

PLANNING COMMITTEE AGENDA



Wednesday 20 April 2016

at 10.00 am

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

MEMBERS OF PLANNING COMMITTEE:

Councillors Ainslie, S Akers-Belcher, Barclay, Belcher, Cook, James, Loynes, Martin-Wells, Morris, Richardson and Springer.

1. **APOLOGIES FOR ABSENCE**

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

3. **MINUTES**

3.1 To confirm the minutes of the meeting held on 16 March 2016.

4. **ITEMS REQUIRING DECISION**

4.1 Planning Applications – *Assistant Director (Regeneration)*

- | | |
|----------------|--|
| 1. H/2016/0044 | 81 Catcote Road, Hartlepool (<i>page 1</i>) |
| 2. H/2016/0064 | 11 St Paul's Road, Hartlepool (<i>page 11</i>) |

5. **ITEMS FOR INFORMATION**

5.1 Update on current complaints – *Director of Regeneration and Neighbourhoods*

FOR INFORMATION

Date of next meeting – Wednesday 11th May 2015 at 10am in the Council Chamber



<p style="text-align: center;">PLANNING COMMITTEE</p> <p style="text-align: center;">MINUTES AND DECISION RECORD</p> <p style="text-align: center;">16th March 2016</p>

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

Present:

Councillor: Rob Cook (In the Chair)

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

In accordance with Council Procedure Rule 4.2 Councillor Alan Clark was in attendance as substitute for Councillor Carl Richardson

Officers: Andrew Carter, Planning Services Manager
Alyson Carman, Legal Services Manager
Sarah Scarr, Heritage and Countryside Manager
Jim Ferguson, Planning Team Leader (DC)
Peter Frost, Highways, Traffic and Transport Team Leader
Adrian Hurst, Principal Environmental Health Officer
Fiona McCall, Planning Officer
Jane Tindall, Planning Officer
Jo Stubbs, Democratic Services Officer

109. Apologies for Absence

Apologies were submitted by Councillor Carl Richardson

110. Declarations of interest by members

None

111. Confirmation of the minutes of the meeting held on 17th February 2016

Confirmed

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

Number:	H/2015/0525
Applicant:	Mr Lloyd Nichols Rubicon Pastimes Ltd The Front Seaton Carew HARTLEPOOL
Agent:	Niven Architects Mr Christian Cooling 41 Coniscliffe Road DARLINGTON
Date received:	22/12/2015
Development:	Change of use from amusement arcade (sui generis) to bowling alley (D2) including two single storey extensions and external alterations including a remodelled entrance and alterations to the roof
Location:	12 - 25 The Front HARTLEPOOL

A member referred to the objection made by the Council's Heritage and Countryside Manager regarding the rear courtyard space. The Planning Team Leader acknowledged that this was not visible from the outside but it was relevant in that it was part of the original character of the site. Appeals had previously been won in similar situations where features were not readily visible. He also confirmed that the ward members had made no objection to the application.

Christian Cooling from Niven Architects spoke in favour of the application. He advised that the applicant had run arcades in Seaton Carew for 50 years and had a similar bowling alley in Scarborough which was very successful. They were keen to help attract tourism to the area and provide employment for local people. In terms of the objections from the nearby retirement home there were looking at the provision of sound attenuation, would work to direct odours away from the vicinity and hoped to find an alternative escape route to that proposed. They felt that the public and economic benefits of the application outweighed any objections and asked the committee to approve the application

Members were supportive of the application. They acknowledged the concerns around noise but noted that the building currently housed an arcade. In response to queries from members the Highways, Traffic and Transport Team Leader confirmed that the current parking provision should be adequate for the additional footfall. A member referred to the grant funding which had been given to the property. They asked whether this money could be clawed back. The Heritage and Countryside Manager indicated she would contact the legal department for advice on the possibility of recouping the money and bring a report back to committee.

Members approved the application by a majority.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Drawing No. 2002 Proposed First Floor Plan Revision C, Drawing No. 2701 Proposed Roof Plan Revision C) and details which had been received by the Local Planning Authority at the time the application was made valid on 22/12/2015 and the amended plan (Drawing No. 2010 Proposed Elevations Revision F) received on 09/02/2016 and the amended plans received on 23/02/2016 (Drawing No.001 Site Location Plan Revision B), 25/02/2016 (Drawing No. 002 Block Plan Revision A) and 03/03/2016 (Drawing No 2001 Proposed Ground Floor Plan Revision F).
For the avoidance of doubt.
3. The external materials used for this development shall match those of the existing building(s) unless otherwise agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
4. The premises shall only be open to the public between the hours of 10:00 - 00:00 on any day.
In the interests of the amenities of the occupants of neighbouring properties.
5. The premises shall be used as a bowling alley (Class D2 use) and for no other purpose, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.
In the interests of the amenities of the occupants of neighbouring properties.
6. Prior to the commencement of the development, sound insulation details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented at the time of development and thereafter retained during the lifetime of the development.
In the interests of the amenities of the occupants of neighbouring properties.
7. The use hereby approved shall not commence until ventilation details of the proposed toilets have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented at the time of development and thereafter retained and used in accordance with the manufacturers instructions for the lifetime of the development.

- In the interests of the amenities of the occupants of neighbouring properties.
8. The exit proposed on the rear extension shall be used in emergencies only and be kept closed at all other times.
In the interest of the amenities of the occupants of neighbouring properties.
 9. Prior to the commencement of the development, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include, construction hours, details regarding the storage of materials and means of access. The approved scheme shall be adhered to at all times during the construction of the development.
In the interest of the amenity of neighbouring residents.

