annual housing requirement which it is claimed to be 320 units per annum to arrive at the 27.5% affordable housing requirement. As the table below demonstrates, a minor alteration to the way in which the backlog is addressed throughout the plan period significantly alters the affordable housing need. For example, should the backlog be tackled at 15% per annum, rather than the 20% proposed by the TVSHMA, the impact upon the affordable housing shortfall is dramatic, as the table below demonstrates using the same rational as above.</p> <p>Total Backlog Need 1125 Quota to reduce over 6.7 Years 15% Annual Backlog Reduction 169 Newly Arising Need 386 Total Annual Affordable Need 555 Annual Social Rented Capacity 523 <b>New Annual Shortfall 32</b></p> <p>As the table above demonstrates, addressing the backlog at 15% per annum rather than 20% results in an additional 169 dwellings on top of the estimated Newly Arising Need of 386 units. This is a reduction of 57 dwellings to create a Total Annual Affordable Need of 555 dwellings. When this figure is subtracted from the capacity of the social rented sector in the town this results in a far greater Annual Shortfall of 32 units.</p> <p>Using the Council's method of converting this annual shortfall into a percentage of the overall housing requirement to create the affordable housing need, this results in an affordable housing requirement of 10%, rather than 27.5% currently sought by the council. Using this method, the current backlog will be addressed over 6.7 years rather than 5 years but given the current housing stock within the borough, this figure is a more realistic and credible affordable housing requirement. It is also more deliverable and in line with other Local Authorities approaches within the region.</p>	<p>Thresholds to be lowered in line with the new National Planning Practice Guidance on Planning Obligations published 28/11/2014.</p>
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	<p>Table 4.23 of the TVSHMA clearly identifies Hartlepool as having the lowest net affordable housing need yet the council currently request the highest affordable housing contribution. In contrast to Hartlepool, neighbouring Local Planning Authorities have set more realistic targets in view of viability in an attempt to encourage and promote sustainable residential development. Using the approach above outlined by Persimmon Homes, it is recommended that Hartlepool follow other Local Authorities examples to ensure that its plan remains deliverable.</p> <p>In accordance with the 2012 TVSHMA, the SPD states that developers will be expected to achieve an aspiration target of 70% social rented or affordable rented and 30% intermediate tenure mix on each site. It is Persimmon Homes' view that whilst this is a satisfactory aspirational target, the precise mix of affordable dwellings on any housing development should be a matter for negotiation between developers and the Council on a site by site basis. This will allow for the any site specific characteristics such as the composition of the existing housing stock in the area to be taken into account to help create a more balanced community. This could include the introduction of Discount OMV units rather than rented properties to diversify the housing stock and as such Persimmon Homes feel that the policy should be worded in a manner which allows flexibility in the delivery of affordable housing to ensure viability does not become an issue and that developments maximise their potential and contribute greater to the creation of sustainable, balanced communities.</p> <p>In the unlikely event that off-site provision is proposed, we do not have any concerns with the proposed formula for calculating the financial contribution but would re-iterate the importance of the Council using "average sales price" rather than "average asking price". In terms of the design and specification of affordable units, Persimmon Homes strongly believe that it would be inappropriate to comment on such a requirement in view of the on-going Standards Review which proposes the phasing of out 'Code for Sustainable Homes' and a move towards integrating standards directly into the Building Regulations. If this is implemented it would rationalise and simplify the house building process in respect to technical standards. Therefore, until the current issue has been resolved, we do not feel that we could support any policy requiring development to be constructed over and above Building Regulations. The Council should therefore await the outcome of the Standards Review before progressing with this issue.</p> <p>Finally, paragraph 21.32 states that, "the council will seek to negotiate, on a site-by- site basis, transfer prices as these are likely to fluctuate depending on housing market and site conditions." Persimmon Homes object to this position as we currently already negotiate with numerous Registered Providers in the region on each of our sites. The council should only</p>	<p>Document doesn't require building to above code standards.</p> <p>Noted, in the first instance the local authority would expect the developer and Registered Provider to</p>
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		<p>therefore negotiate transfer prices if requested to do so by the applicant.</p> <p>Based on the comments above in relation to Affordable Housing, Persimmon Homes would like to see further justification and testing of the scale of requirements set out within the SPD to ensure that the plans are deliverable and grounded within a strong evidence base so that viability assessments are not used as a tool to retain unsound policies. If it is found that a 27.5% affordable housing contribution alongside 20% developer profit can not provide an acceptable land value then the SPD is not viable and so should be amended to a more realistic and deliverable level. In addition, we would also like to see greater flexibility in the way affordable housing contributions are delivered in terms of tenure and Discount OMV units to ensure that the SPD does not create a barrier to the supply of new homes or the creations of sustainable communities.</p>	negotiate, if required the local authority may get involved.
	Section 22.0	<p>The SPD proposes that the level of contribution for Open Space, Outdoor Sport / Recreation &amp; Play Facilities will be £250 per unit. This will be applied to all developments of 5 units or more where necessary and in accordance with the tests outlined within the NPPF. This figure is similar to other recent obligations the company have agreed to in the Borough and around the region so we have no objections to the scale of this contribution.</p> <p>The document states that on larger sites of over 100 units the development will be expected to incorporate on site provision. Persimmon Homes object to this requirement and believe that each site should be assessed on its own merits taking into account its location and proximity to existing facilities. We believe that in the event a larger site does provide an on-site provision of open space, outdoor sport, recreation and play facilities the development should not get charged twice by way of a further contribution for additional offsite works over and above its 'impact'. In order to provide further clarity the SPD should include the criteria used to assess the need for open space as well as the formula used to calculate the amount of open space a development should provide on site to allow developers and landowners to factor this into their scheme early in the plan process. Any criteria or formula should be agreed with relevant stakeholders and developers prior to the adoption of the SPD.</p> <p>In terms of the future maintenance of facilities, the SPD states that developers will be expected to pay a commuted sum for the maintenance of the facilities for a 20 year period from the point at which the facility is completed. Persimmon Homes believe this figure should be negotiable on a site by site basis to take account of viability. It will be important that when a number of developments have contributed towards the infrastructure, the maintenance contributions are split accordingly to ensure fairness. In order to assist</p>	<p>Noted. No objections to contribution for 5+ units. <i>(Will be updated in response to NPPG revisions)</i></p> <p>On larger sites (100 plus) – developers would be required to provide a play park rather than contribute towards off site provision.</p> <p>20 year maintenance figure determined by expected lifetime of play facilities, this will be negotiated at planning application stage. HBC is not proposing to include a maintenance schedule due to such information quickly going out of date.</p>

		<p>developers, the council should also publish a standard schedule of maintenance outlining the associated costs to give greater certainty to developers earlier in the planning process. This should be included within the SPD.</p> <p>Finally the SPD states that the contributions are expected to be paid to the local authority on commencement of the development. Persimmon Homes however would like to see flexibility and allow for the timescales for each contribution to be determined on a case by case basis. This will assist developer's cashflow and help overcome the most economically challenging period of a build, the initial start up.</p>	<p>Proposed inclusion of sentence such as the following to ensure facilitate cashflow if there is a need – to be negotiated case by case?</p> <p><i>“In the case of a large-scale development, it may be that the payments or provision would be phased in order to meet the proportional impact of each phase. Trigger points for payments or provision will be included in the legal agreement, as will the period in which any contribution will have to be spent.”</i></p>
	Section 23.0	<p>The SPD proposes that the level of contribution for Built Sport Facilities will be £250 per unit. This will be applied to all developments of 5 units or more where necessary and in accordance with the tests outlined within the NPPF. This figure is similar to other recent obligations the company have agreed to in the Borough and around the region so we have no objections to the scale of this contribution. However, despite the above, there is a concern that this section of the SPD is, at least in part, more concerned with 'addressing areas of existing deficiency' and 'sustaining existing services' than meeting new needs. As set out within the NPPF, planning obligations should be necessary to make the development acceptable, directly related to the development, and fairly and reasonable</p>	<p>Noted.</p> <p>Consider inclusion of similar wording to above?</p> <p>The SPD outlines where the current need, facilities continually require updating and repair especially with additional users demand</p>



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		<p>related in scale and kind to the development so should not be used as a tool to levy funds towards the ongoing upkeep of existing facilities. They should only be used to address new needs.</p> <p>Once again Persimmon Homes would request that the payment of any contribution is negotiated on a site by site basis to allow flexibility particularly if the contribution is being directed towards a long term element of infrastructure.</p>	created by new residential development. This SPD sets out policy to help address this.
	Section 24.0	<p>The SPD proposes that the level of contribution for Green Infrastructure will be £250 per unit. This will be applied to all developments of 5 units or more where necessary and in accordance with the tests outlined within the NPPF. This figure is similar to other recent obligations the company have agreed to in the Borough and around the region so we have no objections to the scale of this contribution. Whilst the Hartlepool Green Infrastructure SPD is used as the evidence to align contributions to specific areas of green infrastructure, Persimmon Homes would like to reiterate the importance of the planning obligation being necessary to make the development acceptable in planning terms and directly related to development in accordance with paragraph 204 of the NPPF. It will be important that where green infrastructure is provided on site, such as at Upper Warren and the South West Extension, then the requirement to provide a contribution for offsite works is negated or balanced against the onsite provision to ensure that any obligation is fair and the development only contributes towards its 'impact' on such infrastructure</p>	<p>Noted.</p> <p>The evidence outlined in the SPD demonstrates the need for planning contributions from all new developments as defined by the thresholds set out in the SPD.</p> <p>It is the case that where large development includes onsite provision – this will be included in the assessment of the requirement of any additional contributions.</p>
	Section 25.0	<p>The SPD proposes that the level of contribution for Highway Infrastructure for offsite highway works can only be determined on a site by site basis. Persimmon Homes support this statement and wish to reiterate the need, especially on brownfield developments to take into account the existing use of the site to determine the impact of the new proposal. Whilst significant highway improvements may be needed across the borough, it is important that the council's approach is 'impact based'. For example, if a road junction needs to be altered then the additional traffic created from the site should be assessed against the wider usage and the financial contribution calculated in the light of the overall situation with any contribution being reasonable and in scale to the proposed development. If more than one development impacts upon a junction then the costs should be shared proportionately.</p>	<p>Noted.</p> <p>This is the approach undertaken.</p>
	Section 26.0	<p>The SPD proposes that the level of contribution for Community Infrastructure will be determined on a site by site basis to allow the impact of the development to be assessed against the need for particular facilities which such a development would create. Whilst Persimmon Homes are pleased with this approach, it contradicts Table 1 on page 8</p>	<p>Noted.</p> <p>As a point of clarity the amounts of contribution will be added to the table</p>

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		<p>of the SPD which states that the threshold number for education facilities will be 5 units. Whilst the document specifically points to education provision and community centres as likely sought after community contributions, the actual definition and scope of community facilities is vague and uncertain. Persimmon Homes understand that the contribution will be determined on a site by site basis, however we feel that it would be useful to provide greater clarification as to the other possible “community facilities” a contribution could be required for. This should therefore be included within the SPD to provide developers with greater information of the potential costs associated with their development alongside any associated costs or formulas which would be used to determine the scale of the contribution.</p> <p>In terms of education provision the SPD states that contributions will only be sought on developments where there is insufficient capacity in existing local schools to cope with the pressures associated with development in the area. The contribution will either be a commuted sum towards expanding an existing education establishment or, if the development is of a sufficient size (750 units), to provide a new school altogether within the development. Persimmon Homes fully acknowledge our role and responsibility in creating sustainable developments benefitting from the necessary facilities so therefore do not object to this 750 unit threshold requirement for new schools when there is an identified need providing it does not undermine the viability of the development.</p> <p>Where there is an identified need for improvements to a school as a result of a development, the council have identified a local formula which they will use for calculating the financial contributions for both primary and secondary provision. These formulas, outlined within paragraphs 26.10 – 16.13, are considered to be acceptable by Persimmon Homes. As touched upon above, the SPD also outlines the threshold above which community centres will be sought. Whilst Persimmon Homes accept that there may be a need for a community centre on larger sites, we believe that this should once again be determined on a site by site basis on developments over of 750 units.</p>	<p>presented on page 8 (although this may be repositioned within the SPD). Assessment of level of contribution will be determined once a development meets the threshold level.</p> <p>Examples of community facilities are provided in 26.1.</p> <p>All planning contributions can be discussed should a developer evidence that provision requested in the SPD is not viable.</p>
	Section 27.0	<p>The SPD proposes that the council will seek training and employment opportunities on developments of over 10 units. For reasons not identified, this has been reduced from the 20 unit threshold proposed within the previous Draft Planning Obligations SPD published in 2009. Unless further justification can be provided, we would wish to see the threshold increased to its previous level.</p> <p>Whilst the SPD states that the Council's adopted Targeted Training and Employment Charter 2007 allows the local authority to incorporate targeted training and employment matters in planning and development proposals where it is appropriate and affordable to do so, Persimmon Homes cannot find any published version of the document. Before progressing with the SPD, we would therefore wish to have the opportunity to appraise this document in detail before agreeing to any form of planning obligation relating to Training</p>	<p>The reduction in threshold offers the opportunity for training and employment opportunities to be sought on smaller developments in the borough. These are generally undertaken by smaller local builders, from which there have not been any negative comments about the level of this</p>

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		<p>and Employment to ensure that any requirement is properly justified by a sound evidence base.</p> <p>In any case, Persimmon Homes already proactively employ local residents whether they are school leavers or graduates in many different roles throughout the company. These roles vary and include many different aspects of the company including within our in-house development and design departments, our onsite construction teams or within our sales and customer care offices. We therefore believe that any policy requiring such an obligation should be flexible so as to allow the council to work with the applicants and adapt to their needs and method of operating to ensure that any employment is beneficial to all parties involved.</p> <p>As Persimmon Homes do not consider such an obligation to be 'necessary' to make the development acceptable in planning terms in line with paragraph 204 of the NPPF, then we feel that such an obligation should only be 'encouraged' by the council through negotiation with developers rather than be an explicit 'requirement' on all sites.</p>	<p>threshold. In addition these changes are inline with the recent NPPG revisions on Planning Obligations.</p> <p>Should the developer determine that the requirement makes a development unviable, the SPD allows for discussion relating to the level of contribution, this can consider evidence provided.</p>
	General comments	<p>Is noted that within the SPD, Hartlepool Borough will consider the introduction of the Community Infrastructure Levy (CIL) as part of the on-going arrangements for the new Local Plan. It is important that the Council undertake a thorough viability assessment of all plan policies prior to its introduction and methodically engage with local stakeholders and developers at every stage so that the levy is not be set at the margins of viability which is likely to jeopardise plan delivery. If CIL is adopted this should be the only tool for collecting "area-wide" funds to address the cumulative impacts of development on types of infrastructure. Where a levy is in place the local Council may still secure "site specific" planning obligations through Section 106 agreements in some instances but, will need to clearly publish what infrastructure will be financed through S106 agreements and what will be financed through CIL to avoid any duplication or "double counting" of obligations inline with CIL Regulations .</p> <p>Where additional costs such as planning obligations are placed on top of CIL it may adversely impact upon a development's viability and as such may not create the conditions that support local economic growth, which is a primary objective of the Government's growth agenda (Written Ministerial Statement by Rt Hon Eric Pickles MP, 6 October 2012) and the NPPF. The SPD should therefore make specific reference to the viability of a scheme, and only seek to capture additional obligations where viability allows.</p>	<p>When CIL is considered by HBC, viability will be calculated as part of the assessment to develop the levy, this is a key element of the development of CIL.. If CIL comes into force, the levy and planning contributions will be applied as set out in policy.</p>
	General comments	<p>There is clearly an obligation on developers to mitigate the impact of new development and to contribute to the provision of infrastructure in respect of that growth. Whilst Persimmon Homes support the principle of the Planning Obligations SPD to provide greater clarity for developers and applicants, the fact remains that it is imperative that each development is</p>	<p>Noted.</p> <p>The SPD is being developed in advance of the emerging the Local Plan. This is</p>

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	<p>assessed on its own merits.</p> <p>Persimmon Homes believe that the Council have created the foundations from which to now take on board feedback from the industry and alter the SPD accordingly to ensure that it delivers clear, coherent and justified guidance on the use of planning obligations within the Borough. However, it must be repeated that given the current Local Plan predicament, we feel that it would be more logical for the Planning Obligations SPD to follow the emerging Local Plan. This way it would ensure that the current policy position is up-date and based on policy which is compliant with the NPPF, whilst it would also allow for the contributions contained within the document to be thoroughly tested against the other local plan requirements to ensure that it is deliverable and will not prevent development.</p> <p>As stated in the NPPF, development should not be subject to such a scale of obligations and policy burdens that its ability to be developed viably is threatened. To ensure viability, the NPPF states that the costs of any requirements likely to be applied to development, such as requirements for affordable housing and infrastructure contributions, should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. We would therefore like to see further evidence of testing which shows that the policies can be delivered as they say they can given the current market conditions and that developers and landowners expectations in respect to profit and land value can be realistically achieved.</p> <p>Persimmon Homes currently have concerns that some areas of the document, as outlined within the preceding paragraphs, do not meet some of the objectives and principles of the NPPF. Persimmon Homes therefore request that the council give due consideration to these Representations herewith and adjust the SPD accordingly in order to avoid an undeliverable, unjustified and therefore unsound SPD. It is therefore essential that the SPD is amended to take account of the following points;</p> <ul style="list-style-type: none"> <li>• The need for all contributions to be flexible and negotiable on a site by site basis in order to take account of a development's viability and any mitigating site specific characteristics.</li> <li>• A more realistic, achievable and deliverable target for affordable housing should be set using an up to date and sound evidence base to ensure that the council requirements to not prohibit the delivery of new housing.</li> <li>• Greater flexibility towards the payment and delivery of contributions to assist with developer cashflow and the delivery of the scheme for example with regards to the tenure of affordable units or timing of payments.</li> <li>• Further clarification on what “community facilities” can include to provide greater transparency to developers.</li> </ul>	<p>consistent with best practice detailed in recent Local Plan Examinations in Public where Planning Inspectors have shown preference to the development of SPD's in advance to inform policy for the new local plan. The SPD is compliant with GEP9 a saved policy of the 2006 Local Plan.</p> <p>The SPD does allow for negotiation in planning contributions should viability impact upon the deliverability of a development.</p> <ul style="list-style-type: none"> <li>• Standard has been set and negotiation is an option if required.</li> <li>• The need of 27.5% for affordable housing is based on sound evidence.</li> <li>• Sentence to be added to SPD.</li> <li>• This is detailed in Section 26 of the SPD.</li> </ul>
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		<ul style="list-style-type: none"> <li>• The need to create and publish any criteria or formulas which are used to assess the need for contributions and then the scale of any such a provision to provide transparency and clarity to developers, landowners and interest parties earlier in the application process.</li> <li>• Full and proper testing of the contributions contained within the SPD to ensure they do not inflict undue financial burdens on developers when coupled with Local Plan Policies.</li> <li>• <input type="checkbox"/>The need to base any assessment of viability on the industry's expectation of at least 20% developer profit to provide sufficient reward to award the risk to ensure the development goes ahead unless otherwise agreed with the applicant.</li> <li>• <input type="checkbox"/>Be flexible enough to accommodate changes in the market to ensure that Land Values subject to the necessary obligations and levies continue to incentivise landowners to sell so as not to prevent the supply and delivery of new homes.</li> <li>• The need for all planning obligation thresholds to be correctly evidenced and justified.</li> <li>• <input type="checkbox"/>Await the outcome of the Standards Review before committing to policies which require specific technical design related standards to be met.</li> <li>• <input type="checkbox"/>Finally, the SPD needs to be fully assessed in terms of its compliance with both the CIL Regulations and NPPF to ensure that: the council operates within its limits; obligations are applied to development correctly in accordance with the statutory tests; developers, landowners and stakeholders understand the processes involved; and developments will not be double charged through both the CIL and Section 106 obligations.</li> </ul> <p>Therefore, until further work has been carried out to address the issues raised above and within this document, Persimmon Homes believe that the SPD should not influence the company's existing and ongoing interests within the Borough at Upper Warren, Britmag, Elwick and the South West Extension. Persimmon Homes are subsequently happy to</p>	<ul style="list-style-type: none"> <li>• It would be up to developers to evidence should they feel a site is undeliverable. Viability information is set out in the SPD.</li> <li>• This will be done when the CIL is tested and considered. Levels of contributions have been proven to be broadly acceptable through historical achievement of planning obligations.</li> <li>• The margin of acceptable profit is something which is considered on a case by case basis.</li> <li>• There is the flexibility within the SPD to accommodate this.</li> <li>• The thresholds have been applied and market tested at this level, obligations have been successfully secured at this level.</li> <li>• Noted. HBC are confident that this is the case and the SPD is compliant.</li> </ul>
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		discuss with the council any of the comments made within this representation and would request to be kept informed of all future consultations on the local plan and supplementary planning documents.	
<b>PO05 – Enviroment Agency</b>	Section 24.0	We welcome the section requiring developers to contribute towards the provision of green infrastructure. This is consistent with the objectives of paragraph 109 of the National Planning Policy Framework, which state that ‘the planning system should contribute to and enhance the natural and local environment’.	Noted
	General Comments	<p><b>Drainage and Flood Prevention</b></p> <p>It is recommended that the Council includes a section in relation to flood prevention and drainage, requiring developers to enter into a planning obligation where a Sustainable Drainage System (SuDS) is required off site or where a financial contribution is required to deliver SuDS or flood alleviation schemes.</p> <p>References should also be made to providing compensatory storage for water during flood events, improving flood defences and providing mitigation works such as restoration and maintenance.</p> <p>Where appropriate, contributions should also be made towards a fund to an external provider to ensure the maintenance of SuDS systems is carried out and/or where the systems are due to be adopted.</p>	<p>SuDS schemes would be discussed as part of the application process and addressed through a Section 106 where an offsite requirement exists on land not owned by the developer.</p> <p>Agree to add a section within the green infrastructure element to cover SuDS.</p>
<b>PO06 – Onsite</b>	Section 2	Section 2 sets out the purpose of the SPD which is to “set out comprehensively the local authority’s approach, policies and procedures in respect of Planning Obligations”. The NPPF states in paragraph 153 that “supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burden on development”. The Government’s objectives through the NPPF are sustainable development and growth. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 14 stresses the need for Local Plans to meet objectively assessed needs of an area. The core planning principles are set out in paragraph 17. This states that planning should be a positive tool, proactive and meet identified needs. Plans should take account of market signals and allocate sufficient land to accommodate development in their area. The focus through the NPPF is to build a strong, competitive economy and to deliver a wide choice of high quality homes.	Noted.

		<p>The Government's aim through the NPPF is to "boost significantly the supply of housing". Local authorities should use a robust evidence base to meet "the full, objectively assessed needs for market and affordable housing". In doing so they must identify a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement with an additional buffer of 5% to ensure choice and competition in the market for land. In identifying and allocating housing local authorities should "plan for a mix of housing based on demographic trends, market trends and the needs of different groups in the community" including older people (paragraph 50).</p> <p>The NPPF indicates that Local Plans should concentrate on a strategy for delivery and that it is not a document which seeks to reformulate national policies and other guidance for development control purposes. In addition, the ethos relating to Local Plans is to include clear policies that set out the opportunities for development and clear policies on what will and will not be permitted.</p>	
	General comment	<p>OnSite <b>object</b> to the lack of reference to viability throughout the SPD which is considered to be inflexible as it indicates that "affordable housing will be required on all planning applications". Whilst it makes reference to viability in paragraph 2.2, reference to viability testing is not included in relation to specific obligations contained within the document and as such could have a detrimental impact upon the viability of schemes which will then affect delivery.</p> <p>The content of the Planning Obligations Supplementary Planning Document need to ensure that full account is taken of the need for viability and deliverability. OnSite considers that the key issue facing the area is deliverability of development schemes taking into account their viability. OnSite therefore consider that (where relevant) reference to viability should be taken into account in each element of the Guidance in relation to ALL proposed obligations to ensure that developments do not become undeliverable due to a lack of flexibility within the SPD. Consequently, OnSite consider changes should be made to make reference to the deliverability of contributions and components of the scheme which take into account the viability of each scheme. This is supported by paragraph 173 of the NPPF:  <i>"Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened."</i></p> <p>The SPD as currently drafted offers no flexibility and states "the development will" deliver with regards to the various obligation(s). There is no reference to viability in any of the</p>	<p>Viability is mentioned comprehensively in section 16.0 of the SPD. Accepted that this section could be strengthened and will be address in the development of the SPD to set out a clear process which considers viability.</p> <p>Viability is also referred to at 2.2, 4.6, 4.8, 4.9, 15.1, 21.8, 21.11, 23.15, 24.17, 25.18, 26.8, 26.16 and 26.18.</p> <p>Agree to add reference to viability into the table,</p>

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		Tables which convey the level of contribution payable. OnSite consider that this is approach is inflexible, unclear as it is referred to elsewhere in the SPD and allows no basis for negotiations for development on a site by site basis to consider matters such as abnormal costs that could affect the amount of affordable housing a scheme can viably provide for example. As such, OnSite <b>object</b> to the SPD and consider that it is not clear or consistent and is therefore considered to be ineffective in its present form, nor justified or consistent with national policy and is therefore unsound.	however disagree that the SPD is inflexible and it mentions viability throughout the document.
<b>PO07 – Rural Plan</b>		<p>States ‘affordable housing will be required on all planning applications for residential development that consist of a gross addition of 15 dwellings or more’ In the rural area a gross addition of 15 dwellings or more would be relatively rare and large addition to the small villages. In order that the need for affordable housing in the rural area is more likely to be addressed the Parish Council would suggest a lower figure of 5 dwellings be used in the rural area. In order to better ensure the need for affordable housing provision in rural communities the Rural Plan is proposing such be required in all applications or proposals for residential development that consist of a gross addition of 5 or more dwellings (or 0.4 hectares). Currently the Rural Plan is also proposing a minimum affordable housing target of 10% to be required on all sites.</p> <p>A community's need for an appropriate balance and mix of housing, including the provision of affordable housing, is recognised at national level as a material consideration in determining planning applications for housing development. Government policy seeks to create sustainable communities that offer a wide range of housing types and tenures and are socially inclusive. This must surely also seek to include rural communities The Tees Valley Strategic Housing Market Assessment 2012 showed that the Hartlepool Rural Area has a good mix of housing sizes, types and tenures. The neighbourhood plan seeks to continue to ensure that this balanced housing stock is maintained so that there is a good choice of housing available that meets the needs of people at all stages of their lives from those setting up home for the first time, to growing families and those seeking homes to meet their needs in older age. It is recognised that there is a need to attract young and growing families to the villages to help support schools and community organisations. Also with improving longevity, housing that meets the needs of older people will be increasingly important so that they can maintain their independence. Consequently, a good range of housing that meets local needs is vital.</p>	Noted. SPD to be updated to reference Neighbourhood Planning, as this develops and starts to hold weight to SPD will implement a reduced threshold in line with the Neighbourhood Plan. Thresholds to be lowered in line with the new National Planning Practice Guidance on Planning Obligations published 28/11/2014.
<b>PO08 - Sainsbury's</b>	General comments	<p><b>Development required to provide planning obligations</b></p> <p>Retail developments may trigger S106 obligations relating to training and employment, highways infrastructure and green infrastructure. However, it is not considered that</p>	Disagree, open space surrounding A1 developments is essential for



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		<p>Sainsbury's developments would normally require an open space I outdoor recreation and play facilities planning obligation due to the nature of the development and impacts arising. This type of planning obligation would not meet the tests set out in the NPPF. Paragraph 204 of the Framework states 'Planning obligations should only be sought where they meet all of the following tests;</p> <ol style="list-style-type: none"> <li>1) Necessary to make the development acceptable in planning terms;</li> <li>2) Directly related to the development; and</li> <li>3) Fairly and reasonably related in scale and kind to the development.'</li> </ol> <p>Therefore, the requirement for open space, outdoor sport I recreation and play facilities planning obligation should be omitted for Class <b>A1</b> developments.</p>	<p>the high quality landscaping. Provision of these facilities can complement A1 developments.</p> <p>It may be for examples that a local centre with a number of units were developed – it would not be unreasonable to seek a small children's play areas as part of the scheme.</p>
<b>PO09 – North Tees and Hartlepool NHS</b>	General comments	<p>The view of the Trust is that the guidance is welcomed as it provides a framework and clarity in understanding the local authority's approach towards securing planning obligations associated with proposed developments within the Borough. The broad principles of the document are supported.</p> <p>With respect to the specific thresholds and values of the contributions indicated in the document they do appear to be significant and may well result in an increased submission of viability assessments. This has the potential to incur additional planning costs, slowing down the approval process and introducing uncertainty. The document implies these developer contribution thresholds will only increase as the economy improves and would not reduce should viability assessments evidence that schemes are otherwise unviable.</p> <p>The document also suggests that new developments often put pressure on already over-stretched infrastructure and that developers will compensate for the impact of their proposals and that there will be a direct correlation between developer contributions and the proposed development. It is unclear that should such infrastructure pressures related to the proposed scheme not exist would the contributions be reduced accordingly and not 'pooled' to contribute to unrelated infrastructure improvement.</p>	<p>Noted. Viability is mentioned on a number of occasions in the SPD. Accepted that this section could be strengthened and will be address in the development of the SPD to set out a clear process which considers viability.</p> <p>Justification for any contribution is required and planning obligations are only applied if an application creates or adds to a provision requirement.</p> <p>HBC will always seek to determine applications within the timescales whether a viability assessment is needed or not.</p>
<b>PO10 – Cleveland police</b>	General comments	<p>Further to our conservation although I understand there is to be a separate document with regard designing out crime in relation to residential developments.</p> <p>Designing out crime and promoting community safety should be considered in all planning</p>	<p>Noted. This should be something which is incorporated as part of the</p>

		<p>applications where there is any likelihood of an impact on crime and disorder.</p> <p>I can see no reference in the document to any guidance for developers or planners to ensure that all developments where appropriate incorporate the principles of designing out crime and no explanation how crime prevention measures can be incorporated into a development from the start of the planning process and the benefits of doing so</p>	design of the scheme rather than requiring a legal agreement to secure it.
<b>PO11 – Highways agency</b>	General comments	<p>The Agency is generally supportive of securing developer contributions through the use of planning obligations and as such is generally supportive of the SPD. It is understood that the SPD expands on established national and regional planning policies and also policies contained within the adopted Hartlepool Local Plan 2006, but as stated within Paragraph 4.6 of the SPD, the requirements set out have been recently tested at examination for the Hartlepool Local Plan 2012 which was found sound subject to modifications (not relating to obligation requirements) but then subsequently withdrawn. The SPD therefore considers that the requirements made have been robustly tested and examined and are flexible in viability terms. During the consultation process for the Local Plan 2012, the Agency had previously raised no concerns with the approach and that it was generally supportive of securing developer contributions through the use of planning obligations. This remains the case. Paragraph 8.1 of the SPD identifies the thresholds for seeking planning contributions, which are set out within Table 1 of the document. The Agency has no particular concerns with the thresholds proposed or the intention to judge each planning application on its own merits to allow for obligations to be sought for some developments below the threshold level if the local authority considers is justified by the consequential impact of the development. Similarly, the Agency welcomes the provisions of Paragraph 8.2 which goes on to state that when determining contributions, the local authority will look at the cumulative impact of a number of adjoining small developments and where necessary will require a masterplan to be developed for an area to prevent the sub-division of a site to avoid the threshold for contributions. Paragraph 10.1 sets out the requirements and intentions for the pooling of contributions, which is also supported by the Agency, particularly where contributions are required for significant infrastructure improvements or where the impacts of development requiring an infrastructure improvement are cumulative.</p>	Noted and support welcomed.
	Section 25.0	<p>Of specific interest to the Agency is Section 25.0 of the SPD, Highway Infrastructure. Paragraph 25.11 details the LIP that was developed to support the production of the withdrawn Local Plan. As stated, the Agency was thoroughly involved in its preparation to ensure the issues relating to key areas of the SRN were understood in order to help focus future investment required to support the Plan's development aspirations. The Agency welcomes the intention to refresh the LIP as the intentions for the new Local Plan are developed.</p>	Noted and support welcomed.

		<p>The Agency welcomes the recognition in Paragraph 25.12 that it is likely that the continued or increase in car ownership alongside new development will increase the number of trips and therefore the potential for detrimental impacts on the road network, that will require mitigation through works or contributions to such works. The Agency therefore welcomes the Councils intention, as referred to in Paragraph 25.13, to looking at the impact that developments within the Local Plan will have on the road network in collaboration with the Highways Agency. This should help to ensure that developments that are ultimately proposed in the Plan will not adversely impact on the safe and efficient operation of the SRN.</p> <p>The Agency is supportive of Paragraph 25.17 and its intention to include Travel Plans within Planning Obligation Agreements where there is a particular concern with the targets set within the Plan and whether they will be met, or where they are so important to the decision to grant planning permission that they must be adhered to. The Agency is also supportive of the development thresholds requiring a Travel Plan as identified in Table 6. This along with suitably worded planning policy in the forthcoming Local Plan should help to contribute towards ensuring that the impact from proposed development on the SRN can be minimised. The Agency also welcomes the requirement placed on developers to submit annual reports on whether or to what extent the Travel Plan targets have been met, which should help to ensure that Travel Plans are successfully implemented.</p>	
<b>PO12 – English Heritage</b>	General	<p>English Heritage recognises the importance of planning obligations as a source of funding to deliver the infrastructure required to underpin the sustainable development of Hartlepool. Planning obligations and other funding streams can be used to implement the strategy and policies, within your emerging Local Plan, aimed at achieving the conservation and enhancement of the historic environment, heritage assets and their settings, in accordance with paragraphs 6, 126 and 157 of the National Planning Policy Framework (NPPF). In my view such assets are a legitimate recipient of receipts where they may otherwise be impacted upon by a development.</p> <p>In terms of what can be funded and is needed to support the development of the area, I would suggest you include the following:</p> <ul style="list-style-type: none"> <li>• ‘In kind’ payments, including land transfers: this could include the transfer of an ‘at risk’ building;</li> <li>• Repairs and improvements to, and the maintenance of, heritage assets where they are an infrastructure item as defined by the Planning Act 2008, such as cultural or</li> </ul>	Noted. Include a section on Heritage Assets in the SPD reflecting these comments.

		<p>recreational facilities, transport infrastructure such as historic bridges, and green and social infrastructure such as parks and gardens.</p> <ul style="list-style-type: none"> <li>• Opportunities for funding improvements to, and the mitigation of adverse impacts on, the historic environment, such as archaeological investigations, access and interpretation, and the repair and reuse of buildings or other heritage assets.</li> <li>• Schemes requiring contributions in the form of training and employment opportunities in order to build capacity in terms of traditional crafts and skills which are in short supply in the North East region generally.</li> </ul> <p>English Heritage is concerned that, in pursuit of planning obligations for development which affects heritage assets or their settings, harm may be caused to their historic significance. For example, there could be circumstances where the viability of a scheme (otherwise designed to respect the setting of a heritage asset in terms of its quantum of development) could be threatened by greater demands for receipts. Equally, there could be issues for schemes which are designed to secure the long term viability of the historic environment (either through re-using a heritage asset or through enabling development).</p> <p>Paragraph 126 of the NPPF requires the local planning authority to set out, in its Local Plan, a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In relation to planning obligations, this means ensuring that the conservation of the Borough's heritage assets is taken into account when considering whether, or at what level, to use planning obligations so as to safeguard and encourage appropriate and viable uses for the historic environment.</p> <p>I would therefore encourage the local authority to provide, within the SPD and the Schedule of Obligation Types and Thresholds, the right to offer relief in exceptional circumstances where development which affects heritage assets and their settings may otherwise become unviable.</p>	This will be included as part of the emerging Local Plan.
	SA General	<p>Crucial is the need to ensure the careful <i>integration</i> of social and environmental objectives with economic ones. The NPPF places a presumption on development being sustainable. Consisting of three dimensions, one is the need for development to contribute to protecting and enhancing our natural, built and historic environment – improving biodiversity, using resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Sustainable development requires economic, social, and environmental objectives to be jointly and simultaneously sought</p>	Noted

		because they are regarded as mutually dependent. It follows that development which does not do this will not be sustainable and might reasonably be resisted. (NPPF paragraphs 7, 8 and 9.)	
	SA Section 4	<p>Section 4 of the document deals with baseline conditions and key sustainability issues in Hartlepool. Whilst it contains a brief outline of the numbers of some heritage asset types in the Borough, it remains silent with regard to the issues which accompany those headline figures. I would suggest that issues for the SPD to address should include the extent to which:</p> <ul style="list-style-type: none"> <li>• sufficient is known of the heritage interest of a building, site or area to be able to safeguard it appropriately or make best use of the opportunities it might otherwise present</li> <li>• there is an under-appreciation of the various ways in which the historic environment and its heritage assets can assist with achieving other social and economic objectives</li> <li>• there is access to the historic environment, both physically and intellectually, and an ability for everyone to enjoy it</li> <li>• heritage assets (designated or otherwise) are adjudged to be at risk or vulnerable to deterioration. The NPPF encourages Local Plans to include a positive strategy for the removal of heritage from risk</li> <li>• brownfield sites are overlooked in favour of development on previously undeveloped land which may possess archaeological potential. The government is again pressing for better use to be made of previously developed land.</li> <li>• planning decisions are taken which fail to safeguard heritage assets in a manner appropriate to their significance in order to allow development the need for which could be met in more acceptable ways, and perhaps in other locations</li> </ul> <p>These sustainability issues effectively form the basis of measures by which to judge the achievement of sustainability objectives and the success of the SPD and, ultimately, the delivery of Development Plan policy.</p>	Noted. Historically through the consideration of planning obligations as part of planning applications there have been examples where contributions have not been requested as this would impact upon the viability of the scheme where the preservation and enhancement of heritage assets has been the incorporated into the development. Section 16 will be strengthened to include this.
	SA Section 5	Section 5 deals with other strategies, plans and programmes which have a bearing on the SPD. One omission at an international level is the European Landscape Convention. At a national level I would advise that the Practice Guide accompanying the now superseded PPS5: <i>Planning for the Historic Environment</i> is still extant as tertiary guidance material.	Noted. Will update SPD to reflect.
	SA Section 6	Section 6 assesses the sustainability of the SPD. Table 1 sets out the Sustainability	Noted

		Objectives and assessment criteria. English Heritage welcomes reference to the historic environment in SA Objective 7, but observes an inherent problem within it. Because the objective concerns both the built and 'natural' environment, it is not possible to readily discern the separate and distinct effects specifically on the historic environment. Such effects, if any, remain invisible. Furthermore, there may be circumstances in which effects upon SA Objective 7 could be contradictory as regards the built and natural environment. To this extent the SA is flawed and does not satisfy the Strategic Environmental Assessment Directive (EC/2001/42), which requires an assessment of the likely significant effects of the SPD on, amongst other things, cultural heritage, including architectural and archaeological heritage and for this reason I would urge separation.	
	SA Assessment Criteria	<p>In terms of Assessment Criteria, I would additionally suggest that the success or otherwise of the SPD be measured against the extent to which the sustainability issues above are addressed.</p> <p>Table 2 looks at the compatibility of the Sustainability Objectives, and it is here where we perhaps see the difficulty of conflating natural and historic environmental matters into a single objective. We are shown that the relationship between SA Objective 7, and Objectives 6 and 11 is neutral, and that between SA Objectives 7 and 1 the relationship is negative.</p> <p>However, the quality of the built and historic environment is crucial to the economic wellbeing of the Borough. It is especially important to the tourism sector. Indeed, the NPPF makes clear that economic development which does not jointly and simultaneously seek to additionally achieve social and environmental objectives will not be sustainable and might therefore expect to be resisted.</p> <p>Repair and maintenance is an essential part of the conservation of the historic environment, and is an important part of the construction industry. All repair and maintenance accounted for about a third (£34.8 billion) of construction output in Britain in 2010. A meaningful proportion of this output will have been on pre-1919 buildings which make up a fifth of all dwellings in England.</p> <p>Approximately a fifth of visitors to areas which had received investment in the historic environment, in a survey of 1000, stated that they spent more in that area after investment in the historic environment than they did before. A quarter of those surveyed stated that such investment had led to an increase in business revenue.</p>	Noted

		<p>It is also acknowledged that heritage allows the UK to benefit from the expanding international tourism market, growing from 25 million in 1950 to over 940 million today. It is estimated that, in 2010, UK heritage tourism directly accounted for £4.3 billion of GDP and created jobs for 113,000 people – larger than the UK film industry and only somewhat smaller than the motor vehicle manufacturing industry (£5.5 billion).</p> <p>With regard to Transport, managing the movement of people and goods is critical to achieving a successful and thriving town. Minimising the need to travel, and reducing the distances covered, however, is as fundamental to business economies as it is to enhancing quality of life for many who endure time-consuming commutes or have to live and work in, or visit, places made unpleasant and unappealing by avoidable levels of motorised transport. The townscape quality of our historic towns and villages can be generally improved by careful traffic management.</p> <p>With regard to promoting strong and inclusive communities and developing skills levels, many community facilities are to be found in historic buildings and public spaces. Many constitute a point of stability and comfort in an increasingly changing world and are cherished all the more for it. It should be acknowledged that community wellbeing often resides in these local assets, many of which are local authority owned. Careful asset management planning is important in this regard.</p> <p>It is clear that a number of people in the Borough feel detached from the ability to influence decisions which affect their daily lives. Engagement with local heritage – saving assets from closure and possible demolition, for example – can be an invaluable way of galvanising local communities, providing residents with a sense of shared ownership, and empowering those who feel alienated by the planning process.</p> <p>With regard to education and skills, there is an under-acknowledgement of the extent to which the historic environment could assist with raising educational standards and help create home-grown employment opportunities for those who find other avenues unappealing or unattainable.</p>	
	SA Section 6.4	Section 6.4 involves appraising the effect of the objectives of the SPD on the SA Objectives. Increased opportunities for training and employment, whilst perhaps increasing the need to travel, could be offset by improvements to public transport and promoting non-motorised movement. If training and employment helps with enhancing the condition of the historic environment and the heritage assets of the Borough the effects on SA Objective 7 could be positive, or at least neutral. Receipts spent on community facilities which are of heritage	Noted

		value would be a positive effect.	
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# REGENERATION SERVICES COMMITTEE

11<sup>th</sup> June 2015



**Report of:** Assistant Director (Regeneration)

**Subject:** AUTHORITIES MONITORING REPORT FOR  
FINANCIAL YEAR 2013/2014

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non-Key Decision.

## 2. PURPOSE OF REPORT

2.1 The purpose of this report is to seek permission of the Regeneration Services Committee to endorse the 2013/14 Authorities Monitoring Report (AMR) attached at **Appendix 1** to this report.

## 3. BACKGROUND

3.1 The AMR is produced annually by Planning Services on behalf of the Council. It reviews the progress made on the implementation of policies in the 2006 Local Plan and generally assesses their effectiveness and the extent to which they are being implemented. It also reviews the implementation of the Local Development Scheme (LDS) which is a set programme for preparing Local Development Documents (LDDs). In accordance with the Planning and Compulsory Purchase Act 2004, upon completion these LDDs will form a major part of the Local Development Framework (LDF) which will eventually replace the 2006 Local Plan.

3.2 The Council formally withdrew the Local Plan in November 2013 which was on schedule to be adopted by end of the financial year. Therefore, unlike in previous years, this AMR makes no references to emerging policies and plans proposed in the withdrawn Local Plan (2013).

3.3 Chapter 4 of the AMR details how the Local Plan policies have, on the whole, been effective in both the management of planning proposals

and in the economic, social and environmental development of the borough.

### 3.4 Highlights of this monitoring year are as follows:

#### ***Housing and housing policies***

- The net opening stock of housing was 42,440 dwellings and net closing stock was 42,524. There was therefore a net addition of only 84 dwellings in the year compared to last year's 122.
- Policy Hsg5 which sets a target for housing development to be provided on previously developed land and through conversions (60% by 2008 and 75% by 2016). The NPPF however does not, unlike the previous Planning Policy Statement, specify a target for brownfield, but does encourage it.
- The Council has put in place the Empty Homes Strategy to bring back into use, empty residential properties in the Borough. The current total of empty homes in the Borough is 1,022. This year there has been a total of 19 homes brought back to residential use, mainly in the York Road and Murray Street areas.
- Policy Hsg6 (mixed use areas) can not be implemented. It states that housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland (50 dwellings) and Victoria Harbour (550 dwellings). However there have been no dwellings developments on both sites up to date and since 2009 and the land owners indicated their intentions not to proceed with the anticipated mixed use development and instead expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions.

#### ***Economic activity, tourism and related policies***

- Economic activity has improved this year compared to last year with a notable increase in additional commercial floorspace completions totaling 652.8 m<sup>2</sup> compared to last year's 184.5 m<sup>2</sup>.
- All additional commercial floor space is from allocated industrial locations and this indicates that industrial policies are still considered robust and have over the report period fulfilled their function in directing industrial activity to allocated employment areas and thus protecting the rest of the borough for other land uses.
- The Employment Land Review (2008) which has previously been used to calculate available land is now considered outdated and is on schedule to be updated in the next financial year 2014/2015. However, early indications show there is approximately 410.1 ha of available employment land from a total of 17 sites.
- This year's vacancy rate in the town centre is 12.3% and has not significantly changed from last year's 12.4%. The town centre remains viable for businesses and the town centre policies are robust. However, the main challenge of lack of high quality

shops remains. It is anticipated that TJ Hughes, a high quality department store will move into the shopping mall before end of the year 2014 and this should reduce the vacancy rate next year.

- Tourism policies remain robust with tourism applications being determined in designated tourist areas within the borough i.e. the Marina for an extension to provide more bedrooms at the Premier Inn. Small scale tourist-related applications associated with the rural area have been determined in a bid to support farm diversification and the rural economy i.e. siting of caravans, holiday homes and the erection of a lodge at the A19 south bound services.

***Natural environment, waste, rural, conservation and related policies***

- This year there is a net loss of 2ha of ancient woodland from Newton Hanzard at Wynyard hence the requirements of Policy WL7, WL8 have not been met as in previous years therefore these policies need closer monitoring.
- There is no change to the areas of designated International or National sites or of priority habitats or number of designated local nature reserves. No priority species were adversely affected by planning decisions during the year either, hence wildlife policies WL2, WL5, WL7, and WL3 remain robust.
- The amount of waste going to landfill has continued to decline whilst that incinerated waste continues to increase. However, total waste arising this year has increased to 47848.64 tonnes compared to last year's 46796 tonnes. The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016. This year 40% of waste has been recycled/composted and although this is a slight decrease from last year's 41.2% it is still within the M&W DPD allowance. The indication therefore, is that waste policies in the Borough are just within target but need closer monitoring.
- Monitoring of the Minerals and Waste (M&W) DPDs commenced in 2012/2013 in cooperation with neighbouring Local Authorities in the Tees Valley, but it has not been possible to consolidate the joint monitoring report.
- There have been a total of 9 developments approved outside the limits to development, 4 of them relating to residential dwellings. Compared to previous years it seems the number of approved residential developments outside development limits in the countryside is slowly increasing and this needs closer monitoring. This is expected to be achieved through the New Developments Outside of Development Limits SPD which is currently being drafted.
- Farm/agricultural diversification developments have reduced this year. It is therefore evident that policies that seek to protect and enhance diversification in the rural area are not performing as

expected and need closer monitoring to determine their success rate.

- No Conservation Area Appraisals were completed this year but work is on-going reviewing the Seaton Carew conservation Area Appraisal. Progress has been made in securing some buildings that are considered an eye sore and unsafe for the public. For instance, Morison Hall and Tunstall Court both received planning permission for residential development

### ***Transport, leisure routes and related policies***

- No new cycle routes were created, neither have any been linked to the Local Transport Plan or as part of a planning approval. Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. This policy may need reviewing since its implementation has stalled for the past five years.
- There have been no new rights of way created or extinguished this financial year. However, there has been improvement works on the condition and access of 2.69 km of existing public rights of way and 2.94 km has been diverted.
- A recent development to note this year is the addition of a coastal path as a local indicator. This is due to the enactment of the Marine and Coastal Access Path Act 2009; Part 9 of this Act has placed a duty for a coastal path to be created along the whole of the English coastline. The first section of the England Coastal Path is in place between the North Gare car park at Seaton Carew and Sunderland. The next section from the North Gare car park to Filey has been approved although the stretch from the North Gare car park to the River Tees has been put on hold due to problems with accessing some of the land. The Council support initiatives to extend the England Coastal Path southwards from its current terminus at North Gare car park.

### ***Neighbourhood Plans, Community Infrastructure Levy and duty to co-operate***

- Three Neighborhood Plans have been confirmed in the Borough, i.e. Headland, Wynyard and Park further details on progress can be viewed on the following link:  
[http://www.hartlepool.gov.uk/info/1004/planning\\_policy/108/planning\\_policy/5](http://www.hartlepool.gov.uk/info/1004/planning_policy/108/planning_policy/5)
- The Community Infrastructure Levy (CIL) is currently being explored to assess whether it is viable
- Details of co-operation by the Local Planning Authority are contained within appendix 6 of the AMR.

## **4. PROPOSALS**

- 4.1 It is proposed that the 2013/2014 Authorities Monitoring Report is endorsed.

**5. RISK IMPLICATIONS**

- 5.1 There are no risk implications associated with this AMR.

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

- 6.1 The Crime and Disorder Act 1998 requires Local Authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. The Council is committed to securing safe and secure environments within the borough.
- 6.2 Safety and security is a key consideration when assessing planning applications; however the issue is not of relevance in endorsing the AMR.