Number: H/2015/0517

Applicant: Mr Lee Rutherford 182 Stockton Road Hartlepool

Agent: SJR Architectural & Interior Designers Mr David Johnson SUITE 109 THE INNOVATION CENTRE VENTURE COURT QUEENS MEADOW BUSINESS PARK HARTLEPOOL

Date received: 05/02/2016

Development: Variation of condition on H/2014/0094 to allow alteration to the siting of the dwelling within the plot (retrospective application)

Location: 182 STOCKTON ROAD HARTLEPOOL

Members were informed that following a previous planning approval the property had not been built in accordance with the approved plans. Another condition relating to glazing of windows also appeared to not have been strictly adhered to. Members queried how the foundations had been laid incorrectly and what impact this had on the neighbour's boundaries. The Planning Team Leader advised that site boundaries for the previous building appeared to have been incorrect but if encroachment had taken place this was a private matter for the 2 householders. In terms of the original laying of the foundations the planning department would check broad accordance with the planning conditions at the time a building regulations application was made but would not routinely visit the site and only investigate specific complaints on the siting of development if they were lodged. There were not sufficient staff to check every development on every site. In terms of the glazing an officer who had now left the authority had authorised the applicant to apply a stick-on translucent film to the glass rather than insist on obscure glazing. The condition called for obscured glass but did not specify what form it needed to take.

Dave Johnson, the Agent, addressed the committee advising that the discrepancy between the original approval and subsequent building was based on an error in the boundary lines on the ordinance survey map. The building had to be moved slightly to accord with the requirements of the building regulations. Members queried why if they had been aware that the boundary lines differed from those approved by the committee they had not highlighted this with the planning department. Mr Johnson indicated that they had contacted the planning department seeking approval for the resiting. The Planning Services Manager advised that this contact was with Building Control. Planning would only get involved if there was a complaint and could not in any case approve an on-site ad-hoc amendment to the siting an application would be required. Members asked what options there were short of knocking the building down. Mr Johnson confirmed there were no easy solutions. It was possible to remove the garage but this would also necessitate the removal of the staircase and works would be considerable. If there was an easy fix it would have been done a year ago. He clarified that this action had not been taken out of arrogance and was regrettable.

Mr Pearson, the neighbour, spoke against the application. He felt that no consideration had been given to himself and his wife in this situation. They had objected to the original application which had differed considerably from what the neighbour had originally told them would be there. Planning had previously told them the building complied with the original application however the current Planning Services Manager had since confirmed that this was not the case. In an ideal world the building would be knocked down as it should never have been built in this form. In terms of the windows the original approval stated that the windows must be glazed with obscured glass. Sticky film was only a temporary solution and was already starting to come away. They had not been happy with the original application and were even less happy now that it had not been adhered to. The applicant had been aware of the issues but had gone ahead and done as they wanted regardless.

Members expressed sympathy with Mr Pearson. They queried whether the removal of the garage would have a positive impact but Mr Pearson was unable to confirm this. They had originally been told that their light and sunlight would not be affected but it had been. The Chair suggested that a condition be applied requiring that all the affected windows be altered to obscured glass. The agent agreed to this condition which was then approved by members with a requirement that it be completed within 3 months. They felt that the complete removal of the garage would be excessive. A member referred to this situation as a 'complete mess' and formally moved that an investigation take place into how this had been allowed to happen. He asked that a full meaningful apology be given to Mr and Mrs Pearson commenting that somebody needed to take responsibility for what had happened. The Chair confirmed that there would be a thorough investigation the results of which would be reported back to committee. Another member queried why checks had not been carried out to ensure the original planning conditions were being adhered to and questioned the Council's processes in this matter. The Chair noted that Building Control were not present but they would be apprised of all the comments made by members

Members approved the application by a majority.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. The development hereby approved shall be carried out in accordance with the amended plan(s) no(s) SJR12:25 Dwg No: 201 (Approved and as Built Footprint), Dwg No: TD02 Rev D (Proposed Ground and First Floor Plans) and TD03 Rev E (Proposed Elevations) received 5 February 2016 and Dwg No: 200 (Site Plan as Approved and as Built) and site location plan received 1 December 2015.
For the avoidance of doubt.
2. Notwithstanding the submitted details within 3 months of the date of this permission the glass within the rooflights serving a bedroom, and the rooflights serving the landing/stairs, all facing onto 180 Stockton Road, shall be replaced with obscured glass to a minimum of level 4 of the 'Pilkington' scale of obscuration or equivalent, in accordance with details first submitted to and agreed in writing with the Local Planning Authority The glazing in the windows shall be retained as obscured glass, in accordance with the details agreed with the Local Planning Authority, at all times whilst the rooflights exist. The application of translucent film to clear glazed windows would not satisfy the requirements of this condition.
In the interests of the amenities of the occupants of neighbouring properties and to prevent overlooking.
3. The obscured glass of the dormer window serving the bathroom facing onto 180 Stockton Road shall be retained as obscured glass to a minimum level 4 of the 'Pilkington' scale of obscuration or equivalent, at all times whilst the window exist. The application of translucent film to clear glazed windows would not satisfy the requirement of this condition.
In the interests of the amenities of the occupants of neighbouring properties and to prevent overlooking.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting the Order with or without modification), no additional windows(s) shall be inserted in the elevations of the dwelling facing 180 or 184 Stockton Road without the prior written consent of the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties and to prevent overlooking.
5. The flat roof section of the single storey rear extension shall not be used as a balcony, sitting out area or any similar external amenity area without the granting of further specific permission from the Local Planning Authority.
To enable the Local Authority to exercise control in the interests of the amenity and privacy of neighbouring properties.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
7. The balcony screen detail as approved under discharge of condition application D/2014/0033 shall be retained as approved for the life time of the development, unless some variation is otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.

Number: H/2012/0551

Applicant: Mr A Stokle Oxford Street HARTLEPOOL

Agent: Mr A Stokle 14 Oxford Street HARTLEPOOL

Date received: 17/10/2012

Development: Change of use from agriculture to the keeping of horses, creation of a menage, erection of fencing, siting of cabin and creation of vehicular access (retrospective)

Location: Land adjoining Marite House Brierton Lane
HARTLEPOOL

A member queried whether permission had been given for the developer to remove parts of the hedgerow. The Planning Team Leader advised not, and that these works were included in the application before members. He offered that that the Council ecologist had not raised this as an issue.

Members refused the application by a majority.