**7. FINANCIAL CONSIDERATIONS**

- 7.1 There are no foreseeable financial considerations in endorsing the AMR.

**8. LEGAL CONSIDERATIONS**

- 8.1 There is a duty on the Local Authority to publish an AMR on an annual basis. There are however no other legal considerations in endorsing the AMR.

**9. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 9.1 There are no foreseeable equality and diversity considerations in endorsing the AMR.

**10. RECOMMENDATIONS**

- 10.1 That Regeneration Committee members note the content of the report and endorse it as part of the Local Development Framework.

## **11. REASONS FOR RECOMMENDATIONS**

- 11.1 This AMR will form part of the planning policy framework and will provide detailed assessment of planning policies and their implementation. This will assist in identifying those policies that are not robust and either need reviewing to ensure that they are implemented or they are in future excluded from the Local Plan.

## **12. BACKGROUND PAPERS**

- 12.1 The Adopted Hartlepool Local Plan (2006)  
[http://www.hartlepool.gov.uk/downloads/file/961/hartlepool\\_local\\_plan\\_2006](http://www.hartlepool.gov.uk/downloads/file/961/hartlepool_local_plan_2006)
- 12.2 The Planning and Compulsory Purchase Act 2004  
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- 12.3 The Town and Country Planning (Local Planning) (England) Regulations 2012.  
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>

## **13. CONTACT OFFICERS**

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## Hartlepool Borough Council Local Development Framework

### Authorities Monitoring Report

2013 - 2014





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**EXECUTIVE SUMMARY**

This Authorities Monitoring Report (AMR) is produced by Planning Services on behalf of the Council and relates to the period 1st April 2013 to 31st March 2014. It reviews the progress made on the implementation of the Local Development Scheme (LDS) and generally assesses the effectiveness of planning policies and the extent to which they are being implemented. The LDS that relates to this report was produced in December 2011 and updated in December 2012.

Important to note is that during this year, in November 2013, the council formally withdrew the Local Plan (2013) which was on schedule to be adopted by end of the financial year. Therefore, unlike last year's AMR all reference to emerging policies and plans proposed in the withdrawn Local Plan (2013) will not be made in this year's report. The planning policies assessed in this report, therefore are those of the Hartlepool Local Plan adopted in April 2006. A list of the 2006 Local Plan policies saved beyond April 2009 as per direction of the Secretary of State in 2008 is shown in Appendix 1 and can also be accessed on the Council's website.

Chapter 4 of this report details how the Local Plan policies have, on the whole, been effective in both the management of planning proposals and in the economic, social and environmental development of the borough.

In accordance with Part 8, 34 (3) of the Town and Country Planning (Local Planning) (England) Regulations 2012, Chapter 4 includes annual numbers of net additional dwellings which have been specified in a local plan policy. The net opening stock of housing as at the start of this year was 42440 dwellings and net closing stock was 42524. There was therefore a net addition of only 84 dwellings in the year compared to last year's 122. The number of net additional dwellings continues to decline and has consistently been below the set delivery target of 320 net dwellings per annum since the adoption of the 2012 Tees Valley Strategic Housing Market Assessment. Since 2011/2 the borough has under delivered by a cumulative total of 529 dwellings by end of this financial year.

Policy Hsg5 sets a target of housing development to be provided on previously developed land and through conversions (60% by 2008 and 75% by 2016). The percentage of gross additional dwellings on previously developed land has fluctuated over the years. This monitoring year it is 43.7% and has decreased from last year's 52%. This is because most completions were from green field sites and just a few on previously developed land. The emerging Local Plan (2016) seeks to allocate new strategic housing sites on greenfield land on the urban edge; as a result it is anticipated that the proportion of new dwellings delivered on previously developed land will significantly decrease in the future as the emerging Local Plan sites will contribute to the future housing delivery. Hence meeting the Hsg5 target of 75% housing development on previously developed land will prove a major challenge for the borough. Policy Hsg5 is therefore considered not robust and it is recommended that it should be reviewed or replaced by a new policy in the emerging Local Plan which is in line with guidance contained in National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

The Council has put in place the Empty Homes Strategy to bring back to residential use empty properties in the Borough. There are currently a total of 1022 empty homes across the borough. Phase 1 of the empty homes project aims at bringing back into use

100 empty properties mainly in the York Road and Murray Street areas. This year there has been a total of 19 homes completed and the previous year there were only 6. If the number of empty homes is taken into account, the percentage of dwellings completed on previously developed land increases to 47% for this year but is still below the 60% target. This suggests further that Policy Hsg5 is not robust and should be reviewed or replaced.

According to Policy Hsg6 (mixed use areas), housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland and Victoria Harbour. The 2006 Local Plan states that development at the strategic site will develop as follows:

- Headland - 50 dwellings in the period 2005-2011
- Victoria Harbour - 550 dwellings by 2005-2011
- 900 dwellings in the period 2011-2016

There have been no dwellings developments on both sites up to date and since 2009 the land owners indicated their intentions not to proceed with the anticipated mixed use development and instead expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions. Although the site would have provided a significant number of dwellings, on brownfield land within the urban limits, the council are fully supportive of the land owners' intentions to retain the land for employment purposes. Therefore Policy Hsg6 cannot be implemented.

Economic activity has improved this year compared to last year with a notable increase in additional commercial floorspace completions totalling 652.8 m<sup>2</sup> compared to last year's 184.5 m<sup>2</sup>. Over half of the additional floor space is from Queens Meadow Enterprise Zone in which the company Propipe Manufacturing has completed a single storey fabrication shop covering approximately 550m<sup>2</sup> floorspace area. Commercial floor space completions from previously developed land accounted for only 15.7% of total with the balance being from Greenfield sites, in this case Queens Meadow. All additional commercial floor space is from allocated industrial locations and this indicates that industrial policies are still considered robust and have over the report period fulfilled their function in directing industrial activity to allocated employment areas and thus protecting the rest of the borough for other land uses.

The Employment Land Review (2008) which has previously been used to calculate available land is now considered outdated and is on schedule to be updated in the next financial year. However, early indications show there is approximately 410.1 ha of available employment land from a total of 17 sites. The highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates. The total available employment land may change next year depending on the uptake of land for employment use and also on the outcome of the 2014 Employment Land Review which is now underway. It is anticipated that the 2014 ELR will deallocate some sites.

This year's vacancy rate in the town centre is 12.3% and has not significantly changed from last year's 12.4%. There is no net increase or decrease in retail activity in the town centre. Although not too apparent, the town centre remains viable for businesses and the town centre policies are robust. However, the main challenge of lack of high quality shops remains. It is anticipated that TJ Hughes, a high quality department store will move into the shopping mall before end of the year and this should reduce the vacancy rate next year.

Tourism policies remain robust with tourism applications being determined in designated tourist areas within the borough i.e. the Marina for an extension to provide more bedrooms at the Premier Inn. Small scale tourist-related applications associated with the rural area have been determined in a bid to support farm diversification and the rural economy i.e. siting of caravans, holiday home and an erection of a lodge at the A19 south bound services.

The environment chapter shows that this year there is a net loss of 2ha of ancient woodland from Newton Hanzard at Wynyard hence the requirements of Policy WL7, WL8 have not been met this year. However, there is no change to the areas of designated international or national sites or of priority habitats or number of designated local nature reserves. No priority species were adversely affected by planning decisions during the year either hence wildlife policies WL2, WL5, WL7, and WL3 remain robust.

The amount of waste going to landfill has continued to decline whilst that incinerated continues to increase. However, total waste arising this year has increased to 47848.64 tonnes compared to last year's 46796tonnes. This is most likely due to this year's net completion of 84 houses whose inhabitants will automatically generate more waste. The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016. This year has 40% of its waste recycled/composted and this is a slight decrease from last year's 41.2% and is still within the M&W DPD allowance. The indication therefore, is that waste policies in the borough are within target. Monitoring of the Minerals and Waste (M&W) DPDs commenced in 2012/2013 in cooperation with neighbouring local authorities in the Tees Valley, but due to work commitments it has not been possible to consolidate the joint monitoring report.

There have been a total of nine developments approved outside the limits to development, four of them relating to residential dwellings. Last year there was a total of twelve and even less in previous years. It seems there is an increase in approved residential developments in the countryside and this needs closer monitoring. This is expected to be achieved through the New Developments Outside of Development Limits SPD which is currently being drafted. Farm/agricultural diversification developments have reduced this year. It is therefore evident that policies that seek to protect and enhance diversification in the rural area are not performing as expected need closer monitoring to determine their success rate.

There have been no new rights of way created or extinguished this financial year. However, there has been improvement works on the condition and access of 2.69 km of existing public rights of way and 2.94 km has been diverted. The diverted paths were public footpath no.11 Seaton and Hartlepool 9. The improved paths in were public footpaths no.3, no. 8, no. 9 and Seaton 5. Permissive path Elwick 28 was created during the year.

A recent development to note this year is the addition of a coastal path as a local indicator. This is due to the enactment of the Marine and Coastal Access Path Act 2009; Part 9 of this Act has placed a duty for a coastal path to be created along the whole of the English coastline. The first section of the England Coastal Path is in place between the North Gare car park at Seaton Carew and Sunderland. The next section from the North Gare car park to Filey has been approved although the stretch from the North Gare car park to the River Tees has been put on hold due to problems with accessing

some of the land. The Council will support initiatives to extend the England Coastal Path southwards from its current terminous at North Gare car park.

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No Conservation Area Appraisals were completed this year but work is on-going on reviewing the Seaton Carew conservation Area Appraisal. However, progress has been made in securing some buildings that are considered an eye sore and unsafe for the public. For instance, Morison Hall and Tunstall Court both gained planning permission for residential development.

Three neighbourhood plans have been confirmed in the borough, i.e. Headland, Wynyard and Park neighbourhood plans and further details on progress can be viewed on the following link:

[http://www.hartlepool.gov.uk/info/1004/planning\\_policy/108/planning\\_policy/5](http://www.hartlepool.gov.uk/info/1004/planning_policy/108/planning_policy/5)

The Community Infrastructure Levy (CIL) is currently being explored (Chapter 6) and the details of co-operation by the Local Planning Authority are contained within Appendices 5 and 6.

**INTRODUCTION**

- 1.1 Government legislation requires all local planning authorities to prepare a monitoring report. This Authorities Monitoring Report (AMR) is prepared in accordance to the new provisions of the Localism Act which have led to Regulation 34 in The Town and Country Planning (Local Planning) (England) Regulations 2012 prescribing minimum information to be included in monitoring reports, including net additional dwellings, net additional affordable dwellings, Community Infrastructure Levy receipts, the number of neighbourhood plans that have been adopted, and action taken under the duty to co-operate. In essence it is a matter for each Local Planning Authority to decide what to include in their AMR over and above the prescribed minimum information as outlined in The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 This report is based on the ongoing monitoring of the borough over the past financial year and will assist us plan better for the borough. Where policies are failing we will seek to find out why and look to address them so that ultimately we know what the residents need and want and therefore we can aim to deliver it.

Planning Legislation

- 1.4 The Planning and Compulsory Purchase Act 2004 introduced a new system of development planning. In light of the Act, planning documents are being prepared and incorporated into a Local Development Framework (LDF). The LDF comprises a portfolio of Local Development Documents which together deliver the spatial planning strategy for Hartlepool (see Diagram 1 below). Some documents are known as Local Development Documents (LDDs) and include Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and Neighbourhood Plans.<sup>1</sup> LDDs will set out the spatial planning strategy for Hartlepool and progressively replace the adopted Hartlepool Local Plan 2006 and associated Supplementary Planning Guidance. The 2012 regulations<sup>2</sup> set out what each LDF document should contain and the formal process they should go through.
- 1.5 The other documents that are within the LDF system, but are not termed LDDs, are:
- The Local Development Scheme (LDS) which sets out the programme for preparing LDDs;
  - The Statement of Community Involvement (SCI) (adopted 2010) sets out how the Council will involve residents and other interested persons and bodies in the planning process; and
  - The Authorities Monitoring Report<sup>3</sup> (AMR) which assesses the implementation of the Local Development Scheme, the extent to which policies in the LDD are being achieved, provides information with regard to CIL and sets out how the Council has cooperated with other Local Authorities and relevant bodies.<sup>4</sup>

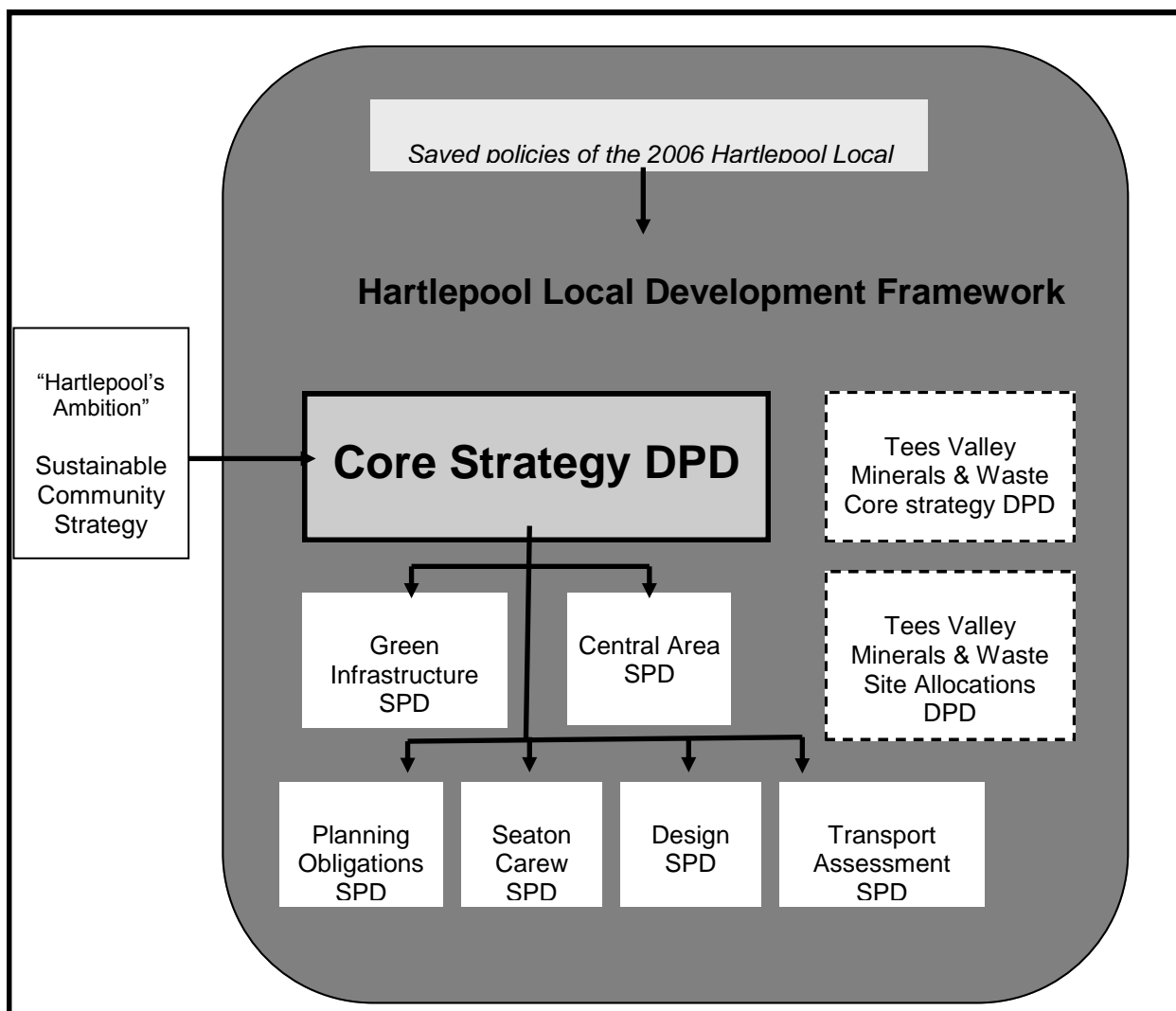
<sup>1</sup> Schedule 9, part 2 (6) (b) of the Localism Act amends 38 (3) of the Planning and Compulsory Purchase Act 2004 to include Neighbourhood Plans as LDD's.

<sup>2</sup> Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Formally termed the Annual Monitoring Report in line with the Town and Country Planning (Local Development) (England) Regulations 2004, as amended.

<sup>4</sup> Part 2, 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the bodies that the council must cooperate with.

Diagram 1: Hartlepool Local Development Framework

The Authorities Monitoring Report

1.6 Local planning authorities are required to examine certain matters in their Monitoring Reports.<sup>5</sup> The key tasks for this monitoring report are as follows:

- Review actual progress in terms of the preparation of documents specified in the Local Development Scheme against the timetable and milestones set out in the scheme, identifying if any are behind timetable together with the reasons and setting out a timetable for revising the scheme (Section 3).
- Assess the extent to which planning policies are being implemented, including any justification as to why policies are not being implemented and any steps that the council intend to take to secure that the policy is implemented. This assessment will be of the saved policies from the 2006 adopted Local plan (Section 4).

<sup>5</sup> Part 8 Town and Country Planning (Local Planning) (England) Regulations 2012



- Contain details of any Neighbourhood Development Order or a Neighbourhood Development Plan that are being prepared or have been adopted within the borough (Section 5).
  - Provide information regarding the progress of the Community Infrastructure Levy (Section 6).
  - Provide information regarding who the council has cooperated with in relation to planning of sustainable development (Section 7).
- 1.7 In terms of assessing the implementation of such policies, the Authorities' Monitoring Report should:
- identify whether policies need adjusting or replacing because they are not working as intended; identify any policies that need changing to reflect changes in national or regional policy; and
  - set out whether any policies are to be amended or replaced.
- 1.8 In order to assess the effectiveness of planning policies, it is important to set out the social, economic and environmental context within which the policies have been formulated, the problems and issues they are intended to tackle, and the opportunities of which advantage can be taken to resolve such problems and issues. Section 2 of this report therefore gives consideration to the key characteristics of Hartlepool and the problems and challenges to be addressed.
- 1.9 This report for the period 1st April 2013 to 31st March 2014 gives consideration to the policies of the Hartlepool Local Plan adopted in April 2006 and the Tees Valley Minerals and Waste Core Strategy and the Policies and Sites DPD adopted in September 2011.

## **2 HARTLEPOOL – KEY CHARACTERISTICS, STATISTICS AND THE PROBLEMS AND CHALLENGES FACED**

- 2.1 The key contextual indicators used in this chapter describe the wider characteristics of the borough and will provide the baseline for the analysis of trends, as these become apparent and for assessing in future Authorities' Monitoring Reports, the potential impact future planning policies may have had on these trends. The key characteristics reflect the outcomes and objectives set out in the Community Strategy (2008) in so far as they relate to spatial planning. Many of the contextual indicators are related to priorities set out in Hartlepool's Local Area Agreement (2008-2011). Both documents can be viewed on the Hartlepool Partnership website (<http://www.hartlepoolpartnership.co.uk/>).

### Hartlepool & the Sub-regional Context

- 2.2 The borough forms part of the Tees Valley along with the boroughs of Darlington, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees.
- 2.3 Hartlepool is an integral part of the Tees Valley region. It is a retail service centre serving the borough and parts of County Durham, in particular Easington. Over recent years the borough has developed as an office and tourism centre. The development of the Maritime Experience and the Marina forms an important component of coastal regeneration exploiting the potential of the coast as an economic and tourist driver for the Region.

### Hartlepool in the Local Context

- 2.4 The original settlement of Hartlepool dates back to Saxon times. Originally an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201. The town as it is today has grown around the natural haven which became its commercial port and from which its heavy industrial base developed.
- 2.5 The borough of Hartlepool covers an area of approximately 9400 hectares (over 36 square miles). It is bounded to the east by the North Sea and encompasses the main urban area of the town of Hartlepool and a rural hinterland containing the five villages of Hart, Elwick, Dalton Piercy, Newton Bewley and Greatham. The main urban area of Hartlepool is a compact sustainable settlement with many of the needs of the residents in terms of housing, employment, shopping and leisure being able to be met within the borough. The Durham Coast railway line runs through the centre of the town and connects Hartlepool to Newcastle, the rest of Tees Valley, York and London. The A19 trunk road runs north/south through the western rural part of the borough, the A19 and the A1 (M) are readily accessed via the A689 and the A179 roads which originate in the town centre.

Population

- 2.6 Information from the Office for National Statistics shows that the population of Hartlepool declined steadily in the later decades of the 1900s from 99,200<sup>6</sup> to about 91,300<sup>7</sup> but more recently has increased slightly to 92,028<sup>8</sup> with 47,277 residents being female and 44,751 male. Hartlepool has the lowest number of residents in the Tees Valley and Stockton-on-Tees has the highest.

Table 1: Population

Area	Population	Proportion,% (Tees Valley)
Darlington	105,564	15.9
<b>Hartlepool</b>	<b>92,028</b>	<b>13.9</b>
Middlesbrough	138,412	20.9
Redcar & Cleveland	135,177	20.4
Stockton	191,610	28.9
<b>Tees Valley Total</b>	<b>662,791</b>	<b>100.0</b>
<b>North East</b>	<b>2,596,886</b>	-
<b>Great Britain</b>	<b>61,371,000</b>	-

Source: ONS Census 2011

- 2.7 Migration into the borough is balanced with out migration; both are at approximately 2000 per annum.<sup>9</sup>
- 2.8 In proportion to the population, the percentage of non-UK nationalities in Hartlepool has been steadily increasing from 0.3% in 2006 to 1.0% in 2012.

2010 Index of Multiple Deprivation

- 2.9 Hartlepool is currently ranked by the Index of Multiple Deprivation (IMD 2010)<sup>10</sup> as the 24<sup>th</sup> most deprived out of the 354 Local Authorities in Britain. This is an improvement on the 2007 ranking of 23<sup>rd</sup> and 2004 ranking of 14<sup>th</sup> most deprived Local Authority. The IMD measures deprivation in its broadest sense by assessing indicators relating to income, employment, health and disability, education, skills and training, barriers to housing and services, crime and the living environment and combining them into a single deprivation score for each small area in England. This allows each area to be ranked relative to one another according to their level of deprivation. The IMD indices have been produced at Lower Super Output Area 4 (LSOA) level, of which there are 32,482 in the country. Hartlepool has 58 LSOAs, 21 of which are in the top ten per cent of deprived LSOAs in Britain (37%).

<sup>6</sup> 1971 Census<sup>7</sup> ONS 2010 mid-year population estimates<sup>8</sup> ONS 2011 census; updated 30/01/2013<sup>9</sup> ibid 8<sup>10</sup> Communities.gov.uk

- 2.10 Many of the factors included in the IMD may have been influenced indirectly by the planning policies of the 2006 Hartlepool Local Plan (e.g. policies enabling the diversification of employment opportunities can increase employment and income, policies for the improvement of the built and natural environment, including housing, can influence health, crime levels and the living environment generally).

#### Car Ownership

- 2.11 According to the ONS 2011 national census, the percentage of residents in Hartlepool with no car is 35.3%. The percentage of residents with no cars in Hartlepool continues to decrease from 37.78% in 2007. Compared to other authorities in the Tees Valley, Hartlepool has second highest number of residents without cars after Middlesbrough with the highest at 37.6% and Stockton-on-Tees with the lowest at 25.9%. The national average of residents without cars is 25.6%.

#### Tourism

- 2.12 Despite being in a peripheral location, Hartlepool has evolved into a place which has an appeal for people to live, work and visit. Its successes include a multi-million pound 500 berth marina with a wealth of visitor facilities, including Hartlepool's largest visitor attraction, Hartlepool's Maritime Experience. A visitor economy valued at £118m, supporting nearly 2000 jobs and attracting over 3 million visitors in 2009. A comprehensive range of eating establishments predominantly situated in Hartlepool Marina – developing a night-time economy along with a range of traditional seaside facilities at Seaton Carew enhanced by the heritage attractions of the Headland. The current regeneration initiative at Seaton Carew Sea front which proposes to redevelop the Long Scar redundant building and its surroundings at the seafront is set to increase the borough's tourism offer. The regeneration accommodation provision within Hartlepool has increased in its range, mix and volume. The Borough's tourist profile has been raised through the success of media coverage from the Tall Ships Races in 2010.

#### Jobs and Economy

- 2.13 Hartlepool has the highest unemployment rate in the Tees Valley and it has markedly increased over the recessionary periods of 2008 to 2014 (Table 2). In mid-2007 (pre-recession), the borough had an unemployment rate of 8.9%, which was still high in the context of the Tees Valley, North East and national averages. As Table 2 shows, by mid-2010 (the approximate mid-point of the recession) unemployment had increased to 11.9% and reached a peak of 16.4% in June 2012. By March 2014 (after around a year of economic recovery), unemployment was at 13.6%, still almost five percentage points higher than it has been in 2007.