Decision: **Planning Permission Refused**

REASONS FOR REFUSAL

1. In the opinion of the Local Planning Authority by virtue of its prominent location and inappropriate materials it is considered that the cabin, within the south west corner of the site, is out of keeping with the rural character of the surrounding area. Therefore the cabin is not suitable for permanent retention on the site and as such it is contrary to paragraphs 17 and 56 of the NPPF and policies Gep1 and Rur7 of the Hartlepool Local Plan (2006).

2. The applicant has failed to demonstrate that adequate visibility splays at the access onto Brierton Lane can be provided and maintained for the life of the development. Therefore it is the opinion of the Local Planning Authority that the development is detrimental to highway safety contrary to paragraph 32 of the NPPF and policy Gep1 of the Hartlepool Local Plan (2006).

113. Vice-Chair

The Chair noted the return of the Vice-Chair, Councillor George Morris, following a long illness. The Vice-Chair thanked the Chair for his comments.

114. Appeal at Glebe Farm, Worset Lane, Hartlepool (Assistant Director (Regeneration))

Members were advised that an appeal against the decision to refuse to allow the conversion of a barn into a dwelling house by the local authority had been allowed. Costs had also been awarded against the Council. The decision notices were attached.

The Planning Services Manager made reference to a comment in the inspector's report that the current SPD was not consistent with the NPPF. He proposed that an amended SPD be brought back to Regeneration Services Committee as part of the Local Plan proposals. Members were happy with this course of action.

Decision

That the report be noted.

115. Update on current complaints (Assistant Director (Regeneration))

20 ongoing issues currently under investigation were brought to members' attention.

Decision

That the report be noted.

Councillor Ray Martin-Wells left the meeting

116. Housing and Planning Bill and New Homes Bonus Government Consultations *(Assistant Director (Regeneration))*

The Planning Services Manager updated members on the proposed Housing and Planning Bill and proposed changes to the awarding of New Homes Bonus (NHB) and the implications both would have on the Council's approach to planning. Members queried whether this information could be disseminated as part of a members seminar or training session but the Planning Services Manager explained that this would not be possible due to the consultation deadline Housing and Planning Bill

The closing date for consultation on this was 15th April. Members were informed of the proposals contained within it and the potential impact this could have on planning. Members' comments were as follows

Changes to planning application fees

Proposal to increase standard national planning fees in line with inflation. Underperforming Local Authorities to receive no increase. Flexibility to charge a higher fee through a 'fast track' service. Members queried whether the existing 'one stop shop' could be classed as a 'fast track' service thereby incurring higher charges

Permission in principle

Designed to separate decision making on matters such as land use, location and amount of development from more technical detail. Full planning permission would only be granted when 'technical details consent' had been secured

Brownfield and small sites register

A requirement for all local authorities to prepare a register of all Brownfield sites within their borough assessing their suitability for housing. A similar register giving details of smaller sites suitable for developments of no greater than 4 houses was also proposed. This would be a significant piece of work involving officer time, public consultation and the potential overnight granting of planning permission 'in principle' on numerous sites. There could also be major implications on councillors as ward members. A member queried what was being done by the Government to force builders to proceed with developments which had been given planning permission. The Planning Services Manager would include this comment as part of the consultation response.

Neighbourhood Planning

Remove the Council's power to amend a proposed Neighbourhood Plan boundary. Reduction in the time allowed for the designation on a Neighbourhood Plan to 13 weeks with a referendum required within 10 weeks. Members were concerned that technically the whole of Hartlepool

could be the boundary for a neighbourhood plan however it was highlighted that neighbourhood plans could only be set up through a constituted body such as a Parish Council or with the agreement of 18 different organisations. Examiners would examine any proposal closely before agreeing it could move on to the next stage. Members also questioned where the funding for a referendum would come from.

Councillors Stephen Akers-Belcher, Sandra Belcher and Allan Barclay left the meeting

Local Plan Preparation

League table of local plan preparation to be prepared for all local authorities. If no Local Plan is produced by March 2017 Council at risk of being ‘designated’ and placed in special measures. This would result in a Local Plan being prepared by a planning inspector with the Council involved as a consultee only. Hartlepool was currently on track to meet this March 2017 deadline.

Planning Performance

Performance targets to be amended as follows – any local authority not meeting these targets at risk of designation :

- Major applications – over a 2 year period 50% to be considered within an agreed period of time with less than 10% overturned on appeal
- Non-major applications - over a 2 year period 60-70% to be considered within an agreed period of time with less than 10-20% overturned on appeal

Testing competition in the processing of planning applications

Planning applicants could apply to the local authority or another approved provider to determine their application. Members would still make the final decision. The Planning Services Manager felt this was undemocratic and could result in biased recommendations based on financial gain.

Financial benefits

Information on financial benefits of applications such as S106 planning obligations, new homes bonus and council tax revenue estimates to be included as material considerations on planning applications. Potentially community fund benefits could also be included. Members felt this would lead to accusations of corruption.

New Homes Bonus Changes

The Planning Services Manager informed members that the deadline for consultation had already passed and officers had submitted a response.

Changing the number of years for which payments are made

To be reduced from 6 years of payments to 4 with a potential further reduction to 3 or 2 years. Officers had referred to the usage of these funds to offset any unforeseen issues as part of their submission.

Withhold new allocations in areas with no local plan

Local authorities would either receive no NHB allocations without submission of a local plan or a set percentage of allocations where their Local Plan had been published but not submitted to the Secretary of State. This could be seen as a double punishment as the lack of a Local Plan could result in a lot of planning applications, none of which would be eligible for NHB.

Reduce payments for homes built on appeal

NHB payments for homes built on appeal could be reduced to between 50 and 100%. This adjustment would be applied to the total years of payment. This would leave local authorities at financial risk should members go against officer recommendations and strip them of the power to refuse.

Only making payments for delivery above a baseline

This assumed that a certain number of units would be built each year regardless of any incentive and therefore no NHB payments should be made on those developments. 25% had been suggested as a possible starting figure.

The Planning Services Manager thanked members for their comments which would be fed into the ongoing consultation. A report on the Housing and Planning Bill and proposed changes to NHB would be brought back to the committee.

Decision

1. That the consultation on the Housing and Planning Bill and changes to the awarding of New Homes Bonus and the potential implications of the changes to the way the Council approaches Planning be noted
2. That representations on the Housing and Planning Bill be made to the Government by individual members or as a Council response collated by Officers by 15th April 2016. Representations on changes to the awarding of New Homes Bonus had previously been submitted by Officers in advance of the 10th March 2016 deadline

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

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

Minute 118 – (Confirmation of the exempt minutes of the meeting held on 17 February 2016) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 3) information relating to the financial or business affairs of any particular person (including the authority holding that information) and (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Minute 119 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes (a) to give under any enactment a notice under of by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 120 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes (a) to give under any enactment a notice under of by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

118. Confirmation of the exempt minutes of the meeting held on 17th February 2016

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

Confirmed with one addition – details given in the exempt minutes

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

Authorisation was sought to issue an enforcement notice. Details in the exempt minutes

Decision

Details in the exempt minutes

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

Authorisation was sought to issue a Breach of Condition Notice. Details in the exempt minutes

Decision

Details in the exempt minutes

The meeting concluded at 12:30pm

CHAIR

No: 1
Number: H/2016/0044
Applicant: Mrs Andrea Hornsey 81 Catcote Road HARTLEPOOL
TS25 4HQ
Agent: Mrs Andrea Hornsey 81 Catcote Road HARTLEPOOL
TS25 4HQ
Date valid: 17/02/2016
Development: Erection of a two storey extension at the side and rear,
and a single storey extension at the rear and front.
Location: 81 CATCOTE ROAD HARTLEPOOL

PURPOSE OF REPORT

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

PROPOSAL

1.2 Planning permission is sought for the erection of a two storey extension at the side and rear, and a single storey extension to the rear and front. The two storey side and rear extension will project approximately 2.5m from the original side elevation of the main dwelling and will project approximately 3.9m from the original rear elevation. The roof proposed is hipped with an eaves height which will match the main dwelling. The maximum height of the roof does not exceed that of the main house.

1.3 The single storey extension to the rear will project approximately 3.9m from the original rear elevation of the dwelling. The roof proposed is mono pitched with an eaves height of 2.7m (approx) and a maximum height of 3.55m (approx). The single storey extension to the front will project approximately 1.575m from the original front elevation of the property. The roof proposed is mono pitched with an eaves height of 2.6m (approx) and a maximum height of 3.3m (approx).

1.4 The application has been referred to Planning Committee due to the number of objections received.

SITE CONTEXT

1.5 The application site constitutes a west facing, semi detached dwelling house at Catcote Road, Hartlepool. The property is within a residential street with neighbouring dwellings to the north, south and east. To the west is open space.

PUBLICITY

1.6 The application has been advertised by way of neighbour letters (5). 4 Letters of objections were received from neighbouring properties. The concerns raised are outlined below.

79 Catcote Road

- Concerns raised regarding a loss of light to the side of this property. It was also questioned whether the energy efficiency rating will be affected as there will be a loss of heat from the sun to the south side of the property.
- Overbearing impact due to massing and will create a feeling of being hemmed in.
- It was raised that the size of the extension is out of character with other properties.
- Concerns raised regarding the noise and smells from the fan extractors.
- It was stated that the visual impact of the scheme may have implications for selling neighbouring properties.
- Concerns regarding the impact on the neighbour's driveway in terms of stability as this driveway is slightly higher. There will also be a 200mm gap left between the extension and the driveway at number 79. This will be dangerous and will also collect rubbish.

61 Trentbrooke Avenue

- Concerns were raised that the property is on an incline so the proposed roof height of the extension will affect light into the lounge windows to the rear of this neighbouring property.
- It was also outlined that there are already privacy issues.
- Concerns raised regarding a room in the roof and that the property is going to be used as a child minding business.
- It was questioned why the extension is to be so large.

63 Trentbrooke Avenue

- It was stated that the two storey extension will block out a great deal of light to the rear garden of this property.
- Concerns regarding overlooking if any vegetation was to be removed to the rear particularly if windows are proposed in the roof. The issues raised could be resolved if the height of the extension was lowered.

65 Trentbrooke Avenue

- It was stated that the land slopes downwards to the east from the host property. Consequently this neighbouring property is at a lower level. In view of this the proposal will affect light levels. It was stated that a flat roof, which had a maximum height up to the guttering would have less of an impact.

1.7 It should be noted that the description of the proposal has been updated to include the rear element of the two storey extension. A neighbour reconsult has been

undertaken (to expire on 19th April). Any additional comments will be tabled at the committee meeting.

Copy Letters **A**

1.8 The period for publicity expires on 19th April.

CONSULTATIONS

1.9 The following consultation replies have been received:

HBC Traffic & Transportation – There are no highway or traffic concerns.

HBC Public Protection - I have looked at the plans for the extension to 81 Catcote Road. Two of the fans in the wall are small domestic extract fans serving a cloakroom and the utility room and the other is the fan from the extract hood to the cooker. The noise levels from these fans will be low and will not cause any nuisance problems to the neighbouring property. There will be cooking odours emitted from the extract hood when it is in use but these will probably only be discernible in the neighbour's driveway in close proximity to the fan. I believe it would be difficult to sustain an objection on these grounds.

PLANNING POLICY

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

Local Policy

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

GEP1: General Environmental Principles

Hsg10: Residential Extensions

National Policy

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

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

Paragraph 17 – Core Planning Principles

Paragraph 56: Ensuring Good Design.

Paragraph 196 – Primacy of the Development Plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

1.13 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impacts of the proposal on visual amenity, neighbour amenity and highways.

VISUAL AMENITY

1.14 It is acknowledged that the proposed scheme is large in terms of its overall massing, particularly the two storey side and rear extension. The two storey side element and single storey front extension will be visible from the street (Catcote Road). The rear elements of the scheme will not be significantly visible. In view of this, it is considered that the massing of the scheme is not overly dominating on the host property when viewed from the street scene. The design of the extensions are also considered to be in keeping with the host property. The single storey front extension assists in breaking up the principal elevation, adding an additional feature.

1.15 It is set out in Supplementary Note 4 of the Hartlepool Local Plan that two storey side extensions have the potential, if repeated on the neighbouring property, to create a continuous built up frontage (a terracing effect). This should be avoided and in these circumstances extensions should be set back either from the frontage or the common boundary by 1m at first floor level.