Table 2: Unemployment Change 2007-2014, Percent\*

Area	Mid 2007 Unemployment Rate	Mid 2010 Unemployment Rate	March 2014 Unemployment Rate	Percentage change 2008-2014
Darlington	5.6	9.2	9.1	+3.5
<b>Hartlepool</b>	<b>8.9</b>	<b>11.9</b>	<b>13.6</b>	<b>+4.7</b>
Middlesbrough	8.4	12.8	12.9	+4.5
Redcar & Cleveland	6.9	11.9	10.3	+3.4
Stockton	6.6	9.2	9.5	+2.9
<b>Tees Valley Average</b>	<b>7.3</b>	<b>11.0</b>	<b>11.1</b>	<b>+3.8</b>
<b>North East</b>	<b>6.6</b>	<b>9.8</b>	<b>9.8</b>	<b>+2.5</b>
<b>Great Britain</b>	<b>5.2</b>	<b>7.7</b>	<b>7.2</b>	<b>+2.0</b>

Source: ONS Annual Population Survey, 2007, 2010 and 2014

\*Percentage of economically active population

- 2.14 Although Hartlepool's unemployment rates have remained above wider averages throughout 2007-2014, all neighboring authorities saw a similar pattern of overall growth in unemployment over 2007-2014. Only in Redcar and Cleveland has there been a significant drop in unemployment after 2010.
- 2.15 The proportion of economically active people in Hartlepool is 70.2% and this is lower than both the regional and national average. Of these, 60.9% are in employment and this is lower than regional and national figures.

#### Socio-economic Groups

- 2.16 Table 3 illustrates the breakdown of employment by main occupation groups. Hartlepool has lower proportions of people employed as managers and senior officials and in professional occupations than is the case elsewhere. Conversely, Hartlepool has a higher level of people employed in skilled trades occupations, personal service occupations and notably process plant and machine operatives and elementary occupations, than is the case elsewhere. However, compared to previous records, there has been a notable growth in the professional services sector and this continues to grow steadily.

Table 3: Employment by Main Occupation Group

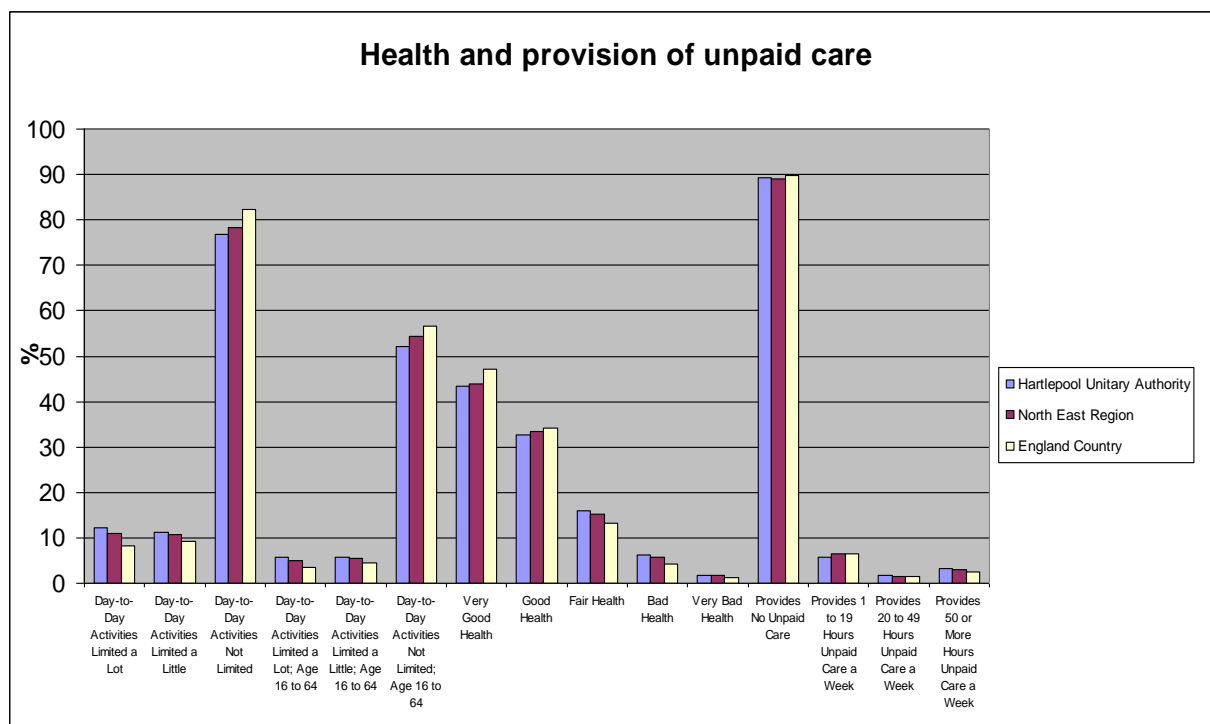
Socio-Economic	Hartlepool,%	Tees	North	Great
Managers and senior	6.5	8.2	8.2	10.2
Professional	13.3	16.7	16.4	19.9
Associate	10.8	10.9	11.9	14.1
Administrative and	11.7	11.4	12.0	10.7
Skilled trades	12.5	11.8	12.1	10.5
Personal service	11.2	11.0	9.9	9.1
Sales and customer	6.9	8.4	9.4	7.9
Process plant and	11.4	8.0	7.3	6.2
Elementary	13.5	12.6	11.8	10.7

Source: Annual Population Survey April 2013-March 2014

### Health

- 2.17 Graph 1 shows the general health of Hartlepool residents in comparison to regional and national health statistics. The health statistics show that Hartlepool's health status is below regional and national levels and the number of people providing 50 or more hours per week of unpaid care is higher in comparison. The Tees Valley Unlimited reports in their website that life expectancy within Hartlepool is on average lower than the rest of the Tees Valley authorities and the national average.

Graph 1: Health and provision of unpaid care 2013



Source: Office for National Statistics updated January 2013  
% based on all usual residents in Hartlepool (i.e. total count of 92 028)

- 2.18 The amount of adult smokers, those at high risk due to drinking and those that misuse drugs is also higher than the rest of other authorities in the Tees Valley and the national figure. The obesity rate, however, is slightly lower than the Tees

Valley percentage however it is higher than the national rate. The number of deaths related to smoking, heart disease and cancer is higher in Hartlepool than the Tees Valley and nationally. The percentage of people in care and unable to work is also higher in Hartlepool than the Tees Valley and nationally.

### Lifelong Learning and Skills

- 2.19 Table 11 shows the National Vocational Qualification (NVQ) level attained by the working age population of Hartlepool. The borough has the lowest proportion of working age residents qualified to NVQ Level 4 and above (equivalent to degree level), in the Tees Valley, at 23.8%. The proportion of well qualified residents in Hartlepool is significantly lower than in Stockton or Darlington. It is also below regional and national averages. Hartlepool and neighbouring Middlesbrough jointly have the highest proportions of residents with no qualifications in the Tees Valley, more than 14% each. This is well above wider averages.

Table 4: Qualifications (2013), Percent

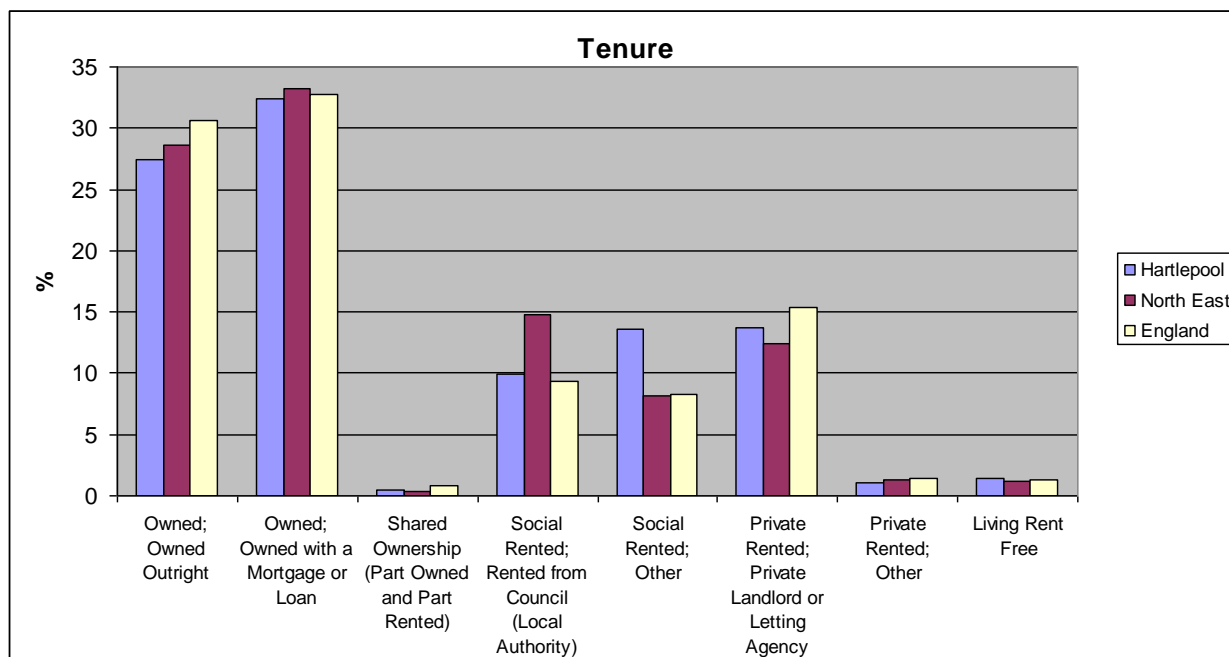
Level	NVQ4 and	NVQ3 and	NVQ2 and	NVQ1 and	Other qualificatio	No qualificatio
Darlington	30.7	55.2	72.4	84.5	5.7	9.7
<b>Hartlepool</b>	<b>23.8</b>	<b>47.9</b>	<b>66.3</b>	<b>78.9</b>	<b>7.0</b>	<b>14.2</b>
Middlesbrough	25.6	50.0	66.8	80.4	5.1	14.4
Redcar & Cleveland	25.8	51.6	69.9	83.5	6.6	9.9
Stockton	29.2	56.3	76.8	88.2	3.7	8.1
<b>Tees Valley Average</b>	<b>27.0</b>	<b>52.2</b>	<b>70.4</b>	<b>83.1</b>	<b>5.6</b>	<b>11.3</b>
<b>North East</b>	<b>28.1</b>	<b>51.7</b>	<b>70.4</b>	<b>83.7</b>	<b>5.6</b>	<b>10.7</b>
<b>Great Britain</b>	<b>35.2</b>	<b>55.8</b>	<b>72.5</b>	<b>84.4</b>	<b>6.3</b>	<b>9.3</b>

Source: ONS Annual Population Survey 2013

### Housing

- 2.20 Tenure statistics on Graph 2 illustrate that Hartlepool has more people living rent free and on social rented housing compared to regional and national figures. Mortgage/loan ownership and owned outright are the most prevalent types of housing tenure, with Hartlepool figures comparatively at par with both national and regional figures.

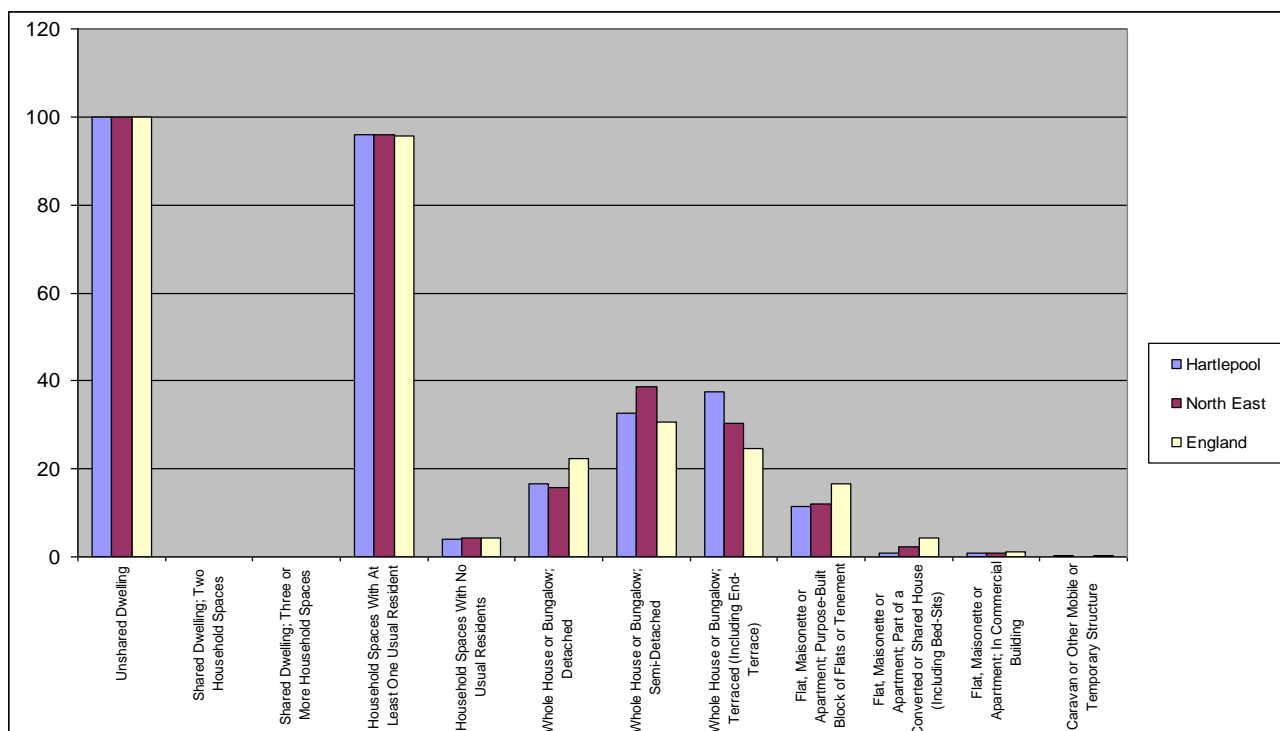
Graph 2: Tenure



Source: Office for National Statistics updated January 2013, % based on total households counted

2.21 Hartlepool has a higher proportion of semi-detached and terraced dwellings compared to the national figure (Graph 3). The number of flats or maisonettes is comparatively lower than national average but those attached to a commercial building is at par with both national and regional figures.

Graph 3: Dwellings, household spaces and accommodation type 2013



Source: Office for National Statistics updated January 2013, % based on all counted dwellings (i.e. total count of 42 102 for Hartlepool)



- 2.22 Table 5 shows the number of dwellings in each housing group as assessed in the Tees Valley Strategic Housing Market Assessment (2012).

Table 5: Number of dwellings per housing group April 2011 to March 2012

Housing group	Hartlepool	Tees Valley
Terraced	34.8%	24.7%
Semi detached	29.2%	35.8%
Detached	13.9%	16.9%
Bungalow	7.1%	10.3%
Flat/other	15%	12.3%
Housing Vacancy Rate	5.3%	3.6%

Source: Tees Valley Strategic Housing Market Assessment (2012)

- 2.23 Within Hartlepool housing, market failure is evident in some parts of the town due to 5.3% of the properties being vacant compared to a Tees Valley rate of 4.9%, a north east rate of 3.6% and the national rate of 2.8%. The vacancy rate is primarily due to the fact that Hartlepool contains higher than average levels of terraced housing stock (34.8% compared to 24.7% across the Tees Valley) and that older terraced properties are much less popular than they once were, for a number of reasons such as energy efficiency, lack of amenity space and parking. Conversely the proportion of detached dwellings is relatively small (13.9% compared to 16.9% across the Tees Valley).
- 2.24 The imbalance in the housing stock is being addressed on a holistic basis. Housing market renewal (HMR) initiatives for clearance and improvement are proving to be successful in tackling problems associated with the existing housing stock and new housing development is helping to change the overall balance of housing stock and provide greater choice.
- 2.25 Affordability is still a key issue in Hartlepool as highlighted in the 2012 Tees Valley Strategic Housing Market Assessment and the Council is continuing to invest in more affordable housing in partnership with private developers and housing associations such as Housing Hartlepool.

#### Current House Prices

- 2.26 According to Rightmove 2013 (website <http://www.rightmove.co.uk/house-prices/>), most of the sales in Hartlepool over the past year were semi-detached properties which on average sold for £118,346. Terraced properties had an average sold price of £72,949 and detached properties averaged at £197,371. Hartlepool, with an overall average price of £122,465 was cheaper than nearby Wolviston (£263,788), Wynyard Estate (£229,083) and Billingham (£140,036). In the past year house prices in Hartlepool were 5% up on the year before and similar to 2007 when they averaged at £121,259.

#### Community Safety

- 2.27 Community safety is one of the key issues being addressed by the Hartlepool Partnership and key community safety initiatives such as the introduction of Neighbourhood Policing and target hardening measures have contributed to the

reduction in crime over the years. Safer Hartlepool Partnership's main aim is to reduce acquisitive crime and prevent re-offending.

- 2.28 Table 6 gives a breakdown of offences by the crime category under which they were recorded by Hartlepool Police. These figures are based on the date that the crime was recorded not necessarily the date the offence occurred.

Table 6: Notifiable offences recorded by the police 2013/2014

<b>Crime Category</b>	<b>Number of offences</b>
Burglary Dwelling	259
Burglary Other	333
Criminal Damage Dwelling	458
Criminal Damage Vehicle	479
Drugs - Supplying	91
Drugs - Possession	345
Fraud and Forgery	37
Other Crimes	75
Robbery	32
Sexual Offences	73
Theft Other	730
Theft From Motor Vehicle	321
Shoplifting	844
Theft of Motor Vehicle	100
Vehicle Interference	22
Violence against the Person	1283
<b>TOTAL</b>	<b>5482</b>

Source: Hartlepool Police

- 2.29 During the period April 2013 to March 2014, Hartlepool police recorded a total of 5482 offences and this is a slight decrease from 5552 offences recorded the previous year.

### The Environment

- 2.30 Hartlepool has a rich environmental heritage and very diverse wildlife habitats. The built, historic and natural environment within Hartlepool plays host to a wide range of buildings, heritage assets including archaeological remains, wildlife habitats, geological and geomorphological features, landscape types and coastal vistas.

### The Built Environment

- 2.31 The town has a long maritime tradition and a strong Christian heritage with the twelfth century St Hilda's church, on the Headland (a Grade I Listed Building) built on the site of a seventh century monastery. Some of the medieval parts of borough, on the Headland are protected by the Town Wall constructed in 1315; the Town Wall is a Scheduled Ancient Monument and Grade I Listed Building. There are eight conservation areas within the borough and 201 Listed Buildings, eight Scheduled Ancient Monuments and One Protected Wreck. One of the town's Victorian parks (Ward Jackson Park) is included on the list of Registered Parks & Gardens.

Geological & Geomorphological Features

2.32 The geology of Hartlepool comprises two distinct types:

1. The north of the borough sits on the southern reaches of the Durham Magnesian Limestone Plateau, which is of international geological importance. Although the Magnesian Limestone in Hartlepool is generally too far below the overlying soils to give rise to the characteristic Magnesian Grassland flora found further north, it is exposed in several quarries and road cuttings and forms a spectacular gorge in West Crimdon Dene along the northern boundary of the Borough.
2. The southern half of the borough sits on Sherwood Sandstone from the Triassic period; a rare exposure on the coast at Long Scar & Little Scar Rocks is a Regionally Important Geological Site. Of more recent geological origin is the Submerged Forest SSSI, which underlies Carr House Sands and is intermittently exposed by the tide. This area of waterlogged peat has yielded pollen, mollusc and other remains, which have been used to establish the pattern of sea-level change in Eastern England over the past 5,000 years.

Wildlife Characteristics

- 2.33 The borough is bordered on the east by the North Sea and features extensive areas of attractive coastline including beaches, dunes and coastal grassland. Much of the inter-tidal area of the coast is internationally important for its bird species and is protected as Teesmouth & Cleveland Coast Special Protection Area/Ramsar site. There are nationally protected Sites of Special Scientific Interest at Hart Warren, the Hartlepool Submerged Forest and Seaton Dunes and Common. Other areas of the coast include part of the Teesmouth National Nature Reserve and Sites of Nature Conservation Interest.
- 2.34 Hartlepool only has one inland Site of Special Scientific Interest (SSSI), Hart Bog. This is a small area which has four distinct plant communities and is of particular botanical interest.
- 2.35 The prominent location of the town's Headland, as a first landfall on the east coast, makes it of national significance for the birdwatching community. Inland is an attractive, rolling agricultural landscape including areas of Special Landscape Value. Interspersed in this landscape are a number of fragmented but nevertheless diverse and important wildlife habitats.
- 2.36 There are six Local Nature Reserves in the borough and 40 non-statutory geodiversity and biodiversity sites protected as Sites of Nature Conservation Interest (SNCI) and/or Regionally Important Geological & Geomorphological Sites (RIGGS) have been identified in the Local Plan. A further five sites have been identified by the sub-regional RIGGS group as meriting this designation.
- 2.37 The borough contains some notable examples of wildlife species: grey and common seals are frequent along the coastline with the latter breeding in Seaton Channel. The area of sand dunes, grazing marsh and mudflats around the North

Gare form the northern section of the Teesmouth National Nature Reserve where there are salt marsh and dune plants with some important species of marsh orchid and other rare species.

#### Bathing Water

- 2.38 Seaton Beach covers an extensive area and attracts significant numbers of visitors for walking, bathing and windsurfing activities. Seaton Carew Centre and Seaton Carew North Gare (south) both meet the Bathing Water Directives guideline standard which is the highest standard and Seaton Carew North passed the imperative standard which is a basic pass.

#### Air Quality

- 2.39 Air quality in Hartlepool currently meets statutory standards with no requirement to declare any Air Quality Management Areas.

#### Culture and Leisure

- 2.40 Museums associated with Hartlepool's maritime heritage and other important cultural facilities including the art gallery and Town Hall Theatre which are all located within the central part of the borough and comprise a significant focus for Hartlepool's growing tourism economy. In particular, the Hartlepool Maritime Experience is a major regional/national visitor attraction.
- 2.41 There are a number of parks and recreation facilities throughout the town and three green wedges that provide important links between the countryside and the heart of the urban areas. On the fringes of the built up area are three golf courses and a country park at Summerhill.

#### Future Challenges

- 2.42 Hartlepool has, over recent, years seen substantial investment, particularly from government funding streams; this investment has completely transformed the environment, overall prosperity and above all Hartlepool's image. The Council wish to build on the previous successes but are faced with severe budget cuts. Below is an analysis of the main strengths, weaknesses, opportunities and threats facing the borough.

Table 7: Hartlepool SWOT Analysis

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> <li>• Successful allocation of Enterprise Zones</li> <li>• Compactness of main urban area</li> <li>• Expanding population</li> <li>• Sense of community / belonging</li> <li>• Partnership working</li> <li>• Good track record in delivering physical regeneration</li> <li>• Diverse, high quality and accessible natural environment</li> <li>• Diverse range of heritage assets including the maritime, industrial and religious</li> <li>• Availability of a variety of high quality housing</li> <li>• Successful housing renewal</li> <li>• High levels of accessibility by road</li> <li>• Lack of congestion</li> <li>• Good local road communications</li> <li>• Direct rail link to London</li> <li>• Good local rail services</li> <li>• Active and diverse voluntary and community sector</li> <li>• Positive community engagement</li> <li>• Successful event management</li> <li>• Small business and SME development</li> <li>• Growth of visitor market</li> <li>• High quality tourist attractions</li> <li>• High quality expanding educational facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Perceived image</li> <li>• Location off main north-south road corridor</li> <li>• High deprivation across large areas of the town</li> <li>• Low employment rates and high level of worklessness</li> <li>• Legacy of declining heavy industrial base</li> <li>• Small service sector</li> <li>• Imbalance in the housing stock</li> <li>• Shortage of adequate affordable housing</li> <li>• Poor health</li> <li>• Low level of skills</li> <li>• High crime rates</li> <li>• Exposed climate</li> <li>• Range and offer of retail facilities</li> <li>• Reductions in public resources have affected regeneration and employment levels.</li> </ul>	<ul style="list-style-type: none"> <li>• Young population, possible asset for future prosperity</li> <li>• Can improve the economy and the growing house choice thus improving the recent stabilisation of population levels</li> <li>• Availability of land to enable diversification of employment opportunities</li> <li>• Potential for development of major research, manufacturing and distribution facilities on A19 corridor</li> <li>• Potential for further tourism investment</li> <li>• Potential for integrated transport links</li> <li>• Major high quality employment opportunities at Victoria Harbour, Queens Meadow and Wynyard Park</li> <li>• Success of Tall Ships races and opportunity to bid for the event in the future</li> <li>• Plans for development of Tees Valley Metro</li> <li>• Established housing market renewal programme</li> <li>• New state of the art hospital site in Wynyard</li> <li>• Potential New Nuclear Power Station</li> <li>• Renewable Energy and Eco Industries</li> <li>• Developing indigenous business start-up and growth</li> <li>• New government guidance in the form of the NPPF and CIL regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Closure of major employer/s</li> <li>• Expansion of area affected by housing market failure</li> <li>• Climate change and rising sea levels</li> <li>• Lack of financial resources / budget deficits</li> <li>• Increasing car ownership and congestion</li> <li>• Loss of Tees Crossing Project</li> <li>• Access to New hospital</li> <li>• Competition from neighbouring out of town retail parks</li> <li>• Competition from outlying housing markets</li> <li>• Uncertainty in relation to Council budgets</li> <li>• Uncertainty in relation to government funding programmes.</li> </ul>

Source: Hartlepool Local Plan draft 2016

- 2.43 The main challenge this year and the coming years are similar to those of 2011/2012, Hartlepool is challenged by further public expenditure cuts and therefore local services will have to be scaled down and carried out on a more constrained restricted budget. Job losses across the borough are a real threat to the local economy and this is likely to lead to an increase in the number of people seeking welfare benefits.
- 2.44 Despite the expenditure cuts Hartlepool will continue to support the development of the local economy and to address the imbalance in the housing stock (including the lack of affordable housing and executive housing) so as to at least maintain the population at its current level and to ensure that the borough remains sustainable and an attractive place to live, work and play.
- 2.45 Planning policies: enable an improvement in the range of housing available (both through demolition and replacement of older terraced housing and provision of a range of new housing); enable the diversification of the local economy and the growth in tourism; encourage the provision of improved transport links and seeks to improve the built and natural environment which will all assist in achieving this aim and improve the quality of life within Hartlepool.
- 2.46 Through policies in the Local Plan and various other strategies and incentives the Council will continue to seek ways to achieve higher economic growth rates in Hartlepool in order to bridge the gap with more prosperous authorities in the region and provide greater opportunities and prosperity for residents. The attraction and retention of highly skilled workers is viewed as critical to regional and sub-regional economic success, the Council will work with other Tees Valley authorities to ensure the right housing and environmental conditions are available to contribute to population growth and the attraction of key highly skilled workers to the region.