1.16 The proposed two storey side extension is not set back from the frontage and it is only set in from the shared boundary approximately 200mm, consequently it is not in accordance with the above guidance. It should be noted that there is however a stagger between the host property and the neighbouring property to the north (number 79 Catcote Road). Number 79 is set back approximately 2 – 3m in comparison to the host property. It is considered that this relationship will mitigate the potential of the terracing effect and on balance will not result in a significant visual impact on the street scene or the host property.

1.17 Within the immediate area the neighbouring properties are generally semi detached dwellings; however there are a variety of styles which have undergone additional alterations and extensions e.g. porches/front extensions and two storey side extensions.

1.18 In view of the above and subject to the use of matching materials, the proposal is considered acceptable in terms of its impact on the character of the host property and the surrounding area. The proposal is considered to be in accordance with saved policies GEP1 and Hsg10 of the Hartlepool Local Plan and paragraph 56 of the NPPF.

NEIGHBOUR AMENITY

1.19 Concerns have been raised by neighbouring properties regarding overshadowing, overbearing and loss of privacy. The proposals physical relationship and impact on each neighbouring property is considered below.

79 Catcote Road

1.20 The two storey side and rear extension is positioned in close proximity to the property to the north (number 79 Catcote Road). At the closest point the extension will be approximately 200mm from the shared boundary. The extension will be adjacent to the driveway of this neighbouring property. Concerns have been raised by this neighbouring property in terms of loss of light, overbearing and the potential that the scheme will affect the energy efficiency of the property due to the overshadowing (loss of sun light and therefore heat to the south elevation).

1.21 On the side south facing elevation of number 79 Catcote Road there is a door at ground floor level and two small windows at first floor level. The two windows are obscure glazed, one of which serves a landing and the other a toilet/bathroom. No windows are proposed in the north elevation of the two storey extension. Two sun tunnels are proposed on the north facing slope of the hipped roof. Due to the nature and position of the sun tunnels there are no concerns in terms of overlooking or loss of privacy to number 79.

1.22 It is set out in Supplementary Note 4 of the Hartlepool Local Plan that two storey rear extensions which project along a shared boundary with an attached neighbouring property will not normally be permitted. It is outlined that a two storey rear extension on a semi detached or detached dwelling will only be permitted where it is offset a significant distance from a neighbouring property (typically half the property width). The proposed extension is contrary to the above guidance, however due to the stagger between the host property and number 79 Catcote Road the impact of the two storey side and rear extension is significantly reduced as it will only project approximately 1m beyond the rear wall of number 79. It should also be noted that there are no guidelines in terms of separation distances between the side elevations of properties and it is considered that no principal windows will be significantly affected at number 79.

1.23 As there are no habitable windows on the south facing elevation of number 79 and in view of the above physical relationship, it is considered that on balance the proposed extension will not have a significant impact on the neighbouring property to the north in terms of overshadowing, overbearing impact or loss of privacy.

83 Catcote Road

1.24 The neighbouring property to the south (number 83 Catcote Road) has a conservatory to the rear which projects approximately 3m from the original rear wall of the property. The north elevation of the conservatory is made up of mainly facing brick work (up to approximately 1.5 – 1.8m in height) and then obscure glazing below the eaves. A short fence (approximately 1.5m in height) runs along the shared boundary with this property.

1.25 The two storey element of the scheme is positioned approximately 5.65m away from the shared boundary with this property (more than half the width of the host property). The single storey rear extension is positioned in close proximity to this boundary and will be adjacent to the conservatory of number 83. The single storey extension will project an additional 0.9m (approx) beyond the conservatory and no windows are proposed in the south facing elevation. It is noted that the extension is of a modest projection and is near to what could be constructed under the current permitted development rights for householders (an extension with a projection of 3m is permitted development). The pitched roof on the single storey extension also assists in mitigating the potential impacts.

1.26 It is considered, for the reasons set out above, that the scheme will not have a significant impact on the neighbouring property to the south in terms of overshadowing, overbearing impact or loss of privacy.

61, 63 and 65 Trentbrooke Avenue

1.27 Objections and concerns have been raised by neighbouring properties to the east in terms of overshadowing, overlooking and a loss of privacy. Numbers 61 and 63 are semi detached dormer bungalows and number 65 is a semi detached house. The windows in the west facing elevations of these properties do serve living/dinning rooms. It was also noted during the site visit that the land does slope gently downwards to the east, as a result these neighbouring properties are at a slightly lower level than the host property.

1.28 There is a substantial separation distance between the original rear elevation of the host property and the rear elevations of the neighbouring properties to the east, approximately 37m-40m. When considering the proposed rear extensions more than adequate separation will be retained with these properties. Standard separation distances between properties are outlined within Supplementary Note 4 of the Hartlepool Local Plan. A minimum separation of 20m is required where principal elevations face one another. The guidance advises extensions that would significantly reduce this separation distance will not normally be permitted. This standard distance ensures adequate levels of privacy and prevents overshadowing and overbearing impacts. The proposed scheme would be in accordance with this guidance. It is also considered that the difference in levels between the host dwelling and these neighbouring properties is not so great as to result in a significant impact on amenity.

1.29 It is considered that the impact of the proposal on the amenity of the properties to the east is acceptable for the reasons outlined above.

Single storey front extension

1.30 With regards to the single storey front extension it is considered that due to its massing, design and position it will not have a significant impact on neighbour amenity in terms of overshadowing, overbearing impact or loss of privacy.

1.31 In summary the proposed scheme is considered to be acceptable in terms of the impacts on neighbour amenity. It should also be noted that no objections have been raised by the Council's Public Protection team.

HIGHWAYS

1.32 The Council's Traffic and Transport section were consulted on the application as the scheme involved the construction of a garage, the loss of some driveway space and the creation of additional bedrooms. No concerns or objections were received. The proposal is considered to be acceptable in terms of parking and highway safety.

RESIDUAL MATTERS

1.33 Concern was raised from a neighbouring property regarding the fans located on the north elevation of the two storey side and rear extension in terms of noise and odours. The Council's Public Protection section were consulted on the application. It was stated that the noise level from the fans would be low and will not cause any nuisance problems to the neighbouring property. It was outlined that there will be cooking odours emitted via the fan which serves the grill hood however these will probably only be discernible in the neighbour's driveway in close proximity to the fan. The Council's Public Protection section stated that it would be difficult to sustain an objection to the scheme on these grounds.

1.34 Concerns were raised regarding the driveway of the neighbouring property to the north, number 79 Catcote Road. It was outlined that this driveway is at a slightly higher level and concerns were raised regarding its stability. If the works were to affect this driveway, this would be a civil matter between the applicant and the neighbour. It should also be noted that building regulations approval will be required for the extensions. This will ensure that the scheme is constructed to the appropriate standards.

1.35 With regards to the issue of the 200mm gap and small drop which will be left between the neighbouring driveway and the extension, the potential collection of rubbish would be a management issue for the applicant and the neighbour. This is a civil matter, not a material planning consideration. In terms of the small drop which will be created, the adjacent driveway is approximately 300mm higher than the land level of the host property. Again this small change in levels is a civil matter and not a material planning consideration.

1.36 Concerns were raised regarding a room in the existing roof space of the host property. It was noted during the site visit that there is a velux window/roof light in the east facing slope of the main roof. The applicant confirmed that the roof space is used for storage only and will continue to be. The velux window is not shown on the

existing or proposed plans. It is however not considered necessary to seek updated plans as the window does not affect the proposed scheme. It should also be noted that a roof light in this position can be installed under the householder permitted development rights.

1.37 It was raised that the property may be used as a child minding business. The application which is being considered is for a household extension, not for any type of business use at the property. The applicant has also verbally confirmed that although she does provide ancillary child minding services from the property the extensions proposed are for family use. If any further concerns are raised in the future regarding this issue, it can be investigated further by the planning department.

1.38 It should be noted that the effect of the scheme on the potential future sale of neighbouring properties is not a material planning consideration.

CONCLUSIONS

1.39 With regard to the above planning considerations and the relevant policies of the Hartlepool Local Plan 2006, the proposal is considered to be acceptable and is recommended for approval subject to the conditions below.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.40 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.41 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION – APPROVE subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Location Plan, Sheet 2 Proposed Alterations, Sheet 3 Revision A Proposed Alterations) and details which had been received by the Local Planning Authority at the time the application was made valid on 17/02/2016.
For the avoidance of doubt.
3. The external materials used for this development shall match those of the existing building(s)
In the interests of visual amenity.
4. The garage hereby approved shall be retained as such for the lifetime of the development and not converted to a habitable room.
In the interests of highway safety.

BACKGROUND PAPERS

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

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81 CATCOTE ROAD



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HARTLEPOOL BOROUGH COUNCIL
Level 1, Civic Centre, Hartlepool TS24 8AY
Department of Regeneration and Planning

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H/2016/0044
Scale: 1:1000
Date : 24/03/2016

No: 2
Number: H/2016/0064
Applicant: Mr David Butler 2 Hudson Quay Windward Way
MIDDLESBROUGH TS2 1QG
Agent: Thirteen Group Mr David Butler 2 Hudson Quay
Windward Way MIDDLESBROUGH TS2 1QG
Date valid: 26/02/2016
Development: Change of use to four self contained flats and office
accommodation
Location: 11 St Pauls Road HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 Two previous application at the site are considered to be relevant

H/1983/0086 – Change of use from dwelling to a doctors surgery and provision of a car park was REFUSED 11/04/1983

H/1983/0118 – Change of use of dwelling to accommodation for single persons with self contained flat for resident staff APPROVED 03/05/1983

2.3 This application was implemented therefore the existing use of the building falls within the C2 use class where care is provided. The ground floor includes a separate residential element for a member of staff to provide support for the residents of the main dwelling.

PROPOSAL

2.4 Approval is sought for the change of use of the property from a vacant C2 (residential institution) use to operate as 4 self contained flats with one communal access gained from the existing front door serving the property.

2.5 The proposed flats will be occupied by NHS patients with learning disabilities and rehabilitation needs. There are proposed to be three residents who will live independently however they will receive 24 hour support from the NHS staff member who will reside in Flat 1 located on the ground floor. There will be a further flat at ground floor, a second flat on the first floor and the third flat will be located on the second floor. A drop-in office for NHS staff is also proposed at first floor level.

2.6 The proposal includes minor external alterations consisting of providing obscure glazing to existing windows in the side elevations at ground floor and the rear

elevation at first floor level. To facilitate the change of use a set of double doors in the side elevation at ground floor level, facing towards the rear yard, will be replaced by a single door and window.

SITE CONTEXT

2.7 The application site is a Victorian three storey property consisting of six bedrooms which is located within the Grange Conservation Area. The last use of the property was as a residential institution operated by the NHS. The surrounding area is predominantly residential with a residential dwelling adjoining the property to the south. There is an area of hardstanding adjacent to the north of the property which is proposed to operate as a car park to serve the flats. There is a long rear yard, beyond which is the side boundary of a nursing home directly to the rear of the application site.

2.8 The surrounding area is predominantly residential however it is within walking distance of the town centre and links to public transport.

PUBLICITY

2.9 The application has been advertised by way of neighbour letters (6). To date, there have been two objections

2.10 The concerns raised are due to the following;

- Disruption during construction causing disturbance to adjacent residents.
- Intensification of the building will mean more people entering and leaving and as a result existing residents would not feel safe.
- Detrimental effect upon the conservation area
- It will result in problems for the area

2.11 Copy Letters **B**

2.12 The period for publicity has expired.

CONSULTATIONS

2.13 The following consultation replies have been received:

HBC Traffic & Transport: The site is located within walking distance of Hartlepool Town centre and associated town centre parking and public transport links. I would therefore consider that the 4 off street parking spaces provided would be sufficient to serve the proposed accommodation and office.

I therefore have no highway or traffic concerns with this application.