**3 IMPLEMENTATION OF THE HARTLEPOOL LOCAL DEVELOPMENT SCHEME**

- 3.1 The Hartlepool Local Development Scheme (LDS) sets out a rolling programme for the preparation of Local Development Documents (LDDs) relating to forward planning in Hartlepool.
- 3.2 The LDS is specifically concerned with development documents being prepared over the next three years but also highlights those which are likely to be prepared beyond this period into the future. It sets out the timetable and highlights the key stages for the preparation of new policy documents and when they are proposed to be subject to public consultation.
- 3.3 The LDS that relates to this report was approved by Cabinet in October 2011 and produced in December 2011. However the dates on this LDS were amended following the portfolio's holder approval, in December 2012. The reason for the amendment was to ensure that the dates corresponded to the hearing timetable of the Local Plan which took place in January to February 2013 with a pre inquiry meeting on 11th December 2012. However, the Local Plan (2013) which was on schedule to replace the existing 2006 Local Plan was formally withdrawn by council in November 2013.

Implementation of the 2011 Local Development Scheme

- 3.4 Table 8 details the timetable for the 2011 LDS amended in December 2012. Table 9 details the key milestones and delivery of the LDS's main documents i.e. the DPDs. During this financial year, work on the Local Plan progressed well and all milestones within the financial year were achieved on target. The Local Plan (2013) was found to be sound and approved by the inspector subject to a few modifications. However, the council made a decision to formally withdraw the plan in November 2013.

Table 8: Revised timetable of Hartlepool Local Plan DPD

<b>Role and content</b>	To set out the vision and spatial strategy for Hartlepool and the objectives and primary policies for meeting the vision.
<b>Geographical Coverage</b>	Borough-wide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	Must reflect the Hartlepool Community Strategy and be in line with National Planning Guidance.
TIMETABLE / KEY DATES	
Stage	Date
Production of Preferred Options (including Draft Policies) and sustainability report	March 2009 - December 2009
Consultation on Preferred Options (Eight Weeks) (Reg 25)	January – March 2010
Consideration of representations and changes to the planning system. Further discussions with community and key stakeholders	April – August 2010
The Council's Cabinet request a revised Preferred Options Document be published due to the abolition of the RSS and incorporation of Affordable Housing DPD into Core Strategy.	September 2010
Revised Preferred Options Document Published for consultation (eight weeks) (reg 25)	November 2010 – January 2011
Consideration of representations	January – September 2011
Drafting of Publication Document	October – December 2011
Publication of DPD and final sustainability report (Reg 27)	January 2012
Consultation on Published document	January – February 2012
Submission to Secretary of State of Core strategy (Reg 30) including further consultation on changes	June 2012
Pre examination meeting	December 2012
Commencement of Examination in Public	January 2013
Receipt of Inspector's Report for checking	April 2013
Inspector's Final report	May 2013
Adoption of DPD and revised proposals map	June 2013

Source: Hartlepool Borough Council Local Development Scheme December 2011

Table 9: Hartlepool Development Plan Documents key milestones and delivery

Document	Key Milestone	Key Dates	Actual Progress	Milestone Achieved
Hartlepool Local Plan DPD	Inspector's final Report	May 2013	Local Plan approved in October 2013 with a number of minor modifications to make it sound	Yes but at a later date
	Adoption of Local Plan	June 2013	Council made decision to withdraw plan in November 2013	No as the plan was withdrawn in November 2013

Source: Hartlepool Borough Council



**4 ASSESSMENT OF POLICIES****Hartlepool Local Plan 2006**Introduction

- 4.1 This section of the Authorities Monitoring Report assesses the implementation and effectiveness of current planning policies contained in the Hartlepool Local Plan adopted in April 2006.
- 4.2 The 2012 Regulations<sup>11</sup> specifically require Local Planning Authorities (LPAs) to provide information on annual numbers of net additional dwellings or net affordable dwellings as specified in any Local Plan policy within the monitoring period and since the date the policy was first published, adopted or approved, in this instance April 2006. Although there is a reduced requirement on LPAs to provide information given that the current Local Plan 2006 has objectives and indicators it is considered that policies should still be assessed against these. It is however impractical to assess every single policy of the 2006 Hartlepool Local Plan.
- 4.3 This section therefore considers the objectives of the 2006 Local Plan, the policies relating to these objectives and some related output indicators for assessing the effectiveness of the policies. The indicators include relevant national core output indicators<sup>12</sup> and a number of local output indicators. Whilst working on the LDF, the Local Plan policies have been saved as from 13th April 2009. A Schedule of these 'saved policies' which were agreed by the Secretary of State are set out in Appendix 1. The 'saved policies' are also available online on the Council's website ([http://www.hartlepool.gov.uk/downloads/1004/planning\\_policy](http://www.hartlepool.gov.uk/downloads/1004/planning_policy)). A selected number of targets have been included in this report.

Hartlepool Local Plan Objectives, Policies and Indicators

- 4.4 The overall aim of the 2006 Hartlepool Local Plan is:

“to continue to regenerate Hartlepool securing a better future for its people by seeking to meet economic, environmental and social needs in a sustainable manner”

- 4.5 In the context of this aim, the strategy for the Local Plan covers the following four broad areas:
- regeneration of Hartlepool,
  - provision of community needs,
  - conservation and improvement of the environment and
  - maximisation of accessibility.

<sup>11</sup> Part 8, 34 (3) of the Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>12</sup> Regional Spatial Strategy and Local Development Framework Core Output Indicators – Update 2/2008

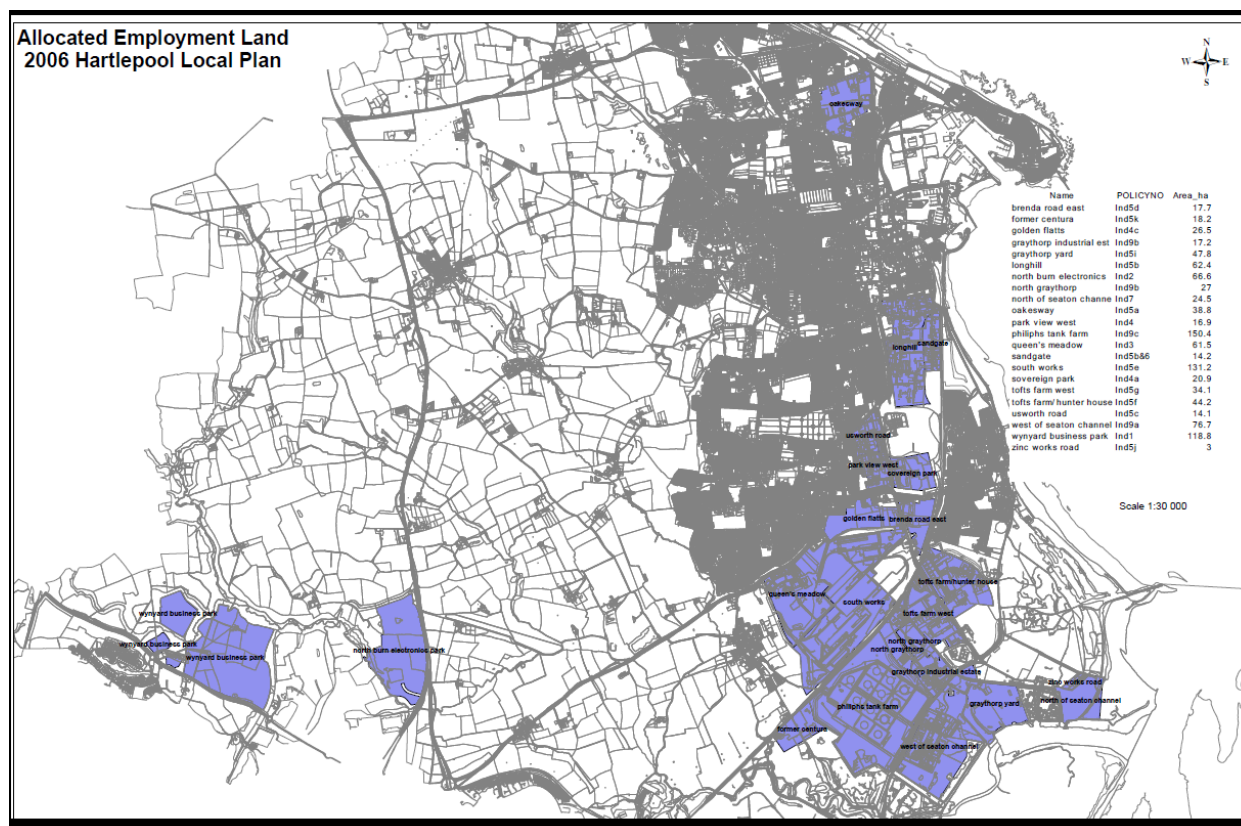
- 4.6 The plan sets out specific objectives relating to the above four elements of the strategy, from which the plan's policies have been developed. Many of these policies relate to more than one objective.
- 4.7 The following part of this section sets out for each objective or group of objectives policies of the Hartlepool Local Plan:
- main policies flowing from the objective(s)
  - output indicator(s),
  - targets (where set),
  - data relating to the indicator(s),
  - some analysis and comment on the data, and where appropriate
  - some commentary on the related local plan policies.
- 4.8 The national core output indicators<sup>13</sup> are grouped into five categories, each with identified indicators, which are as follows
- A) Business development and town centres (BD1, BD2, BD3 and BD4)
  - B) Housing (H1a, H1b, H2a, H2b, H2c, H2d, H3, H4, H5 and H6)
  - C) Environmental quality (E1, E2 and E3)
  - D) Minerals (M1 and M2)
  - E) Waste (W1 and W2)
- 4.9 The above categories have been used as sub sections to this report, along with two further sub sections relating to quality of life (sub section F) and conservation & design (sub section G). These further two sub sections have been included to ensure that all of the local plan objectives are assessed.
- 4.10 As part of the duty to cooperate with neighbouring local authorities in the Tees Valley, it is anticipated that policies in the 2011 Minerals and Waste DPDs (i.e. Policies & Sites DPD and the Core Strategy DPD) will be monitored and jointly reported. Category (D) minerals core output indicators M1 and M2 on 4.8 above will thus be replaced by those shown in Appendices 2 and 3. There is a total of 11 policies in the Minerals and Waste (M&W) Core Strategy DPD and these are coded MWC1 to 11. The M&W Policies and Sites DPD has a total of 12 policies and these are coded MWP1-12. It is important to note that not all M&W policies are applicable to Hartlepool and as such the return to such policies will be recorded as n/a (non-applicable).

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<sup>13</sup> Ibid 21

**A BUSINESS DEVELOPMENT, TOWN CENTRES AND TOURISM**Employment land

Map 1: Industrial employment site locations\*



Source: Hartlepool Borough Council, 2006 Local Plan

\* total area 1033 ha

- Local Plan objectives A1, A2, A3, A4 and A8: to encourage the provision of more and higher quality job opportunities, to ensure that sites are available for the full range of industrial and commercial activities so as to enable the diversification of employment opportunities, to encourage the development of additional office, small business and light industrial uses, to promote the growth of tourism and to promote mixed use developments where appropriate.
- Local Plan objectives B2 and D3: to ensure that Hartlepool Town Centre continues to fulfil its role as a vibrant and viable amenity providing a wide range of attractions and services with convenient access for the whole community and to ensure that developments attracting large numbers of people locate in existing centres which are highly accessible by means other than the private car.

Related Policies

- Identification and criteria for development on business and other high quality industrial sites at Wynyard Business Park (Ind1), North Burn (Ind2), Queens

Meadow (Ind3) and Sovereign Park (Ind4a), Park View West (Ind4) and Golden Flatts (Ind4);

- Identification and allocation of sites for wide range of employment uses including light and general industry (Ind5, PU6), bad neighbour uses (Ind6), port-related development (Ind7) and potentially polluting or hazardous developments (Ind9 – Ind10);
- Encouraging the development of the town centre as the main shopping, commercial and social centre of Hartlepool (Com1);
- Protecting the retail character of the primary shopping area (Com2) and allocation of development site within primary shopping area (Com3);
- Identifying the sequential approach for shopping and other main town centre uses (Com8 and Com9);
- Improvement of accessibility to and within town centre by modes other than the car (Tra1, Tra4, Tra5, Tra7);
- Restriction on retail developments in industrial areas and at petrol filling stations (Com10 and Com11);
- Preventing spread of town centre uses to adjoining residential areas (Hsg4);
- Sequential approach for major leisure developments (Rec14);
- Identifying area where late night uses permitted (Rec13);
- Identification of sites and areas for retail and other commercial development in primary shopping area (Com3), edge of centre locations (Com4), at Tees Bay (Com7) and west of A179/north of Middleton Road (Com17);
- Identification of areas for mixed use developments at the Headland (Com16), edge of centre sites (Com4) and Tees Bay (Com7).

#### Employment Policies assessment

- 4.11 Most industries in Hartlepool are located in the southern part of Hartlepool and this area is known as the Southern Business Zone (SBZ). In February 2009 a development strategy was produced to support the development of this area. The study indicates that the SBZ consists of 15 separate industrial estates and business parks and covers an area of approximately 170 hectares, the study went on to state that the SBZ is home to around 400 companies who between them employ 5,000 people making it a key employment area and a major driver of economic prosperity for the Tees Valley sub-region. Within the SBZ there have been variations in employment opportunities with increases in some areas but increases have been coupled with decreases so overall the position is very much the same as in 2009.

- 4.12 The SBZ Action Plan is in place and its vision is:

“To become a driver of success for the sub-region, ensuring the SBZ captures recognised opportunities for growth for the benefit of local people, business and the environment”

To achieve this vision the following strategic objectives have been set:

- Close the skills gap so that local people can better benefit from anticipated economic growth.
- Provide better access to job opportunities.
- Enhance support for existing and new businesses.

- Attract new business and inward investment.
  - Maximise supply chain opportunities for local firms.
  - Improve the environment, appearance and image of the area.
  - Rationalise land use.
  - Help diversify the economic base
- 4.13 In April 2012, the Enterprise Zone (EZ) status was enacted in 3 industrial locations in Hartlepool, i.e. Oakesway, Queen's Meadow and the Port. The aim of the EZ status is to aid economic recovery and stimulate growth by giving business rate discounts or enhanced capital allowances over a five year period to support the growth of existing firms and/or attract significant inward investment.
- 4.14 Only businesses that fall into one of the three business growth sectors will be allowed to take advantage of the financial incentives. These are:
- Advanced Engineering & Advanced Manufacturing;
  - Chemical, Pharmaceutical & Biotechnology, and;
  - Renewable Energy Manufacturing.
- 4.15 Since the introduction of the EZs, 6 advanced engineering/manufacturing and chemicals businesses have benefited from the EZ and all are at Queens Meadow i.e. Propipe, Solomon Europe, Omega Plastics, Durable technologies, Contract Laboratory Services and Sea & Air Pumps.
- 4.16 Employment Land Review (ELR) was carried out by Nathaniel Lichfield and Partners and it was completed in December 2008. It is now over 5 years old and will be updated in the next financial year. This will be the last reference to the 2008 ELR.
- 4.17 The ELR reveals that about 40% of the employment land available in the borough comprises the sub-regionally important land at Wynyard some distance from the main urban area of Hartlepool. Within the urban limits much of the available land is on the high quality sites only one of which (Golden Flatts) remains totally undeveloped. However, this site has been recommended for de-allocation by the ELR study and this recommendation had been put forward within the withdrawn 2013 Local Plan. The ELR report is available on the Council's website on the following link:  
<http://www.hartlepool.gov.uk/site/scripts/downloads.php?categoryID=3384>
- 4.18 A number of output indicators have been selected to measure the effectiveness of the policies which seek to diversify and improve employment opportunities. These include most of the national core output indicators relating to business development and additional local output indicators relating to the amount and proportion of developments on prestige, high quality and other sites identified for business uses and the number of new business start-ups.

- Core Output Indicator BD1: Total amount of additional employment floor space - by type (gross)
- Core Output Indicator BD2: Total amount of employment floor space on previously developed land - by type.
- Core Output Indicator BD3: employment land available.

Table 10: Employment Floorspace / Land 2013/14

		Use Class B1a	Use Class B1b	Use Class B1c	Use Class B2	Use Class B8	Total
<b>BD1 - Total amount of additional employment floor space</b>							
Gross (m <sup>2</sup> )	5a Parkview Road West, Park View Industrial Estate (addition of office)	27.8					27.8
	Unit 2, Propipe, Rivergreen Business Centre Venture ( fabrication single storey) Queens Meadow				550		550
	Hartlepool Power Station Tees Road (single storey building)	75					75
Loss (m2)		0	0	0	0	0	0
Net (m2)		102.8			550		652.8
<b>BD2 - Total amount of employment floor space on previously developed land - by type</b>							
	5a Parkview Road West, Park View Industrial Estate (addition of office)	27.8					
	Hartlepool Power Station Tees Road (single storey building)	75					
Total		102.8					

Source: Hartlepool Borough Council

4.19 In comparison to last year this year has a significant increase in commercial floorspace completions. Table 10 shows a total of 652.8 m<sup>2</sup> additional floorspace completions compared to last year with only of 184.5 m<sup>2</sup>). Over half of the additional floor space is from Queens Meadow Enterprise Zone in which the company Propipe Manufacturing has completed a single storey fabrication shop covering approximately 550m<sup>2</sup> floorspace area.

4.20 Table 10 also shows that 15.7% of commercial floor space completions are from previously developed land with the balance being from Greenfield sites, in this case Queens Meadow.

Table 11: Indicator **BD3**: Employment Land Available 2013/2014\*

Name	Allocated Use	Total Area (ha)	Developed/Reserved/Committed (ha)	Available (ha)
Brenda Road East	B1,potentially B2,B8 in certain	17.7	5.6	12.1
Former Centura	B1,potentially B2,B8 in certain	18.2	0.0	18.2
Golden Flatts	B1,potentially B2,B8 in certain	26.5	5.7	20.8
Graythorp Industrial	B1,potentially B2,B8 in certain	17.2	17.2	0
Graythorp Yard	B1,potentially B2,B8 in certain	47.8	47.8	0
Longhill	B1,potentially B2,B8 in certain	62.4	61.4	1
Northburn Electronics	B1,B2,B8 related to electronics	66.7	0.0	66.7
North Graythorp	B2,potentially polluting or harzadous	27.0	9.4	17.6
North of Seaton	B2, port related	24.5	0.0	24.5
Oakesway	B1,potentially B2,B8 in certain	38.8	20.2	18.6
Park View West	B1,potentially B2,B8 in certain	16.9	14.7	2.2
Philiphs Tank Farm	B2,potentially polluting or harzadous	150.4	150.4	0
Queens Meadow	B1,potentially B2,B8 in certain	61.5	16.8	44.7
Sandgate	B1,potentially B2,B8 in certain	14.2	14.2	0
South Works	B1,potentially B2,B8 in certain	131.2	131.2	0
Sovereign Park	B1,potentially B2,B8 in certain	20.9	9.3	11.6
Tees Bay	Mixed use	9.6	6.4	3.2
Tofts Farm West	B1,potentially B2,B8 in certain	34.1	25.9	8.2
Tofts Farm East	B1,potentially B2,B8 in certain	44.2	43.6	0.6
Trincomalee/Maritime	Mixed Use	3.5	0.7	2.8
Usworth Road	B1,potentially B2,B8 in certain	14.1	14.1	0
West of Seaton	B2,potentially polluting or harzadous	76.7	76.7	0
Victoria Harbour	Mixed Use	106	42.8	63.2
Wynyard Business	B1,B2,B8	118.8	24.7	94.1
Zinc Works Road	B1,potentially B2,B8 in certain	3.0	3.0	0
				<b>Total 410.1</b>

Source: Hartlepool Borough Council

\* Table includes mixed use sites: Victoria Harbour, Tees Bay, and Trincomalee/Maritime Avenue.

- 4.21 The total available employment land this year is 410.1 ha from a total of 17 sites (Table 11). The highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates.
- 4.22 The total available land may change next year depending on the uptake of land for employment use and also on the outcome of the 2014 Employment Land Review. It is anticipated that the ELR will deallocate some sites. In the previous year available employment land was based on allocations in the withdrawn Local Plan (2013) hence a comparison to last year will not be done.
- 4.23 It is anticipated that the Nuclear Power station will be replaced like for like so therefore when it is decommissioned and a new one built there will be no overall loss or gain in employment floor space, hence it is not shown in Table 11.

**Town Centre and Town Centre Uses**

Local Output Indicator: Vacancy rates in the defined town centre

- 4.24 Information on vacancy rates can provide a useful indication of the viability of the town centre. The Retail Study (2009) reports that vacancy rates in terms of floorspace in Hartlepool are significantly above the UK national average.

Table 12: Vacancy Rates in the Town Centre 2013/2014

	2009/10	2010/11	2011/12	2012/13	2013/14
Total number of commercial units	507	509	443	475	480
Total number of vacant units	107	111	118	101	105
Total Floor Space (m <sup>2</sup> )	140 279	140 282	160 697	175 575	178 696
Vacant Floor Space (m <sup>2</sup> )	22 205	22 826	24 545	21 829	21 921
Vacancy Rate (%)	15.8	16.3	15.3	12.4	12.3
Market Hall Vacant Stalls	13	9	12	15	12

Source: Hartlepool Borough Council

- 4.25 The increase in total floorspace this year is a result of altering the college boundary to reflect its correct commercial area which extends all the way to upper Church Street.
- 4.26 This year's vacancy rate of 12.3% has not significantly changed from last year's 12.4% (Table 12). There is no increase or decrease in retail activity in the town centre. Although not too apparent, it seems the town centre remains viable. The main challenge is the lack of high quality shops, a number of those high quality shops that have shut down have been mainly replaced by low quality shops and charity shops.

• Core Output Indicator BD4: Total amount of floor space for town centre uses

Table 13: Amount of completed floorspace for town centre uses 2013/2014

		A1	A2	B1a	D2	Total
<b>BD4</b> Gross addition (m <sup>2</sup> )	5a Parkview Road West, Park View Industrial Estate (addition of office)	-	-	27.8	-	27.8
	(mezzanine floor Unit 1 Highpoint Retail Park)	1300				1300
Loss (m <sup>2</sup> )	Hartlepool Power Station Tees Road (single storey building)			75		75
		-	-	-	-	-
Net (m <sup>2</sup> )		1300		102.8		1402.8

Source: Hartlepool Borough Council

- 4.27 This indicator shows the amount of completed floorspace for town centre uses, both within and outside the town centre boundary but within the whole local authority area. This monitoring year there has been no completed business floor space within the town centre boundary. All of the 1402.8m<sup>2</sup> completed floor



space (Table 13) was outside the town centre boundary. Unit 1 at Highpoint (currently occupied by Dunelm Mill) installed a mezzanine floor for retail which accounted for most of this year's completed floor space i.e. about 92%. Last year only had 303.2 m<sup>2</sup> in comparison.