HBC Public Protection: I would have no objections to this application subject to conditions restricting the use of the office as a drop in facility only between the hours of 8:30 to 6:00pm. I would have no objections to the office being used outside of these hours as long as there are no staff commuting to and from the office.

HBC Heritage & Conservation: There are no objections to the proposed change of use. The building will continue to be in residential use which reflects the use of the majority of properties within this area therefore the change will not impact on the significance of the area.

In order to facilitate the change minor alterations are proposed to the rear of the building. Subject to appropriate detailing it is considered that these will not impact on the significance of the conservation area.

PLANNING POLICY

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

Local Policy

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

GEP1: General Environmental Principles

HE1: Protection and Enhancement of Conservation Areas

Hsg10: Residential Extensions

Hsg12: Homes and Hostels

Comments: The proposal is to create 4 apartments for use by NHS patients with special needs. Local Plan policy Hsg12 states that proposals for residential institutions/hostels will be approved provided there is no detrimental impact on occupiers of neighbouring properties or the character of the area. Also that the proposal is conveniently located for transport & services. The proposal is situated within Grange Conservation Area. Policy HE1 states that development will only be approved when there is no detrimental affect on the character of the conservation area, design is sympathetic to surrounding properties, and there is no impact on the amenity of occupiers of neighbouring properties. In policy terms this proposal is acceptable subject to no detrimental impact on the character of the conservation area, and no impact on the amenity of occupiers of adjoining and nearby properties. It is close to the town centre so well located for public transport, shops etc.

National Policy

2.16 In March 2012 the Government consolidated all planning policy statements, circulars and guidance into a single policy statement, termed the National Planning Policy Framework (NPPF). The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. It defines the role of planning in achieving sustainable development under three topic heading – economic, social and environmental, each mutually dependent. There is a presumption in favour of sustainable development. It requires local planning authorities to approach

development management decisions positively, utilising twelve ‘core principles’ that should underpin both plan-making and decision taking, these being; empowering local people to shape their surrounding, proactively drive and support economic development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being. The following policies of the NPPF are of particular relevance.

PARA 002 : Primacy of Development Plan
 PARA 011 : Planning law and development plan
 PARA 012 : Statutory status of development plan
 PARA 013 : NPPF is material consideration
 PARA 014 : Presumption in favour of sustainable development
 PARA 128 : Heritage assets
 PARA 129 : Significant heritage assets
 PARA 196: Primacy of the Development Plan
 PARA 197: Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

2.17 The main issues for consideration are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan, amenity of neighbouring properties, impact on the character of the Conservation Area/Surrounding Area and any implications for highway safety.

PRINCIPLE OF DEVELOPMENT

2.18 The proposal is to create 4 apartments for use by NHS patients with special needs. Local Plan policy Hsg12 states that proposals for residential institutions/hostels will be approved provided there is no detrimental impact on occupiers of neighbouring properties or the character of the area also that the proposal is conveniently located for transport & services. The application site is located within walking distance of Hartlepool town centre where there are a variety of shops and services to serve the proposed residents Furthermore there are public transport links with a bus stops situated upon Victoria Road and York Road providing access to public transport. Therefore the proposed development is considered to be located within a sustainable location.

2.19 The proposal is situated within Grange Conservation Area. Policy HE1 states that development will only be approved when there is no detrimental affect on the character of the conservation area, design is sympathetic to surrounding properties, and there is no impact on the amenity of occupiers of neighbouring properties. As such the principle of the development is considered to be acceptable in policy terms subject to consideration of material planning considerations as outlined below.

AMENITY OF NEIGHBOURING PROPERTIES

2.20 The proposed development relates to the change of use of the building to create four flats. External alterations associated with the proposals consist of replacement of a set of modern patio doors with a single door and window. Also a window in the rear elevation, at first floor level, and two windows in the side elevations of the existing offshoot will be obscurely glazed. As such given that the proposal will not include any additional windows, and taking into account that the property is an existing residential institution use (C2), it is not considered that the proposed change of use will result in a loss of privacy for the surrounding residential properties.

2.21 Furthermore the proposal does not include any extensions to the property. Therefore it is not considered that it will result in an overbearing impact upon neighbouring properties.

2.22 Concerns are raised by neighbouring residents with regard to the intensification of the building and disturbance it will cause. However the application site already has permission to operate as supported living accommodation which is classified as a residential institution (C2) with a separate flat at ground floor level for support staff member. Therefore there are effectively two separate residences currently at the application site. Furthermore the property currently includes a total of six bedrooms, the proposed flats will reduce the number of bedrooms to 4 comprising 4, 1 bedroom flats which will be in residential (C3) use. There are other examples in the borough where residential flats adjoin residential dwellings. Therefore it is not considered that the proposals will result in a significant impact upon the amenity of neighbouring residents in terms of disturbance.

2.23 The Council's Public Protection section has no objections however has requested a condition relating to operation hours of the office shown on the plans. The agent has confirmed that this office is to be used as a drop in office and will predominantly be used by the member of NHS staff residing in flat 1 however there will be some instances where the office may be used by other NHS staff working in the area. As such Public Protection have recommended a condition is imposed to limit the hours of operation. The agent has confirmed a condition limiting the operating hours of the office between 08:00 and 18:00 Monday to Saturday and at no time on a Sunday is acceptable. As such a condition is recommended accordingly.

CHARACTER OF THE CONSERVATION AREA/SURROUNDING AREA

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

2.25 Further to this at a local level, Local Plan policy HE1 is relevant, this states, 'Proposals for development within a conservation area will be approved only where it

can be demonstrated that the development will preserve or enhance the character or appearance of the area’.

2.26 Grange Conservation Area is a predominantly residential area located to the west of the town centre. The area is characterised by large Victorian properties in generous gardens providing a spacious feel to the area. The houses are not uniform in design however the common characteristics such as the large bay windows, panelled doors, and slate roofs link them together to give the area a homogenous feel. A small row of commercial properties on Victoria Road links this residential area to the main town centre.

2.27 The Council’s Conservation Manager has raised no objections with regard to the proposed change of use as the building will continue to be in residential use which reflects the use of the majority of properties within this area therefore the change will not impact on the significance of the area.