- 4.28 The town centre policies (Com1, Com2, Com8 and Com 9) basically encourage the development of the town centre as the main shopping, commercial and social centre of Hartlepool and protect the retail character of the primary shopping area. Com 9 lists the main town centre uses to include retail, office, business, cultural, tourism, leisure, entertainment and other developments that are bound to attract large number of visitors.
- 4.29 Indicator BD4 on Table 13 shows that the town centre policies are being implemented. The office space completions outside the town centre boundary at Parkview and the Nuclear Power Station are ancillary developments associated with industrial/business use at those allocations so these developments have no bearing on the implementation of the town centre policies. Similarly retail space completion at Unit 1 Highpoint Retail Park has no bearing on the town centre policies as this is permitted development within the Marina Edge of Town Area (Policy Com4/10).

### **Tourism Policies Assessment**

- 4.30 Tourism has become very important to the Hartlepool economy, the development at the Marina acting as a catalyst to its success. The Local Plan identifies the Town Centre, The Marina, the Headland and Seaton Carew as main tourism destinations and the policies encourage appropriate developments related to the very different characters of these areas.

- Local Plan objective A4: to promote the growth of tourism

### **Related Policies**

- Identification of areas for tourism related developments at the Marina (To1), Headland (To2) and Seaton Carew (To3, To4 and To6);
- Encouragement of green tourism (To8) and business tourism (To11);
- Encouraging the provision of tourist accommodation (To9) and identifying criteria for touring caravan sites (To10).

Local Output Indicator: Planning permissions granted for tourist related developments

Table 14: Planning permissions granted for tourism related developments 2013/2014

General Location	Site / Location	Development	Development progress
Town Centre	None	None	n/a
Edge of town centre	None	None	n/a
Marina	Premier Inn Maritime Avenue	Extension to provide further 38 bedrooms with associated works including alterations to car parking and landscaping	In progress
Headland	None	None	n/a
Seaton Carew	None	None	n/a
Countryside	Land opposite Three Gates Farm, Dalton	Change of use of land for use by Western Living History Group and siting of caravans	In progress
	Brierton Moorhouse Farm, Dalton Back Lane	Change of use from craft workshop to holiday accommodation	In progress
	A19 Services (Southbound), Elwick	Extension of time limit for outline application for the erection of a 120 bed lodge	Not started

Source: Hartlepool Borough Council

- 4.31 There has been one tourist-related planning permission granted during the financial year within Hartlepool's key tourism locations within the urban limits; for hotels and restaurants. All other tourist-related applications have been associated with the rural area in a bid to support farm diversification and the rural economy.

**B. HOUSING**

- Local Plan objectives A9 and B1: to encourage the provision of high quality housing and to ensure that there is available, throughout the plan period, an adequate supply of suitable housing land which is capable of offering, in different localities, a range of house types to meet all needs.

Related Policies

- Improvement of existing housing stock and its environment (Hsg1);
- Selective housing clearance and housing market renewal programmes (Hsg2 – Hsg3);
- Seeking contributions from developers for improvements in housing areas (GEP9);
- Encouraging and undertaking environmental and other enhancement schemes in Industrial and Commercial Improvement Areas (Ind8 and Com6);
- Management of housing land supply (Hsg5);
- Provision of housing in mixed use developments at Victoria Harbour and the Headland (Hsg6);
- Setting out the criteria for residential annexes, homes and hostels, residential mobile homes and gypsy sites (Hsg11 – Hsg14);
- Encouraging residential conversions (Hsg7);
- Seeking contributions from developers for highway and infrastructure works (GEP9).

- Core Output Indicator H1: plan period housing targets (as set in Adopted Local Plan)

Table 15: Housing targets

	Total net housing required	Source of plan target
<b>H1</b>	4800	Strategic Housing Market Assessment 2012

Source: Hartlepool Borough Council

- 4.32 The RSS targets for housing proved to be locally unrealistic and essentially unachievable in the Borough bearing in mind the previous and current housing market and the capacity of housebuilders in the Borough. As a result the Borough Council decided to establish a robust locally based housing target in accordance with national guidance. To do this the authority, along with Redcar & Cleveland, Middlesbrough and Stockton, commissioned a Tees Valley Strategic Housing Market Assessment which was adopted in 2012 and which set out an up-to-date position in relation to housing need for the Borough of 320 dwellings per annum, equating to 4800 dwellings over the plan period as illustrated in table 15 above.

4.33 Following the withdrawal of the Local Plan in 2013 the Council produced an Emergency Planning Policy Justification document which assessed the 2006 Hartlepool Local Plan policies for conformity with national guidance with the National Planning Policy Framework (NPPF). As the authority are currently unable to demonstrate a five year housing supply all policies which deal with the supply of housing are deemed to not be in conformity. As such the Authority rely on the most up-to-date evidence base to set out the housing need for future years. The figure of 320 dwellings per annum within the 2012 Tees Valley SHMA provided an assessment of housing need within the town and was reflected within the withdrawn Local Plan (2013) plan. It is due to change next year as a result of the emerging new Local Plan (2016) which will set new housing targets over the plan period based on a new SHMA for Hartlepool which is on schedule to be completed and endorsed in 2015.

4.34 Table 16 below illustrates Hartlepool's performance over the period from 2011/2 when the first draft of the Tees Valley SHMA became available.

- Core Output Indicator H2a: Net additional dwellings - in previous years
- Core Output Indicator H2b: Net additional dwellings – for the reporting year
- Core Output Indicator H2c: managed delivery target
- Core Output Indicator H2d: Actual delivery

Table 16: Recent housing delivery

Core Output Indicator <b>H2</b>		2011/12	2012/13	2013/14
<b>H2a</b>	Net additional dwellings in previous years	225	122	
<b>H2b</b>	Net additional dwellings for the reporting year			84
<b>H2c</b>	Managed delivery target	320	320	320
<b>H2d</b>	Actual Delivery	-95	-198	-236
	Cumulative Delivery	-95	-293	-529

Source: Hartlepool Borough Council

NB: In relation to 2012 SHMA housing target; + denotes over delivery and – (minus) under delivery.

4.35 Table 16 above and shows that since 2011/2 the Authority has under delivered by a cumulative total of -529 dwellings by end of this financial year against its

objectively assessed need which was identified in the 2012 SHMA<sup>14</sup>. Although the authority has been underperforming against this figure this is likely to be attributable to a number of factors including the town recovering from recession and the withdrawal of the Local Plan which has caused uncertainty in the market regarding housing sites. Moving forward the annual target is considered to be an achievable figure and it is not considered appropriate at the current time to move away from this target.

- 4.36 This year there was a gross total of 213 additional dwellings (i.e. 208 new build, 3 change of use, and 2 conversions). Total demolitions were however 129 hence the net additional dwellings for the year is 84 and this is less than last year's 122. The net opening stock of housing as at this year was 42440 and net closing stock was 42524. The 129 demolitions were mainly from the housing market renewal (HMR) sites i.e. 52 at Perth Street and 77 at Raby gardens. The 84 new dwellings in 2013/14 were mainly from the HMR sites, Middle Warren and across a variety of smaller sites in the Borough. In the coming years redevelopment of these sites, along with some approved Greenfield development is likely to see the annual targets met.

### Related Policies

- Reclamation and re-use of derelict and disused land (GEP17);
- Acquisition of untidy sites (GEP16);
- Encouraging development on contaminated land (GEP18);
- Encouraging residential conversions and the residential re-use of upper floors of properties (Hsg7 – Hsg8).

### Brownfield Targets

- Local Plan objectives A7 and C10: to promote development on previously used sites where appropriate and to encourage the full use of empty or underused buildings and to ensure the appropriate enhancement of derelict, unused and under-used land and buildings.

- Core Output Indicator H3: New and converted dwellings – on previously developed land (PDL)

- 4.37 The Local Plan targets for the proportion of housing development to be provided on previously developed land and through conversions of existing buildings is 60% by 2008 and 75% by 2016 as specified in policy Hsg5 of the adopted Hartlepool Local Plan 2006. Whilst this policy is not currently considered in line with NPPF as it relates to the supply of housing, the principle of brownfield housing development is still supported and encouraged by the NPPF and as such the Authority will still support proposals for acceptable development on brownfield land.

<sup>14</sup> The SHMA assessment of need is the most up-to-date evidence and was used to inform the housing figures for the withdrawn plan and are seen as substantially more achievable than the previous RSS figures which had consistently proved undeliverable.

Table 17: The number of new, converted dwellings and gross new dwellings being built upon previously developed land

		Total Dwellings			
		2010/11	2011/12	2012/13	2013/14
<b>H3</b>	Total new dwellings (gross)	365	290	141	213
	% built on PDL	58	75.5	52	43.7
	Total converted to dwellings (gross)	5	5	4	2
	% conversions	1.3	1.7	2.8	0.9

Source: Hartlepool Borough Council

- 4.38 The total of new build houses from previously developed land is 90 and this is 43.7% of all new build completions. Percentage of gross additional dwellings on previously developed land this monitoring year has thus continued to decrease. This is because most completions were from green field sites and just a few on previously developed land. There were only 2 conversions which accounted for 0.9% of total additional dwellings. The emerging Local Plan will seek to allocate new strategic housing sites on greenfield land on the urban edge; as a result it is anticipated that the proportion of new dwellings delivered on previously developed land will significantly decrease in the future as the emerging Local Plan sites contribute to the future housing delivery.
- 4.39 Although the council plans to build future homes on greenfield land the use of vacant buildings including upper floors in retail areas is encouraged by the council and there are funding streams available from central government to bring empty commercial units back into use. Within Hartlepool, the Empty Homes Strategy (EHS) therefore, targets bringing back to use empty properties in the borough.
- 4.40 There are currently a total of 1022 empty homes across the borough. Phase 1 of the empty homes project aims at bringing to use 100 empty properties mainly in the York Road and Murray Street areas. This year there has been a total of 19 homes completed and the previous year there were only 6. If the number of empty homes brought back to use is added to total gross completions, then the percentage of dwellings completed on previously developed land increases to 47% which is still below the 60% target.

Mixed use brownfield target

- 4.41 Inline with the councils brownfield target to provide 75% of all new dwellings on brownfield land (new build or conversions) by 2016, the 2006 Local Plan sets out (within policy Hsg6) that housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland and Victoria Harbour, the two areas together make up the strategic housing site within the

2006 Local Plan. The 2006 Local Plan states that development at the strategic site will develop as follows:

- Headland - 50 dwellings in the period 2005-2011
- Victoria Harbour - 550 dwellings by 2005-2011
- 900 dwellings in the period 2011-2016

There have been no dwellings developments on both sites up to date. In 2009 the land owners indicated their intentions not to proceed with the anticipated mixed use development and expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions. Although the site would have provided a significant number of dwellings, on brownfield land within the urban limits, the council are fully supportive of the land owners' intentions to retain the land for employment purposes. Therefore Policy Hsg6 can not be implemented.

**Local Output Indicator: Types of housing completed**

Table 18: Types of Houses completed (gross): 2013/2014

Type	Number completed	% of total gross completed
Flats	13	6.4
Terraced house	60	29.7
Semi detached house	48	23.7
Detached house	79	39.1
Bungalow	3	1.5

Source: Hartlepool Borough Council

- 4.42 More detached houses were delivered this year compared to last year and bungalows had the lowest number of completions with only 3 completed.

**• Core Output Indicator H5: Gross affordable housing completions**

Table 19: Gross affordable housing completions 2011 to 2014

Year	Social rent homes provided	Intermediate homes Provided	Affordable homes total
2013/14	24	0	24
2012/13	28	2	30
2011/12	64	26	90

Source: Hartlepool Borough Council

- 4.43 The Tees Valley Strategic Housing Market Assessment (SHMA 2012) identified a net shortfall of 88 affordable dwellings per annum in the borough. The gross additional affordable housing delivery for this year is 24 and this continues to decline year after year since 2011/12 (Table 19). According to the SHMA 2012, 27.5% of all completions per annum should be affordable housing. This year

11.9% of all completions are affordable and this is well below target. The Borough Council will continue to support the delivery of additional affordable housing through building on council owned land, partnership working with Registered Providers in the borough and through securing affordable housing contributions as part of private residential developments.

• Core Output Indicator H4: Net additional pitches (Gypsy and Traveller)

Table 20: Number of gypsy and traveller pitches delivered

	Permanent	Transit	Total
<b>H4</b>	nil	nil	nil

Source: Hartlepool Borough Council

4.44 Hartlepool currently has no identified sites for provision of Gypsies and Travellers pitches. The Council, together with other Tees Valley Authorities, is in the process of assessing The Tees Valley Gypsy and Travellers Accommodation Needs Assessment (GTAA). The GTAA is on schedule to be completed by end of next year.

• Core Output H6: Housing quality – Building for Life Assessments

Table 21: The level of quality in new housing development

	No. of sites with a building life assessment of 16, or more	No. of dwellings on those sites	% of dwellings of 16 or more	No. of sites with a building life assessments of 14 to 15	No. of dwellings on those sites	% of dwellings of 14 to 15	No. of sites with a building life assessment of 10 to 13	No. of dwellings on those sites	% of dwellings of 10 to 13	No. of sites with a building life assessment of less than 10	No. of dwellings on those sites	% of dwellings of less than 10	Total No. of housing sites (phases of housing) sites	No. of dwellings of 10 to 13
<b>H6</b>	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

Source: Hartlepool Borough Council

4.45 Table 21 shows that none of the homes built within this report period were accompanied by a building for life assessment.



**C. ENVIRONMENTAL QUALITY**Adequate Infrastructure

- Local Plan objective A5: to ensure that there is an adequate infrastructure to serve new and existing development

Related Policies

- Allocation of a site for sewage treatment works and criteria for improvements to existing plants (PU3);
- Safeguarding of road corridors (Tra11 – Tra13);
- Identification of access points for major development sites (Tra14);
- Identification of land for power generation (PU6);
- Criteria for renewable energy developments (PU7);
- Seeking contributions from developers for highway and infrastructure works (GEP9).

- Core Output Indicator E1: Number of planning permissions granted contrary to Environment Agency advice on flooding and water quality grounds

Table 22: Number of planning permissions granted contrary to Environment Agency advice on flooding and water quality grounds.

	Flooding	Quality	Total
<b>E1</b>	nil	nil	nil

Source: Hartlepool Borough Council

- 4.46 No planning permissions were granted contrary to the advice of the Environment Agency during the year 2013/2014.

Biodiversity and Geodiversity

- Local Plan objective C9: to protect and enhance the biodiversity and geodiversity of the natural environment and ensure the careful use of natural

Related Policies

- Protection and enhancement of national and local sites of nature conservation and geological importance (WL2, WL3, WL5, WL7);
- Protection of species protected by law (WL4) and
- Seeking contributions from developers for works to enhance nature conservation features (GEP9).

Core Output Indicator E2: Change in places of biodiversity importance

Table 23: Losses or additions to biodiversity habitat

		Loss	Addition	Net Total
<b>Indicator E2 (area in ha)</b>	2013/2014	2	0	- 2
	2012/2013	0.2	0.2	0.0
	2011/2012	0	0	0

Source: Hartlepool Borough Council

- 4.47 This year there is a loss of 2ha of woodland as from Newton Hanzard at Wynyard. There is no change to the areas of designated international or national sites or of priority habitats or number of designated local nature reserves. No priority species were adversely affected by planning decisions during the year.

• Core Output Indicator E3: Renewable energy generation

Table 24: The amount of renewable energy generation by installed capacity and type for the financial year 2013/14

E3		Wind onshore	Solar photovoltaic	Hydro	Biomass						Total	
					Landfill gas	Sewage sludge	Municipal (& industrial) solid waste	Combustible waste	Co-firing of Biomass with fossil	Animal biomass	Plant biomass	
	Application Permitted and installed capacity in MW	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	
	Completed installed capacity in MW	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	

Source: Hartlepool Borough Council

- 4.48 This year no renewable energy generation planning applications were determined.

**D. MINERALS AND WASTE**

- Local Plan objective C11: to ensure that industrial and other potentially polluting or hazardous activities do not have a significant detrimental effect on the adjacent population or workforce and do not have a damaging effect on the environment.
- Local Plan objective C12: to minimise the adverse environmental effects of mineral workings and waste disposal operations and ensure the appropriate restoration

Related Policies

- Criteria to be considered in relation to the development of new mineral extraction sites, including the after use of sites and transportation of minerals (Min3 – Min5);
- Policies for waste recovery (Was2 and Was3);
- Criteria relating to proposals for waste disposal (Was4-Was6).
- Control of developments involving the use or storage of hazardous substances (Ind11);
- Protection of the aquifer (PU4);
- Control of electricity transmission facilities (PU5);
- Control on developments on or near landfill sites (Dco1);
- Need for waste minimisation plans (Was1).

- Core Output Indicator M1: Production of primary land won aggregates by mineral planning authority

Table 25: The amount of land won aggregate being produced

	Crushed rock	Sand and gravel
<b>M1</b>	Unknown	Unknown

Source: Hartlepool Borough Council

NB: This information is not publicly available in respect of data for Hartlepool because of issues of business confidentiality.

- Core Output Indicator M2: Production of secondary and recycled aggregates by mineral planning authority.

Table 26: The amount of secondary and recycled aggregates being produced in addition to primary won sources in M1 above

	Secondary	Recycled
<b>M2</b>	unknown	unknown

Source: Hartlepool Borough Council

NB: This information is not publicly available in respect of data for Hartlepool because of issues of business confidentiality.

- 4.49 No minerals recorded - although there is a waste transfer operation in the borough which does produce some recycled aggregates as part of the operation. In this respect issues of business confidentiality prevent the publication of detailed figures.

Table 27: The capacity and operational throughput of new waste management facilities as applicable

W1	Inert landfill	Non-hazardous landfill	Hazardous landfill	Energy from waste incineration	Other incineration	Landfill gas generation plant	Pyrolysis /gasification	Metal recycling site	Transfer stations	Material recovery/recycling facilities (MRFs)	Household civic amenity sites	Open windrow composting	In-vessel composting	Anaerobic digestion	Any combined mechanical, biological, and/thermal	Sewage treatment works	Other treatment	Recycling facilities construction, demolition and	Storage of waste	Other waste management	Other developments	Total
The total capacity (m <sup>3</sup> , tonnes or litres)	0	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0		0	0	0
Maximum annual operational throughput (m <sup>3</sup> tonnes or litres if liquid waste)	0	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0		0	0	0

NB: Information regarding the total capacity is not available, so figure is assumed inline with the maximum annual operational throughput permitted

Source: Hartlepool Borough Council

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- 4.50 There are no new waste management facilities this year. However, two waste-related applications were determined and approved. One was for hazardous substances to increase the quantity of substances dangerous to the environment stored on site at Exwold Technology on Brenda road. The other was for extension to material recovery facility building to provide waste reception/tipping area for material prior to recovery/recycling at former Eastmans site also on Brenda road.

- Core Output Indicator W2: Amount of municipal waste arising, and managed by management type by waste planning authority.

Table 28: The amount of household municipal waste arising and how that is being managed by type

Indicator <b>W2</b>		Landfill	Incineration with E.F.W.	Incineration without E.F.W.	Recycled/composted	Other	Total Waste Arising
Amount of waste arisings in t	2013/2014	546.82	28695.07	nil	19153.57	nil	47848.64
	2012/2013	1445.6	26089.5	nil	19261.5		46796.6
	2011/2012	3874.20	19585.01	nil	18529.64	nil	41988.85
	2010/2011	5610.46	20444.49	nil	17467.26	nil	43522.21
	2009/2010	6164.00	20153.86	nil	21763.64	nil	48081.50
	2008/2009	4499.49	29058.77	nil	19829.03	nil	53387.29

Source: Hartlepool Borough Council

- 4.51 The amount of waste going to landfill has continued to decline this year whilst that incinerated is increasing. However, total waste arising this year has increased compared to last year.
- 4.52 The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016. According to Table 28 above, Hartlepool this year has 40% of its waste recycled/composted and this is a slight decrease from last year's 41.2%. However, it is still within the M&W DPD allowance although it is expected to rise by 2016.

## **E. QUALITY OF LIFE**

- Local Plan objective C1: to ensure that developments do not have an adverse impact on the quality of life of the population of Hartlepool.

### Related Policies

- Setting out general principles for all new development (GEP1);
- Provision for access for all (GEP2);
- Encouraging crime prevention by planning and design (GEP3);
- Control on the location of food and drink developments (Com12) and on the location of late night uses (Rec13);
- Controlling other new developments to protect the amenities of residents (e.g Com13 and Com14 - developments in residential areas, Hsg9 - residential developments, Rec11 - noisy outdoor sports and leisure activities, PU8 – telecommunications etc.);
- Controlling development in areas of flood risk (Dco2).

### Development in the rural area

- Local Plan objectives C2 and C7: to retain the compact form of the main urban area by preventing urban development extending into the countryside and to protect and enhance the character of the existing villages.

### Related Policies

- Definition of Urban Fence and Village Envelopes (Rur1 – Rur3);
- Developments to accord with Village Design Statements (Rur4);

Local Output Indicator: Planning decisions on proposals for development outside urban fence and village envelopes.

Table 29: Developments approved outside Limits to Development 2009-2014

Developments Approved	2009/ 2010	2010/ 2011	2011/ 2012	2012/2013	2013/2014
Agricultural buildings	0	1	1	2; High Volts Farm Worset Lane, Brierton Moorhouse Farm Dalton Lane	3; High Stotfold Farm East Hill House, Wynyard South park, Tunstall Farm
New dwellings – no agricultural justification	1	0	0	1; Crookfoot Farm Coal Lane,	2; Nelson Farm Nelson Farm Lane  Southbrooke Farm, Summerhill Lane
New dwellings associated with agricultural existing developments	0	0	4	0	1; Petersbrooke Dalton Piercy Road
New dwellings associated with rural business developments	-	-	2	1; Lambs House Farm, Dalton Piercy Road.	0
Temporary residence in connection with rural business	1	0	0	1; Brierton Moorhouse Farm Dalton Lane	0
Replacement dwellings	0	0	0	0	0
Residential conversions of rural buildings	0	0	0	1; Manor FarmDene Dalton Piercy,	1; Brierton Farm, Brierton Lane
Business conversions of rural buildings	0	0	1	1; Crookfoot Farmlane, Fernbeck Dalton Back	0
Extensions of gardens	0	0	0	0	0
Recreational and leisure uses	0	1	1	4; Abbey Hill Farm, Ashfield Caravan Park, Primrose Close Coal Lane, Abbey Hill Farm	0
Extensions and other works relating to existing businesses	2	0	0	1; Brierton Moorhouse	0
Telecommunications developments	0	0	0	0	2; opposite Holmleathe Green, Elwick  Redgap Farm trunk

Source: Hartlepool Borough Council

4.53 The information provided above relates to planning applications approved for development on land outside the limits to development (urban fence and

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village envelopes). This has been monitored since 2006 and information prior to 2009 (i.e. not shown in Table 29) is contained in previous reports.

- 4.54 There have been a total of nine developments approved outside the limits to development, four of them relating to residential dwellings. Last year there was a total of twelve and even less in previous years. It seems there is an increase in approved residential developments in the countryside and this needs closer monitoring. This is expected to be achieved through the New Developments Outside of Development Limits SPD which is currently being drafted. Farm/agricultural diversification developments have reduced this year. It is therefore evident that policies that seek to protect and enhance diversification in the rural area are not performing as expected need closer monitoring to determine their success rate.

#### Access to the Countryside

- Local Plan objective C8: to protect and enhance the countryside and coastal areas and to make them more accessible for the benefit of the residents of, and visitors to, the borough.

#### Related Policies

- Criteria for outdoor recreational developments in coastal areas (Rec1) and in the countryside (Rur16);
- Protection of Special Landscape Areas (Rur20);
- Controls on housing in the open countryside (Rur12);
- Criteria for other development in the countryside including the re-use of rural buildings and farm diversification (Rur7 – Rur8 and Rur9 - Rur11),
- Provision for tree planting and other improvements in the area of the Tees Forest (Rur14);
- Identification of small Community Forest Gateway sites (Rur15);
- Provision of network of leisure walkways including the coastal walkway and other strategic recreational routes (Rur17 – Rur18)

Local Output Indicator: Improvements to rights of way / leisure walkways/coastal path

- 4.55 A recent development to note this year is the addition of a coastal path as a local indicator. This is due to the enactment of the Marine and Coastal Access Path Act 2009; Part 9 of this Act has placed a duty for a coastal path to be created along the whole of the English coastline. The first section of the England Coastal Path is in place between the North Gare car park at Seaton Carew and Sunderland. The next section from the North Gare car park to Filey has been approved although the stretch from the North Gare car park to the River Tees has been put on hold due to problems with accessing some of the land. The Council will support initiatives to extend the England Coastal Path southwards from its current terminous at North Gare car park.



Table 30: Walkways created, diverted, extinguished or improved

	Walkways	Created (km)	Diverted (km)	Extinguished (km)	Improved (km)
2013/2014	Public Rights of Way	0	2.94	0	2.69
	Permissive Paths	0.35	0	0	0
2012/2013	Public Rights of Way	0	2.67	0	2.18
	Permissive Paths	0	0	0	0
2011/2012	Public Rights of Way	0	0.57	0	0.69
	Permissive Paths	1.89	0	0	0
2010/2011	Public Rights of Way	0	0.465	0	2.173
	Permissive Paths	0	0	0	0.045
2009/2010	Public Rights of Way	1.05	0	0	4.07
	Permissive Paths	1.52	0	0	0
2008/2009	Public Rights of Way	1	0	0.27	5.25
	Permissive Paths	0	0	0	0
2007/2008	Public Rights of Way	0.57	0	0	9
	Permissive Paths	0	0	0	0
2006/2007	Public Rights of Way	0.43	0	0	0
	Permissive Paths	0	0	0	0

Source: Hartlepool Borough Council

4.56 There have been no new rights of way created or extinguished this financial year. However, there has been improvement works on the condition and access of 2.69 km of existing public rights of way and 2.94 km has been diverted. The diverted paths were public footpath no.11 Seaton and Hartlepool 9. The improved paths in were public footpaths no.3, no. 8, no. 9 and Seaton 5. Permissive path Elwick 28 was created during the year.

4.57 The Council will continue to improve access to the countryside and furniture within the countryside so that a more inclusive network will be available to a broader user base. This entails improvement works to the network of footpaths and the installation of self-closing gates and 'Kissing' gates along with 'A' Frames to assist in the reduction of illegal motorbike use.

Local Output Indicator 29: Length of cycleways completed
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Table 31: Length and name of new cycleway created

Year	Length and name of cycleway
2013/2014	None
2012/2013	None
2011/2012	None
2010/2011	None
2009/2010	None
2008/2009	1.1km (north Hart Farm to Middlethorpe Farm)
2007/2008	2.33km
2006/2007	None

Source: Hartlepool Borough Council

- 4.58 Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. This year there have been no new cycle routes created by the Council, neither have any been linked to the Local Transport Plan or as part of a planning approval. There has been no cycleways created in the last five years.

**F. CONSERVATION & DESIGN**Conservation

- Local Plan objective C3: to preserve and enhance the quality, character and setting of Conservation Areas, Listed Buildings and areas of archaeological and historic interest.

Related Policies

- Protection and enhancement of conservation areas (HE1–HE3 and supplementary note 5);
- Protection and enhancement of Registered Parks and Gardens (HE6);
- Protection areas of historic landscape and other archaeological sites (HE15).

Buildings at risk

Local Output Indicator 18: Number of buildings at risk

4.59 The National Heritage at Risk Register includes two churches in Hartlepool, St Hilda on the Headland and Holy Trinity in Seaton Carew. The buildings are listed grade I and II respectively. In addition to these buildings two Scheduled Ancient Monuments are considered to be at risk. One is a Medieval farmstead and irregular open field system at High Burntoft Farm, Elwick; the other is Low Throston deserted medieval village. Two conservation areas in Hartlepool also appear on the At Risk Register, these are Headland and Seaton Carew.

4.60 Table 32 shows the numbers of buildings at risk.

Table 32: Numbers of Listed Buildings at Risk 2013/2014

2013/2014	Buildings at risk
Grade I	Church of St Hilda, High Street, Headland
	Town Wall
Grade II	Shades, 16 Church Street
	Beacon Tower, East End of North Pier
	Church of Holy Trinity, Church Street
	Former United Reformed Church, Durham Street
	Friarage Manor House, Friar Street
	Market Hotel, Lynn Street
	Throston Engine House, Old Cemetery Rd
	Former Odeon Cinema, Raby Road
	Former Wesley Methodist Church, Victoria Road
Grade II*	Former Conservative Club, Church Walk
Locally listed buildings	Morison Hall, Church Close
	22 & 23 Church Street
	Former Yorkshire Bank, 65 Church Street
	Tunstall Court, Grange Road

Source: Hartlepool Borough Council

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- 4.61 A Derelict Buildings and Sites Working Group has been established for many years. The Working Group seeks to bring back into use and/or improve a priority list of buildings which does include some of the buildings from the list above.
- 4.62 The council has been working with owners to assist in bringing buildings back into use and/or improving them for safety reasons or so that they do not appear an eyesore on Hartlepool's street scene. Morison hall in the Headland has since obtained planning permission to convert the hall into 8 self contained apartments and work is underway. Tunstall court has now gained planning permission for demolition and erection of 14 dwellings with associated works including the provision of a new access and landscaping. The former Yorkshire Bank on Church Street is still vacant.
- 4.63 The Odeon is still on the market and the council is seeking a development partner to help deliver a scheme for the building. Although every attempt has been made to negotiate with the land owner it is envisaged that the council will acquire the Odeon through a Compulsory Purchase Order at a later date. Maintenance improvements work on the former Wesley Methodist Church is ongoing.
- 4.64 The council hopes that by publishing an annual 'Heritage at Risk' register, vulnerable heritage assets across the borough will be highlighted and this will most likely raise their profile and potentially introduce them to a new audience who may be able to resolve the problems individual heritage assets are suffering from. As part of the document case studies will be provided where buildings are removed from the list to provide examples of heritage assets where successful solutions have been found in order to provide inspiration to other owners in a similar situation.

Local Output Indicator 19: Conservation Area Appraisals undertaken
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Table 33: Conservation Area Appraisal completions

Year	Conservation Area Appraisals
2013/2014	0
2012/2013	0
2011/2012	0
2010/2011	1
2009/2010	3
2008/2009	1
2007/2008	1
2006/2007	1

Source: Hartlepool Borough Council

- 4.65 For the third year running, there have been no Conservation Area Appraisals completed in the financial year 2013/2014; however work is on-going on reviewing the Seaton Carew conservation Area Appraisal.

Design

- Local Plan objective C4: to encourage a high standard of design and the provision of high quality environment in all developments and particularly those on prominent sites, along the main road and rail corridors, and along the coast.

Related Policies

- Setting out general principles for all new development (GEP1);
- Setting out design guidelines for new housing developments and for house extensions (Hsg9, Hsg10 and supplementary note4);
- Providing for high quality of design and landscaping along main approaches to Hartlepool and on the main frontages within industrial estates (GEP7, GN4);
- Encouraging the provision of public art (GEP10);
- Control on advertisements (GEP8);
- Intention to acquire sites to improve the local economy or general environment (GEP15).

## Local Output Indicator 20: Satisfaction with design of residential extensions

- 4.66 Design is a key element assessed within each planning application, pre-application advice is encouraged and often design issues are addressed prior to submitting a planning application. Delegated reports and committee reports all contain an assessment of each proposals design quality.
- 4.67 No data has been directly collected with regard to the satisfaction of design or residential extension, however upon assessment of objections received for a variety of planning applications it was established that many objections related to highway/traffic impact and loss of light, the design of residential buildings and/or extensions were rarely an area of concern.

## 5. CONCLUSION

- 5.1 Important to note is that during this year in November 2013, the council formally withdrew the Local Plan (2013) which was on schedule to be adopted by end of the financial year. Regardless, the key milestones on the Local Development Scheme were achieved on target following the revision of target dates on the borough's main development plan document, the Local Plan 2013.
- 5.2 Economic activity has improved this year compared to last year. This year has a significant increase in additional commercial floorspace completions; i.e. a total of 652.8 m<sup>2</sup> compared to last year's 184.5 m<sup>2</sup>. Over half of the additional floor space is from Queens Meadow Enterprise Zone in which the company Propipe Manufacturing has completed a single storey fabrication shop covering approximately 550m<sup>2</sup> floorspace area. Commercial floor space completions from previously developed land accounted for only 15.7% of total with the balance being from Greenfield sites, in this case Queens Meadow. All additional commercial floor space is from allocated industrial locations and this indicates that industrial policies are still considered robust and have over the report period fulfilled their function in directing industrial activity to allocated employment areas and thus protecting the rest of the borough for other land uses.
- 5.3 The total available employment land this year is 410.1 ha from a total of 17 sites. The highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates. The total available employment land may change next year depending on the uptake of land for employment use and also on the outcome of the 2014 Employment Land Review which is now underway. It is anticipated that the 2014 ELR will deallocate some sites.
- 5.4 This year's vacancy rate in the town centre is 12.3% and has not significantly changed from last year's 12.4%. There is no net increase or decrease in retail activity in the town centre. Although not too apparent, it seems the town centre remains viable. The main challenge of lack of high quality shops remains. A number of those high quality shops that have shut down have been mainly replaced by low quality shops and charity shops. However, it is anticipated that TJ Hughes, a high quality department store will move into the shopping mall before end of the year.
- 5.5 The borough monitors amount of completed floorspace for town centre uses, both within and outside the town centre boundary but within the whole local authority area. This year there has been 1402.8m<sup>2</sup> completed floor space outside the town centre boundary in comparison to last year's 303.2 m<sup>2</sup>. There has been no completed floorspace within the town centre boundary. Although at first instance this may appear as negative development, it is important to note that office space completions outside the town centre boundary which this year were at Parkview and the Nuclear Power Station are ancillary developments associated with industrial/business use at those allocations so these developments are considered to have insignificant bearing on the implementation of the town centre policies. Similarly, the mezzanine floor space completion of 1300m<sup>2</sup>

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at Unit 1 Highpoint Retail Park is considered to have insignificant bearing on the town centre policies as this is permitted development within the Marina Edge of Town Area (Policy Com4/10) which is sequentially determined in accordance with Policy Com8 for shopping development. The town centre policies are therefore being implemented.

- 5.6 The tourism policies within the Local Plan identified the Town Centre, the Marina, the Headland and Seaton Carew as main tourism destinations and the policies encourage appropriate developments within these areas. However, rural tourism through recreation and leisure developments could be allowed under certain circumstances (policy Rur16).. There has been one tourist-related planning permission granted during the financial year within Hartlepool's key tourism location within the urban limits i.e. the Marina for an extension to provide more bedrooms at the Premier Inn. All other tourist-related applications i.e siting of caravans, holiday home and an erection of a lodge at the A19 south bound services have been associated with the rural area in a bid to support farm diversification and the rural economy.
- 5.7 The net opening stock of housing as at the start of this year was 42440 dwellings and net closing stock was 42524. There was a gross total of 213 additional dwellings (i.e. 208 new build, 3 change of use, and 2 conversions). Total demolitions were 129 and were mainly from the Housing Market Renewal (HMR) sites (52 at Perth Street and 77 at Raby gardens). The net additional dwellings (i.e. total gross additions less demolitions) is therefore 84 and this is less than last year's 122.
- 5.8 Policy Hsg5 sets a target of housing development to be provided on previously developed land and through conversions (60% by 2008 and 75% by 2016). The percentage of gross additional dwellings on previously developed land this monitoring year is 43.7% and has decreased from last year's 52%. This is because most completions were from green field sites and just a few on previously developed land. The emerging Local Plan seeks to allocate new strategic housing sites on greenfield land on the urban edge; as a result it is anticipated that the proportion of new dwellings delivered on previously developed land will significantly decrease in the future as the emerging Local Plan sites contribute to the future housing delivery. Hence meeting the Hsg5 target of 75% housing development on previously developed land will prove a major challenge for the borough. The NPPF does not however set any specific targets for brownfield delivery other than encouraging it; this needs to be considered and reflected in housing policies in the emerging Local Plan.
- 5.9 The Council has put in place the Empty Homes Strategy to bring back to residential use empty properties in the Borough. There are currently a total of 1022 empty homes across the borough. Phase 1 of the empty homes project aims at bringing to use 100 empty properties mainly in the York Road and Murray Street areas. This year there has been a total of 19 homes completed and the previous year there were only 6. If the number of empty homes is taken into account, the percentage of dwellings completed on previously developed land increases to 47% which is still below the 60% target.

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- 5.10 According to Policy Hsg6, housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland and Victoria Harbour. The 2006 Local Plan states that development at the strategic site will develop as follows:
- Headland - 50 dwellings in the period 2005-2011
  - Victoria Harbour - 550 dwellings by 2005-2011  
- 900 dwellings in the period 2011-2016
- 5.11 There have been no dwellings developed on either sites up to date and since 2009 the land owners indicated their intentions not to proceed with the anticipated mixed use development and expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions. Although the site would have provided a significant number of dwellings, on brownfield land within the urban limits, the council are fully supportive of the land owners' intentions to retain the land for employment purposes. Therefore Policy Hsg6 can not be implemented.
- 5.12 Of all house types completed in the year, detached houses had the highest proportion and bungalows the least. Fewer flats and more houses were completed this year. There were only 24 affordable dwellings completed this year and this is a decline from last year. For two consecutive financial years, the affordable housing completions are below the required annual delivery target of 88 affordable dwellings per annum.
- 5.13 The environment chapter shows that this year there is a net loss of 2ha of woodland from Newton Hanzard at Wynyard. However, there is no change to the areas of designated international or national sites or of priority habitats or number of designated local nature reserves. No priority species were adversely affected by planning decisions during the year.
- 5.14 The amount of waste going to landfill has continued to decrease this year whilst that incinerated continues to increase. However, total waste arising this year has increased to 47848.64 tonnes compared to last year's 46796tonnes. Monitoring of the Minerals and Waste (M&W) DPDs commenced last year in cooperation with neighbouring local authorities in the Tees Valley, but due to work commitments it has not been possible to consolidate the joint monitoring report for this year.
- 5.15 There has only been one tourist-related planning permission granted during the financial year within Hartlepool's key tourism locations within the urban limits; for hotels and restaurants at the Marina. All other tourist-related applications have been associated with the rural area in a bid to support farm diversification and the rural economy.
- 5.16 There have been a total of nine developments approved outside the limits to development, four of them relating to residential dwellings. Last year there was a total of twelve and even less in previous years. It seems there is an increase in approved residential developments in the countryside and this needs closer monitoring. This is expected to be achieved through the New Developments Outside of Development Limits SPD which is currently being drafted. Farm/agricultural diversification developments have reduced this year. It is therefore evident that policies that seek to protect and enhance



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diversification in the rural area are not performing as expected need closer monitoring to determine their success rate.

- 5.17 There have been no new rights of way created or extinguished this financial year. However, there has been improvement works on the condition and access of 2.69 km of existing public rights of way and 2.94 km has been diverted. The diverted paths were public footpath no.11 Seaton and Hartlepool 9. The improved paths in were public footpaths no.3, no. 8, no. 9 and Seaton 5. Permissive path Elwick 28 was created during the year.
- 5.18 A recent development to note this year is the addition of a coastal path as a local indicator. This is due to the enactment of the Marine and Coastal Access Path Act 2009; Part 9 of this Act has placed a duty for a coastal path to be created along the whole of the English coastline. The first section of the England Coastal Path is in place between the North Gare car park at Seaton Carew and Sunderland. The next section from the North Gare car park to Filey has been approved although the stretch from the North Gare car park to the River Tees has been put on hold due to problems with accessing some of the land. The Council will support initiatives to extend the England Coastal Path southwards from its current terminus at North Gare car park.
- 5.19 No new cycle routes were created, neither have any been linked to the Local Transport Plan or as part of a planning approval. Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. This policy may need reviewing since its implementation has stalled for the past five years
- 5.20 No Conservation Area Appraisals were completed this year but work is ongoing on reviewing the Seaton Carew conservation Area Appraisal. However, progress has been made in securing some buildings that are considered an eye sore and unsafe for the public. For instance, Morison Hall and Tunstall have both got planning permission for residential development.

**Appendix 1: Saved Policies from 13th April 2009****SCHEDULE****POLICIES CONTAINED IN HARTLEPOOL LOCAL PLAN (2006)**

GEP1	General Environmental Principles
GEP2	Access for all
GEP3	Prevention by Planning and Design
GEP7	Frontage of Main Approaches
GEP9	Developers' Contributions
GEP10	Provision of Public Art
GEP12	Trees, Hedgerows and Development
GEP16	Untidy Sites
GEP17	Derelict Land Reclamation
GEP18	Development on Contaminated Land
Ind1	Wynyard Business Park
Ind2	North Burn Electronics Components Park
Ind3	Queens Meadow Business Park
Ind4	Higher Quality Industrial Estates
Ind5	Industrial Areas
Ind6	Bad Neighbour Uses
Ind7	Port-Related Development
Ind8	Industrial Improvement Areas
Ind9	Potentially Polluting or Hazardous Developments
Ind10	Underground Storage
Ind11	Hazardous Substances
Com1	Development of the Town Centre
Com2	Primary Shopping Area
Com3	Primary Shopping Area – Opportunity site
Com4	Edge of Town Centre Areas
Com5	Local Centres
Com6	Commercial Improvement Areas
Com7	Tees Bay Mixed Use Site
Com8	Shopping Development
Com9	Main Town Centre Uses
Com10	Retailing in Industrial Areas
Com12	Food and Drink
Com13	Commercial Uses in Residential Areas
Com14	Business Uses in the Home
Com15	Victoria Harbour/North Docks Mixed Use Site
Com16	Headland – Mixed Use
To1	Tourism Development in the Marina
To2	Tourism at the Headland
To3	Core Area of Seaton Carew
To4	Commercial Development Sites at Seaton Carew
To6	Seaton Park
To8	Teesmouth National Nature Reserve
To9	Tourist Accommodation
To10	Touring Caravan Sites
To11	Business Tourism and Conferencing

Hsg1	Housing Improvements
Hsg2	Selective Housing Clearance
Hsg3	Housing Market Renewal
Hsg 4	Central Area Housing
Hsg5	Management of Housing Land Supply
Hsg6	Mixed Use Areas
Hsg7	Conversions for Residential Uses
Hsg9	New Residential Layout – Design and Other Requirements
Hsg10	Residential Extensions
Hsg11	Residential Annexes
Hsg12	Homes and Hostels
Hsg13	Residential Mobile Homes
Hsg14	Gypsy Site
Tra1	Bus Priority Routes
Tra2	Railway Line Extensions
Tra3	Rail Halts
Tra4	Public Transport Interchange
Tra5	Cycle Networks
Tra7	Pedestrian Linkages: Town Centre/Headland/Seaton Carew
Tra9	Traffic Management in the Town Centre
Tra10	Road Junction Improvements
Tra11	Strategic Road Schemes
Tra12	Road Scheme: North Graythorp
Tra13	Road Schemes: Development Sites
Tra14	Access to Development Sites
Tra15	Restriction on Access to Major Roads
Tra16	Car Parking Standards
Tra17	Railway Sidings
Tra18	Rail Freight Facilities
Tra20	Travel Plans
PU3	Sewage Treatment Works
PU6	Nuclear Power Station Site
PU7	Renewable Energy Developments
PU10	Primary School Location
PU11	Primary School Site
Dco1	Landfill Sites
Rec1	Coastal Recreation
Rec2	Provision for Play in New Housing Areas
Rec3	Neighbourhood Parks
Rec4	Protection of Outdoor Playing Space
Rec5	Development of Sports Pitches
Rec6	Dual Use of School Facilities
Rec7	Outdoor Recreational Sites
Rec8	Areas of Quiet Recreation
Rec9	Recreational Routes
Rec10	Summerhill
Rec12	Land West of Brenda Road

Rec13	Late Night Uses
Rec14	Major Leisure Developments
GN1	Enhancement of the Green Network
GN2	Protection of the Green Wedges
GN3	Protection of Key Green Space Areas
GN4	Landscaping of Main Approaches
GN5	Tree Planting
GN6	Protection of Incidental Open Space
WL2	Protection of Nationally Important Nature Conservation Sites
WL3	Enhancement of Sites of Special Scientific Interest
WL5	Protection of Local Nature Reserves
WL7	Protection of SNCIs, RIGSS and Ancient Semi-Natural Woodland
HE1	Protection and Enhancement of Conservation Areas
HE2	Environmental Improvements in Conservation Areas
HE3	Developments in the Vicinity of Conservation Areas
HE6	Protection and Enhancement of Registered Parks and Gardens
HE8	Works to Listed Buildings (Including Partial Demolition)
HE12	Protection of Locally Important Buildings
HE15	Areas of Historic Landscape
Rur1	Urban Fence
Rur2	Wynyard Limits to Development
Rur3	Village Envelopes
Rur4	Village Design Statements
Rur5	Development at Newton Bewley
Rur7	Development in the Countryside
Rur12	New Housing in the Countryside
Rur14	The Tees Forest
Rur15	Small Gateway Sites
Rur16	Recreation in the Countryside
Rur17	Strategic Recreational Routes
Rur18	Rights of Way
Rur19	Summerhill- Newton Bewley Greenway
Rur20	Special Landscape Areas
Min1	Safeguarding of Mineral Resources
Min2	Use of Secondary Aggregates
Min3	Mineral Extraction
Min4	Transport of Minerals
Min5	Restoration of Mineral Sites
Was1	Major Waste Producing Developments
Was2	Provision of 'Bring' Recycling Facilities
Was3	Composting
Was4	Landfill Developments
Was5	Landraising
Was6	Incineration

**APPENDIX 1****Appendix 2: Tees Valley Joint Minerals and Waste Policies (Policies and Sites DPD)**

<b>Policy</b>	<b>Indicators</b>	<b>Implementation / Delivery</b>	<b>Timescales</b>	<b>Responsibility</b>
MWP1: Waste Audits	Number of applications approved where a waste audit is required and included. Number of major applications refused due to lack of a waste audit, or due to the audit being of insufficient quality.	Pre-application discussions Determination of planning applications	Number of applications requiring waste audits, and the number including them, can be checked annually.	Minerals and Waste Planning Authorities Minerals and Waste Developers Other Developers
MWP2: Graythorp Industrial Estate, Hartlepool	Planning permission(s) and development of 65,000 tonnes per annum of commercial and industrial waste management capacity at Graythorp Industrial Estate.	Development/re-use of existing buildings Determination of planning applications	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021. Development at Graythorp is required from the beginning of the plan period.	Waste Planning Authority (Hartlepool Borough Council) Waste Operators / Developers
MWP3: Haverton Hill, Stockton-on-Tees	Planning permission(s) and development of waste management facilities to provide a total site capacity of 630,000 tonnes for the recovery of value of municipal solid waste and commercial and industrial waste and 75,000 tonnes of municipal green waste composting per annum.	Planning permission has been granted for the recovery of value of municipal solid waste and commercial and industrial waste to take the capacity up to 630,000 tonnes per annum. Determination of planning applications for extended composting facility.	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021.	Waste Planning Authority (Stockton Borough Council) Waste Operators
			16,000 tonnes of annual composting capacity is required from the beginning of the plan period, rising to 24,000 tonnes by 2016 and 31,000 tonnes by 2021 Development at Haverton Hill is anticipated to be provided by 2013.	