2.28 In order to facilitate the change of use minor alterations are proposed to the rear of the building. The Council’s Conservation Manager has stated that this should be subject to appropriate detailing as it is not considered that the external alterations will impact on the significance of the conservation area. However given that the external alterations consist of the replacement of modern, double glazed patio doors with a door and a window and taking into account the application site and the adjoining property include UPVC to the rear it is not considered necessary to request details to be submitted by means of a planning condition.

2.29 As such it is considered that the proposed development will not result in an adverse impact upon the character or appearance of the conservation area and therefore accords with policy HE1 and principles within the NPPF in this regard.

2.30 In terms of the development’s impact on the character of the area the building is currently in use as a residential institution; it is not considered the use of the building proposed would have a detrimental impact on the character of the area.

HIGHWAY SAFETY

2.31 The site is located within walking distance of Hartlepool Town centre and associated town centre parking and public transport links. The Council’s traffic and Transport section therefore consider that the 4 off street parking spaces provided would be sufficient to serve the proposed accommodation and office and as such raises no highway or traffic concerns. Therefore it is not considered that the proposed development would result in any adverse impacts upon highway safety and the proposal accords with policy GEP1 in this regard.

RESIDUAL MATTERS

2.32 Concerns are raised by the adjoining neighbour with regard to the disturbance to residents during construction. Given the limited nature of alterations to the property it is considered that any disturbance will be relatively short term. As such it is not considered that this would warrant refusal of the application.

CONCLUSION

2.33 The proposed development is considered to be acceptable in terms of amenity of neighbouring properties, character of the surrounding area and highway safety. As such it is considered that the proposal accords with policies within the Hartlepool Local Plan (2006) and principles within the NPPF.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.34 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

2.36 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION -

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the Location Plan received 26/02/2016 and plan numbers (Existing Plans) 01, (Proposed Plans) 03,(Existing Elevations) 02, (proposed Elevations) 04 received by the Local Planning Authority on 22/02/2016, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The office shown on plan number 03 hereby approved shall not be used outside the hours of 08:00 and 18:30 Monday to Saturday and at no time on a Sunday.
In the interests of residential amenity.
4. Notwithstanding the submitted details the car parking as shown on plan number 03 received 22/02/2016 shall be implemented prior to the commencement of the use and shall be retained for the life of the development.
In the interests of highway safety.

BACKGROUND PAPERS

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

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11 ST PAULS ROAD



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Department of Regeneration and Planning

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H/2016/0064
Scale: 1:1000
Date : 24/03/2016

POLICY NOTE

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

ADOPTED HARTLEPOOL LOCAL PLAN 2006

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

HE1 (Protection and Enhancement of Conservation Areas) - States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity. Matters taken into account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

Hsg10 (Residential Extensions) - Sets out the criteria for the approval of alterations and extensions to residential properties and states that proposals not in accordance with guidelines will not be approved.

Hsg12 (Homes and Hostels) - States that proposals for residential institutions will be approved subject to considerations of amenity, accessibility to public transport, shopping and other community facilities and appropriate provision of parking and amenity space.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2012

2. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

12. This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

13. The National Planning Policy Framework is a material consideration in determining applications.

14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

17: within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surrounding, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer

land of lesser environmental value, where consistent with other policies in the framework;

- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

56: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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

197: In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

PLANNING COMMITTEE

20 April 2016



Report of: Director of Regeneration and Neighbourhoods

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

1. An investigation has commenced in response to a complaint regarding an insecure building and untidy land at the site of a former care home on Cleveland Road.
2. An investigation has commenced in response to a complaint regarding alterations to a means of vehicular access to a farm at Elwick.
3. An investigation has commenced as a result of a complaint regarding the untidy condition of an area of land at Penrith Street.
4. An investigation has commenced in response to a complaint regarding the untidy condition of the site of a former public house on King Oswy Drive.
5. An investigation has commenced in response to a complaint regarding the erection of an outbuilding at the rear of a residential property in Bodmin Grove.
6. An investigation has commenced in response to a complaint regarding the running of a dog walking business from a residential property in Seaton Carew.
7. An investigation has commenced in response to a complaint regarding the erection of a boundary fence to the front of a residential property on Catcote Road.
8. An investigation has commenced as a result of a recent refusal of planning consent for the change of use of private stables to livery stables and the erection of an office block at land at Brierton Lane.

9. An investigation has commenced in response to a complaint regarding the untidy condition of the site of a former public house on Easington Road.
10. An investigation has commenced in response to a complaint regarding unauthorised building works at a residential property in Palace Row.
11. An investigation has commenced in response to a complaint regarding the erection of a fence and the creation of a beer garden at a social club in Kendal Road.
12. An investigation has commenced in response to a complaint regarding non-compliance with conditions relating to a condenser unit specification at a commercial premises in Catcote Road.
13. An investigation has been completed in response to concerns raised by the Council's Revenues Section regarding the change of use of a house in multiple occupation to flats at a residential property in Tankerville Street. A valid application for the change of use has subsequently been received
14. An investigation has been completed in response to a complaint regarding the erection of a timber outbuilding in the rear garden of a residential property in Macaulay Road. As a result of negotiations with the property owner the height of the outbuilding has been reduced to within permitted development limits.
15. An investigation has been completed in response to a complaint regarding the erection of an extension at the rear of a residential property at The Green, Elwick. A valid application seeking to regularise the development has subsequently been received.
16. An investigation has been completed in response to a complaint regarding non-compliance with a landscaping condition at an area of public open space to the rear of Buttercup Close. Following helpful assistance from the developer, it was found that landscaping works were as yet incomplete due to the phasing of works. As the development as a whole is still underway, there is no breach of conditions at this stage.
17. An investigation has been completed in response to a complaint regarding the running of a car repair business from a residential property in Clavering Road. Following discussions with the property owner, and several unannounced monitoring visits, no evidence of a car repair business was established.
18. An investigation has been completed as a result of a complaint regarding the unauthorised display of advertising signs on an area of public open space in Raby Road. As a result of assistance by the Council's Highways team, and the co-operation of the manager of the business responsible, the signs have now been removed.

2. RECOMMENDATION

2.1 Members note this report.

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