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Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
MWP4: New Road, Billingham, Stockton-on-Tees	Planning permission(s) and development of facilities for MSW and commercial and industrial waste with capacities of: Waste Transfer facilities for 25,000 tonnes per annum; Glass Recycling for 50,000 tonnes per annum; Other recovery facilities for 125,000 tonnes per annum.	Planning permission has been granted for the waste transfer station and glass recycling identified. Determination of planning applications for 125,000 tonnes per annum of recovery facilities.	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021. Development at New Road is anticipated between 2016 and 2021.	Waste Planning Authority (Stockton-on-Tees Borough Council) Waste Operators
MWP5: Port Clarence, Stockton-on-Tees	Planning permission(s) and development of hazardous waste management facilities with capacities of: Contaminated soil treatment of 250,000 tonnes per annum; Hazardous waste recovery of 175,000 tonnes per annum.	Planning permission has been granted for the contaminated soil treatment and hazardous waste recovery facilities identified.	Development of the soil treatment facility required by 2016. Hazardous waste recovery facilities will be developed between 2010 and 2021.	Waste Planning Authority (Stockton-on-Tees Borough Council) Waste Operators
MWP6: South Tees Eco-Park, Redcar and Cleveland	Planning permission(s) and development of 450,000 tonnes per annum of waste management capacity for municipal solid and commercial and industrial wastes, including a household waste recycling centre, on the South Tees Eco-Park site over the plan period.	Planning permission has been granted for a household waste recycling centre and an autoclave which would provide a combined capacity of 400,000 tonnes per annum. Determination of planning applications for around 50,000 tonnes per annum of recovery facilities.	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021. Development at South Tees Eco-Park is anticipated to be provided between 2016 and 2021.	Waste Planning Authorities Waste Operators
MWP7: Area of Search for Stockton South Household Waste Recycling Centre, Stockton-on-Tees	Planning permission(s) and development of a 25,000 tonnes per annum household waste recycling centre on land within the area of search identified.	Determination of Planning Applications	Development required by 2025.	Waste Planning Authority (Stockton-on-Tees Borough Council) Waste Operators

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Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
MWP8: Construction and Demolition Waste Recycling.	Planning permission(s) and/or development of construction and demolition waste management facilities at Hart Quarry, Stockton Quarry, South Tees Eco-Park, Haverton Hill, Port Clarence, New Road and those sites where construction and demolition waste is produced or is to be used, for the recycling of 700,000 tonnes per annum of construction and demolition waste by 2016, rising to 791,000 tonnes per year by 2021. The amount of recycled aggregates being produced (Survey of Arisings and Use of Alternative Primary Aggregates in England) (Core Output Indicator M2)	Determination of planning applications	Development required across the plan period.	Minerals and Waste Planning Authorities Minerals and Waste Operators Developers
MWP9: Small Scale Composting Facilities	Planning permission(s) and development of small scale composting schemes over the plan period.	Determination of planning applications.	Development required across the plan period.	Waste Planning Authorities Waste Operators
MWP10: Small Scale Waste Management Operations	Planning permission(s) and development of small, scale recycling operations at existing or allocated industrial land and public 'bring' sites in locations well used by the public.	Determination of planning applications	Development required across the plan period, including 15,000 tonnes of annual capacity from the beginning of the plan period to meet the requirement for 80,000 tonnes of annual municipal solid and commercial and industrial recovery facilities.	Waste Planning Authorities Waste Operators

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**Appendix 3: Tees Valley Joint Minerals and Waste Policies (Core Strategy DPD)**

<b>Policy</b>	<b>Indicators</b>	<b>Implementation / Delivery</b>	<b>Timescales</b>	<b>Responsibility</b>
MWC1: Minerals Strategy	<p>The proportion of alternative materials used for aggregate use (see MWC3);</p> <p>The proportion of construction and demolition waste recycled per year from 38% in 2005 to at least 80% from 2016 onwards (Survey of Arisings and Use of Alternative Primary Aggregates in England/Annual RAWP Reports);</p> <p>The continuation of use of the wharf and port facilities which land marine dredged sand and gravel;</p> <p>Planning permissions within safeguarding areas, and any associated minerals extraction, over the plan period.</p>	<p>Policies and Sites DPD Submission and determination of planning permissions Land allocations within Local Development Framework document</p> <p><b><i>Some of the baseline figures relate to joint figures between the Tees Valley and County Durham and therefore issues external to the Tees Valley could impact on delivery.</i></b></p>	<p>Construction and Demolition waste recycling to reach 80% by 2016. Other items to be reviewed annually.</p>	<p>Minerals and Waste Planning Authorities Local Planning Authorities Minerals Operators Developers</p>
MWC2: Provision of Primary Aggregate Minerals	<p>NE RAWP reports showing 0.25 million tonnes of sand and gravel and 3.45 million tonnes of crushed rock being produced between 2001 and 2025. (Core Output Indicator M1)</p>	<p>Policy MWC5: Protection of Minerals Extraction Sites Policies and Sites DPDs Submission and determination of planning applications</p>	<p>Provision to be met by 2025</p>	<p>Minerals Planning Authority Local Planning Authority Minerals Operators</p>
MWC3: Alternative Materials for Aggregates Use.	<p>Annual increases in secondary materials (from 410,000 tonnes in 2005) and construction and demolition waste (from 909,625 tonnes in 2006) which are used for aggregate purposes (Survey of Arisings and Use of Alternative Primary Aggregates in England/Annual RAWP Reports). (Core Output Indicator M2)</p>	<p>Policies and Sites DPD Submission and determination of planning applications</p>	<p>To be reviewed annually.</p>	<p>Minerals and Waste Planning Authority Minerals and Waste Operators NE RAWP</p>



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Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
MWC4: Safeguarding of Minerals Resources from Sterilisation	Planning permissions within safeguarding areas, and any associated minerals extraction, over the plan period.	Submission and determination of planning permissions Allocations in Local Development Framework documents	To be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Developers
MWC5: Protection of Minerals Extraction Sites	Continued extraction of minerals from the identified sites.	Submission and determination of Planning Applications Allocations in Local Development Framework documents	To be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Minerals Operators Developers
MWC6: Waste Strategy	<p>The provision of annual capacities in the Tees Valley to allow:</p> <ul style="list-style-type: none"> <li>40% of household waste to be recycled or composted from 2010, rising to 46% from 2016;</li> <li>to recover value from 53% of municipal solid waste from 2010, rising to 72% from 2016; and</li> <li>to increase the recovery of value from commercial and industrial waste to 73% from 2016;</li> </ul> <p>(Figures in 1&amp;2 monitored by Tees Valley JSU, 3 by Environment Agency)</p> <p>A reduction in the annual amounts of construction and demolition waste produced. (2,418,260 tonnes in Tees Valley and County Durham 2005, Survey of Arisings and Use of Alternative Primary Aggregates in England/Annual RAWP Reports), and</p> <p>The use of rail and port facilities for the transport of waste.</p> <p>(Core Output Indicators W1 and W2)</p>	<p>Policies and Sites DPD</p> <p>Submission and determination of planning permissions Land allocations within Local Development Framework documents</p> <p>Tees Valley Joint Municipal Waste management Strategy and each Local Authority's Action Plans</p>	<p>Recovery and recycling rates to meet the targets identified by 2016.</p> <p>C&amp;D waste produced and use of rail / port facilities to be reviewed annually.</p>	Minerals and Waste Planning Authorities Local Planning Authorities Waste Operators Developers

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<b>Policy</b>	<b>Indicators</b>	<b>Implementation / Delivery</b>	<b>Timescales</b>	<b>Responsibility</b>
MWC7: Waste Management Requirements	<p>Planning permission(s) and development of:</p> <p>Composting facilities to deal with at least 16,000 tonnes per year of municipal solid waste rising to at least 24,000 tonnes per year by 2016 and 31,000 tonnes per year by 2021,</p> <p>Facilities to recover value from at least 80,000 tonnes per year of commercial and industrial waste from 2010 rising to 83,000 tonnes of per year by 2021,</p> <p>Facilities to recycle at least 700,000 tonnes of construction and demolition waste per year rising to 791,000 tonnes per year by 2021,</p> <p>Facilities to provide additional hazardous waste treatment or management capacity, to reduce the amount of hazardous waste which is sent to landfill per year from the 2007 level of 130,000 tonnes,</p> <p>Two household waste recycling centres. One in the south of Stockton Borough and one in the South Tees area within the plan period,</p> <p>(Core Output Indicators W1 and W2)</p>	<p>Policies and Sites</p> <p>DPD</p> <p>Submission and determination of planning applications</p>	<p>Facilities for composting of MSW to provide 16,000 tonnes per year from the beginning of the plan period, rising to 24,000 tonnes per year by 2106 and 31,000 tonnes per year by 2021.</p> <p>Facilities to recover value from commercial and industrial wastes to provide 80,000 tonnes per year from 2010, rising to 83,000 tonnes per year by 2021.</p> <p>Facilities to recycle construction and demolition wastes to provide 700,000 tonnes per year by 2016 rising to 791,000 by 2021.</p> <p>Amount of hazardous waste sent to landfill to be reviewed annually.</p> <p>Household waste recycling centre provision to be made before 2025.</p>	Waste Planning Authorities Waste Operators

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<b>Policy</b>	<b>Indicators</b>	<b>Implementation / Delivery</b>	<b>Timescales</b>	<b>Responsibility</b>
MWC8: General Locations of Waste Management Sites	Planning permissions over the plan period for waste management facilities of: Large sites in the industrial lands in the core conurbation around the Tees Estuary, Landfill sites and sites under 1ha in area and 25,000 tonnes per annum capacity elsewhere in the Tees Valley.	Policies and Sites DPD Determination of planning applications	Location of waste related permission to be reviewed annually.	Waste Planning Authorities Waste Operators
MWC9: Sewage Treatment	Results of the ongoing Environment Agency monitoring of Northumbrian Water Ltd sites. Planning permissions for Northumbrian Water Ltd projects over the plan period.	Determination of planning applications	To be reviewed annually.	Waste Planning Authorities Northumbrian Water Ltd Environment Agency
MWC10: Sustainable Transport	The use of non-road based transport for the transportation of minerals and waste. The level of capacity used on the A1(M), A66(M), A66(T), A174(T) and A1053(T).	Determination of planning applications	To be reviewed annually.	Minerals and Waste Planning Authorities Developers
MWC11: Safeguarding of Port and Rail Facilities	The continued use of the facilities for the transport of minerals over the plan period.	Land allocations within Local Development Framework documents Determination of planning applications	To be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Developers

**Appendix 4: Neighbourhood Development Orders and Neighbourhood Development Plans****Hartlepool rural plan**

The Hartlepool Rural Plan Working Group is now a constituted group and has expanded their remit to take on other areas of work; for example campaigning and assisting with funding bid evidence for rural broadband in partnership with Tees Valley Rural Community Council (TVRCC).

During this year, the Hartlepool Rural Plan group was successful in securing direct support from Locality to assist the development of the plan and this has enabled significant progress over the year. The support package delivered by Planning Aid England has focused the group to develop theme areas for policy development based on the information gathered through consultation undertaken.

The outcome of the consultation has led the group to draft the Neighbourhood Plan, drawing up a vision for the future of the rural area under five key objectives:

1. Housing,
2. Rural Economy,
3. Transport,
4. Natural Environment and
5. Built Environment

A consultant has been commissioned by the group to assist them to develop their initial draft into a consultation draft. The priority for the group going forward in 2014-15 is to develop a consultation ready draft Neighbourhood Plan and undertake consultation on the draft issues, vision, objectives and policy options for housing sites.

**The Headland Neighbourhood Plan**

The Headland Neighbourhood Planning Group are currently focusing on developing policies around the following:

- Design and heritage of the public realm and are looking to possibly develop a specific design guide.
- Focus on the commercial area (specifically Northgate) – quality, use and parking related issues.
- Vacant buildings
- Heritage Assets

Whilst these are their priorities currently the detail of the specific policies will be developed once they have appointed a consultant.

**Wynyard Neighbourhood Plan**

The consultation on the boundary was completed during the year. The boundary for the Wynyard Neighbourhood Plan has now been designated by both Hartlepool Borough Council and Stockton Borough Council (as it is cross boundary Neighbourhood Plan).

The group secured support from Locality to assist them through the boundary designation process and have secured a further grant to assist with the costs of the

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development of the Neighbourhood Plan. The working group have undertaken a comprehensive consultation with residents to identify issues and opportunities in February / March 20 which achieved a response of 47%.

The priority for the group now is to analyse this data and use the information to focus the development of the Neighbourhood Plan.

### **Park Neighbourhood Plan**

The Park Neighbourhood Planning Forum submitted their designation for the proposed boundary and forum; the consultation on the boundary was conducted during the year. However, the application for the Park Neighbourhood Planning Forum was considered and refused by Hartlepool Borough Council as a Local Planning Authority on 19 February 2014 at a meeting of its Planning Committee because of the perceived lack of consultation amongst residents in the proposed Park Neighbourhood Plan Area in the process of defining the proposed boundary.

Following the decision, the group considered options for the future of a Neighbourhood Plan for the area; as a result of these considerations the development of a Neighbourhood Plan for the area is not being progressed.

**Appendix 5: Community Infrastructure Levy (CIL)**

The main reason for introducing a CIL is that it would provide a means of securing developer contributions from all qualifying developments to ensure funds are available to cover the cost of new infrastructure required to enable development and to help give clarity to developers on what they will be required to contribute as part of a development. If the levy is introduced developers will be liable to pay a compulsory levy which is charged on a scale of rates based on viability testing.

The aim is to raise funds to pay for infrastructure but to also ensure development viability is not compromised. Unlike section 106 CIL is non-negotiable so applying and collecting it is purely an administrative process.

The levy takes effect through a Charging Schedule which sets out the rate (or rates) of the charge. The Charging Schedule itself is a simple document, but it relies on two important pieces of evidence i.e. Infrastructure planning and a viability assessment of the impact of the proposed rate of CIL on development in the Local Authority's area.

An initial assessment of viability for all types of development (residential, industrial, retail etc) in the different geographical areas of the borough will be undertaken. The viability testing will illustrate which types of new development would be able to sustain a levy and which would not.

Work has been ongoing looking at deliverability of local plan sites and associated costs of infrastructure to take them forward. This work will help to assess the viability of implementing CIL

If, following this viability testing, it is shown that there is scope to charge CIL on particular types of development Cabinet approval will be sought to proceed with the development of a CIL Charging Schedule. The development of the charging schedule would enable the council to illustrate the likely levels of CIL contributions which would be raised through the developments within the Local Plan period which could be used to fund the infrastructure needs of the borough.

Further work will also be needed on the Local Infrastructure Plan (LIP) in terms of indicative costs of infrastructure and to help prioritise strategic infrastructure. It is likely that it will take approximately one year from the time the viability work is completed to implement CIL.

**Appendix 6: Duty to Cooperate**

This section reflects the requirements of section 33A of the Planning and Compulsory Purchase Act 2004<sup>15</sup> (Duty to co-operate in relation to planning of sustainable development) in relation to the time period covered by this report.

The Duty to co-operate requires:

- councils and public bodies to 'engage constructively, actively and on an ongoing basis' to develop strategic policy;
- councils to have regard to the activities of the other bodies; and
- councils to consider joint approaches to plan making.

The bodies that the council must cooperate with are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, part 2, duty to cooperate, (4) (1).

**Co-operation with Strategic Partners in Hartlepool**

The council through the Hartlepool Local Strategic Partnership has been heavily involved in the production of the Hartlepool Sustainable Community Strategy. This is overarching policy document for the Borough which provides the basis for the strategic work of the local development framework.

The Strategic Partnership will be involved with each stage of the production of the emerging Local Plan and have opportunities to debate, advise and endorse the document before consultation with the wider local community and other stakeholders.

The Strategic Partnership is made up of local organisations such as Cleveland Police Authority, Cleveland Fire Authority, Hartlepool PCT/NHS Hartlepool, North Tees and Hartlepool NHS Trust and the Skills Funding Agency.

**Other Local Authorities and Sub Regional Organisations**

Hartlepool has many established avenues for co-operation on cross border and strategic planning issues. There are long established forums that meet regularly at Tees Valley level. Hartlepool will engage at all stages of the emerging plan production with these local authorities and particularly with Stockton-on-Tees Borough Council and Durham County Council with whom the borough shares administrative boundaries.

Hartlepool participates in the Tees Valley Development Plan Officers (DPOs) Group meetings. These meetings involve planning policy lead officers from all five Tees Valley Authorities are held every six weeks and discuss strategic planning issues such as housing, transport, waste, biodiversity, and the natural and historic environment.

Development Plan Documents that have been completed at a joint Tees Valley level include The Tees Valley Joint Minerals and Waste Development Plan Documents and the Tees Valley Green Infrastructure SPD. Joint evidence base documents have been produced at this level including the Strategic Housing Market Assessment and the Gypsy and Travellers Accommodation Needs Assessment.

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<sup>15</sup> PACA as updated by section 110 of the 2011 Localism Act

At every third DPO meeting planning officers from authorities that have borders with the Tees Valley are invited to discuss cross border issues. These are:

- Richmondshire District Council
- Durham County Council
- North Yorkshire County Council
- Scarborough Borough Council
- North York Moors National Park Authority

At a more senior level cross border and strategic planning issues are considered at Tees Valley Planning Managers meeting that take place every six weeks and Tees Valley Directors of Place meetings that take place monthly.

As well as the issues covered by the regular Tees Valley meetings there will be more detailed cross boundary meetings between Hartlepool Borough Council and Stockton-on-Tees Borough Council during the plan preparation to discuss key issues such as development, housing and employment sites at Wynyard and transport issues relating to the A689 trunk road and the A689/A19 junctions.

Hartlepool Borough Council is fully committed to other organisations such as Tees Valley Unlimited and the Tees Valley Local Enterprise Partnership (LEP). TVU is responsible for delivering growth and economic equity across the Tees Valley in support of the LEP. Hartlepool Borough Council is represented on the board of the LEP.

A major recent example of co-operation and collaboration was the establishment of the Tees Valley Enterprise Zones, three sites of which are within Hartlepool. The Enterprise Zones were supported by simplified planning process through Local Development Orders that were adopted in April 2012.

### Parish Councils

At each stage of the Local Plan consultation process, Parish Councils within and adjacent to the plan area will be invited by e-mail or letter to comment on the proposals within the Local Plan. Officers will attend Parish Council meetings to address queries regarding the proposals.

### Preparation of the Local Plan

Hartlepool will begin preparation of its new Local Plan by publishing an Issues and Options Paper next year. This first stage of plan preparation will be subject to full consultation of all statutory consultees, other local Council's and Parish Councils, landowners, utility and sub-regional and regional bodies and organisations and all existing consultees on a database that is constantly refreshed.

Prior to going to consultation upon the preferred options, a cross border meeting will be held with Stockton Borough Council to discuss key issues regarding housing, employment and transport at Wynyard. Officers will hold meetings and targeted sessions with many stakeholders of a strategic nature.



Co-operation Relating to the Evidence Base

Hartlepool Borough Council will commission various reports from consultants as well as producing its own work which feed into the evidence base for the new Local Plan. A number of these evidence studies will be carried out jointly or in liaison with the other Tees Valley Local Authorities where the issue was strategic and crossed the administrative boundary.

The Strategic Housing Market Assessment (2012) will be refreshed by end of next year to reflect the changing economy and housing needs. This will be built on the longstanding and continuous engagement and co-operation of the five Tees Valley local authorities.

In 2009 the North and South Tees Industrial Development Framework was produced. This strategic document related to the employment areas of the Tees Valley sub-region and specifically the unique and specialist industries of the Tees Valley.

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# REGENERATION SERVICES COMMITTEE

11<sup>th</sup> June 2015



**Report of:** Assistant Director (Regeneration)

**Subject:** TOURIST BUSES SUMMER 2015

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

Non key decision.

## 2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to provide Members with feedback in respect of the pilot of the tourist bus programme that operated over the Easter period and request permission to extend this pilot for a further period from 21<sup>st</sup> July – 30<sup>th</sup> August 2015 to coincide with School summer holidays.

## 3. BACKGROUND

- 3.1 As part of the Visioning process for Hartlepool GVA are investigating the connectivity of the town in general and the tourist areas and attractions in particular.
- 3.2 The town has certain areas that attract tourists – Seaton Carew for the beach and attractions; Hartlepool Maritime Experience and the Museum of Hartlepool (and Hartlepool Art Gallery a short walk away); and the Historic Headland which features the St Hilda's Visitor Centre and the Heugh Gun Battery.

## 4. PILOT SCHEME 30<sup>th</sup> March – 10<sup>th</sup> April

- 4.1 202 passengers used the service over the 12 days.
- 4.2 75 in the first 7 days and 127 in the final 5 days.
- 4.3 30% of buses users classed themselves as 'visitors'.

- 4.4 The usage of the service grew over the 12 days of operation.
- 4.5 Qualitative feedback revealed a high level of satisfaction with route, bus and driver.
- 4.6 It is difficult to compare the data from the tourist bus with existing commercial routes or the Council's free services such as the free swims buses. The reason for this is that the commercial data is not publically available and the free swims buses are a captive audience who board the bus for a specific purpose.
- 4.7 The service had much better patronage in the second week when the word spread about it. It also linked up with a coach tour that was visiting the town thus taking these visitors to a number of tourist attractions in the town.

## **5. PROPOSED CHANGES**

- 5.1 Tweak the driving route to travel up Harbour Walk then down Middleton Road.
- 5.2 Leaflet all Schools and students before Summer holiday break.
- 5.3 Promote the service in all School buses.
- 5.4 Promote service in HartBeat magazine.
- 5.5 Ensure all accommodation providers are fully aware of the service.
- 5.6 Public Relation article stories highlighting the service and about the things to see in Hartlepool will increase.
- 5.7 Increase Social Media activity promoting the service.

## **6. FINANCIAL CONSIDERATIONS**

- 6.1 The cost of the Pilot is expected to be a maximum of £9,000, consisting of £2,000 for the Easter period and £6,000 for the Summer holidays. An amount was set aside from the Regeneration and Neighbourhoods Department 2014/15 outturn to fund the pilot.

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

- 7.1 There are no implications under Section 17.

**8. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 8.1 There are no equality and diversity issues in this report.

**9. RECOMMENDATIONS**

- 9.1 It is recommended the Members approve the extension of the current pilot scheme to cover the period 21<sup>st</sup> July – 30<sup>th</sup> August 2015.

**10. REASONS FOR RECOMMENDATIONS**

- 10.1 The reason for this recommendation is that the intervention by Hartlepool Borough Council will support visitor attractions in the town and local businesses. It will also provide useful data for the connectivity element of the Hartlepool Vision. The two week pilot is not sufficient time to ascertain the long-term viability of such a venture, the fact that the second week was far better in terms of users than the first one and the opportunity to undertake extra PR and marketing are compelling reasons to request an extension to the pilot period. A further report will be brought before Members in November to request a decision on whether the service should be continued in 2016 and beyond.

**11. BACKGROUND PAPERS**

- 11.1 There are no background papers.

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# REGENERATION SERVICES COMMITTEE

11<sup>th</sup> June 2015



**Report of:** Assistant Director (Regeneration)

**Subject:** CONSERVATION GRANTS

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non Key Decision.

## 2. PURPOSE OF REPORT

2.1 The purpose of this report is to update the Regeneration Committee on the Conservation Grant Scheme including the allocation of grants in the last financial year and the proposed budget for the financial year 2015 - 16.

## 3. BACKGROUND

3.1 Through the planning process property owners have continued to highlight the need for assistance in the restoration of tradition details on dwellings. It is these fine details that contribute to the character of Conservation Areas and listed buildings. A scheme to support individual properties in the restoration of such details therefore enhances the overall character of a Conservation Area and often ensures the long term viability of a listed building.

3.2 The Conservation Grant Scheme was launched in 2006 and successive years has seen a budget allocated to provide grant assistance to residential properties that are listed or located within conservation areas and built prior to 1919.

3.3 Funding was not available for a scheme in 2013 however a small amount was set aside to allow the scheme to restart in 2014.

3.4 In the lifetime of the scheme 142 grants have been distributed totalling £515,905. The average grant offered is approximately £3,500, equalling 50% of the total cost of the eligible works.

3.5 The work carried out under the Conservation Grant Scheme has, in the majority of cases, been completed by contractors from Hartlepool. The total

contribution offered in grants has been matched by householders pound for pound providing investment of some £1million in the local economy. 47 firms have worked on the schemes which have been completed. The scheme has supported the development of businesses based in Hartlepool with only 9 of the 47 firms who carried out grant work located outside of Hartlepool. In those instances where firms from outside of the town have been brought in it is usually for particularly specialist works, such as cleaning paint from the brick façade of a building or installing panels of stained glass after joiners from Hartlepool carried out window repairs.

- 3.6 By way of example details of the grants completed in the financial year 2014-15 can be found in **Appendix 1**.

#### **4. 2015 CONSERVATION GRANT SCHEME**

- 4.1 A budget of £20,000 has been provided for Conservation Grants. The terms of the grant will be the same as that used in previous years with grant offered at 50% of the total cost of the works to a maximum of £5,000.
- 4.2 The criteria for eligible works will be the same as that used in previous years. Grant would be offered to undertake repairs to the structure and external fabric of the buildings to make it sound and watertight, together with the reinstatement and restoration of traditional architectural features.

#### **5. RISK IMPLICATIONS**

- 5.1 There is a risk that the scheme will be oversubscribed given the small budget in comparison to previous years. Grant is offered on a first come first served basis. Should it not be possible to rank the applications on the day they are received consideration will be given to prioritising those applications where no grant has been provided to the property in previous years of the scheme and, or, there is a need to stabilise a structure or make a building watertight.

#### **6. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 6.1 There are no equality or diversity implications.

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

- 7.1 There are no Section 17 Implications.

#### **8. RECOMMENDATIONS**

- 8.1 Committee is requested to note the continuation of the Conservation Grant Scheme for the financial year 2015 - 16.

## **9. REASONS FOR RECOMMENDATIONS**

- 9.1 The benefits that result from the Conservation Grant Scheme are high, not only through enhancements to individual properties but also to the wider economy in providing employment for local firms who specialise in conservation work.

## **10. BACKGROUND PAPERS**

- 10.1 There are no background papers.

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**APPENDIX 1****CONSERVATION GRANTS PROVIDED IN 2014-15**

<b>Location of property</b>	<b>Description of works</b>	<b>Grant</b>
House in Stranton Conservation Area	Two replacement bay windows.	4,500
Listed house in Park Conservation Area	Cast iron gutters and downpipes.	5,000
Listed house in Headland Conservation Area	Guttering, rendering, window repairs and replacement window.	5,000
Locally listed house in Park Conservation Area	Window and door repairs, repairs to lead roof and rendering.	4336
Locally listed house in Park Conservation Area	Repairs to the fascia boards, guttering and bay window	2295
Locally listed house in Grange Conservation Area	Re-roofing	5000
Locally listed house in Greatham Conservation Area	Re-roofing	4627
House in Headland Conservation Area	Render to rear elevation	4,100
Listed house in Greatham Conservation Area	Window repairs	225
House in Headland Conservation Area	Re-roofing	2714
		<b>37,797</b>