

PLANNING COMMITTEE AGENDA



Wednesday 22nd June 2016

at 10.00 am

in Committee Room B,
Civic Centre, Hartlepool.

MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Barclay, Belcher, Black, Cook, James, Lawton, Loynes, Martin-Wells, Morris and Robinson

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 11 May 2016.

4. ITEMS REQUIRING DECISION

4.1 Planning Applications

1. H/2016/0044 81 Catcote Road, Hartlepool (page 1)
2. H/2016/0159 Morrisons Service Station, Belle Vue Way, Hartlepool (page 13)

5. ITEMS FOR INFORMATION

5.1 Update on Current Complaints – *Director of Regeneration and Neighbourhoods*

FOR INFORMATION

Date of next meeting – Wednesday 6th July at 10am in the Council Chamber



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

11th May 2016

The meeting commenced at 10.10am in the Civic Centre, Hartlepool

Present:

Councillor: Rob Cook (In the Chair)

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

Officers: Peter Devlin, Chief Solicitor
Andrew Carter, Planning Services Manager
Mike Blair, Technical Services Manager
Adrian Hurst, Environmental Health Manager (Environmental Protection)
Kieran Bostock, Principal Engineer (Environmental Engineering)
Helen Heward, Senior Planning Officer
Steven Carter, Health Improvement Practitioner (Workplace, Obesity, Physical Activity)
Fiona McCall, Planning Officer
Jo Stubbs, Democratic Services Officer

126. Apologies for Absence

None

127. Declarations of interest by members

None

128. Confirmation of the minutes of the meeting held on 20th April 2016

Approved

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

Number:	H/2016/0044
Applicant:	Mrs Andrea Hornsey 81 Catcote Road HARTLEPOOL
Agent:	Mrs Andrea Hornsey 81 Catcote Road HARTLEPOOL
Date received:	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

Malcolm Arnold addressed the committee in support of the application. He acknowledged the extension was large but considered it similar to other extensions in the area and designed in accordance with the guidelines.

Mr Elsdon spoke against the application. He explained that the extension would impact negatively on his property in terms of loss of sunlight. He also referred to problems with the current residents looking down into his property through a velux window at the rear and harassing members of his family. He felt that the proposed extension could lead to further velux windows being installed, commenting that he would not have a problem with a flat roof extension.

Councillor Christopher Akers-Belcher spoke as the Ward Councillor. He expressed sympathy for both parties but felt that the proposed extension was not in keeping with other developments in that area. He also felt that it would have a detrimental impact upon the privacy of Mr Elsdon and his family. He asked members of the committee to consider whether a compromise could be reached in this case.

Members queried what could be done to ensure that the extension was not converted into a habitable room. They also asked that a condition be added preventing the installation of further velux windows in the new extension roof. Mr Arnold was happy to comply with this. Members were conflicted over the application with some expressing support for the applicant in his efforts to expand for his growing family while other felt the privacy needs of the objector were paramount. They asked that consideration of the application be deferred to enable the applicant and objectors to engage in meaningful dialogue. This was duly agreed by a majority vote. The Chief Solicitor suggested that the application be brought back to the next available meeting, given this was the second time the application had been deferred.

Decision: **Deferred** for further negotiations and consideration

Number: H/2016/0038

Applicant: Mr Raj Singh Prestige Group Limited Roseville Court
Blair Avenue Stockton-on-Tees

Agent: emBarkArchitecture Mr Neil Barker 11 Queens
Road Monkseaton Whitley Bay

Date received: 17/02/2016

Development: Erection of a two and three storey care home with
associated car parking and landscaping

Location: LAND AT MERLIN WAY HARTLEPOOL

A member queried why the applicant was making no contributions to affordable housing or education. The Senior Planning Officer explained that contributions must be based on the nature of the residents who would be living in the property. In the case of a care home there would be no additional requirement for educational amenities. Affordable housing provision was also exempt.

Neil Barker, the agent, was present. No questions were put to him.

Melanie Wenn spoke against the application. She explained that her property was in close proximity to the development, particularly the proposed site for the main car park. Given the nature of the development she felt that the constant noise from visitors, delivery vans and potentially emergency vehicles would lead to a lot of disturbance for her family. The location of the refuse bins near to her property would result in smells and the potential for vermin. The height of the development on land which was already higher than her property would also result in a loss of sunlight and a loss of privacy due to overlooking. They were also concerned that there might be issues with drainage and traffic problems given the large number of entrances and exits off Merlin Way in such a small area. The view from their residence would also be impacted upon.

Councillor Paul Beck, speaking as ward councillor, expressed his support for both parties. While he accepted that the development would lead to a substantive amount of jobs and help alleviate a shortage of care beds in the town he also felt that the development as it stood would have a detrimental impact upon Mrs Wenn and her family. He asked whether the car park could be moved to the other side of the development in order to alleviate some of these issues and that the bins be moved elsewhere.

Members supported Councillor Beck's views and asked that the location of the main car park and staff car park be swapped in order to reduce the disturbance to nearby residents. They acknowledged the loss of privacy which would be caused by the development but disputed whether the impact this

would have on their view was relevant. They acknowledged there was a need for more care home beds in Hartlepool and the development would result in jobs however the resultant increase in traffic was a concern. Members asked that any mitigation to traffic flow and speed on Merlin Way which were felt necessary be funded in part by the developer. The Technical Services Manager advised that until the road was formally adopted there was little the Council could do. Members felt that despite this the developer should still be asked to make a financial contribution to this work for the future.

Other members acknowledged the need for care home beds but felt that there were better locations than this one, some of which had previously been used for this purpose. In terms of drainage concerns the Principal Engineer advised that although there was no detailed design at this stage early calculations with Northumbrian Water had been positive.

Members voted in favour of the application by a majority. **Councillor Marjorie James asked that her abstention be recorded.**

Decision: **Planning Permission Approved** subject to completion of a S106 Agreement securing contributions of £2,325 towards green infrastructure and £462.21 towards bowling greens and further negotiations with regard to highway improvements and the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the details and plans (Location Plan 1260(90)01A1, First Floor Plan 1260(0)02A1, Second Floor Plan 1260(0)03A1, Elevations - Sheet 2 1260(0)05A1, Site Plan as proposed 1260(90)02A1 and Topo Survey Ground Levels No 171 Hartlepool) received by the Local Planning Authority 04 February 2016 and the plans Elevations - Sheet 1 1260(0)04A2, Site Plan as Proposed 1260(90)02A2, Retaining Wall Sections 1260(0)06A1, Elevations - Sheet 2 1260(0)05A2 received by the Local Planning Authority on 17 February 2016 and Ground Floor Plan 1260(0)01A1 Rev A, Elevations - Sheet 1 1260(0)04A1 Rev A received at the Local Planning Authority on 26 April 2016.
For the avoidance of doubt.
3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
4. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout

and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
6. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.
To prevent the increased risk of flooding from any sources in accordance with the NPPF.
7. Notwithstanding the submitted details prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and car parking levels, any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
To take into account the position and levels of the buildings and car parks and the impact on adjacent residential properties.
8. Prior to the commencement of the development hereby approved details of the proposed retaining wall, including location plans and design calculations, shall be submitted and approved in writing by the local planning authority. The agreed details shall then be implemented at the time of development and retained for the lifetime of the development.
To ensure appropriate retaining wall details.
9. No construction works shall take place outside the hours of 08:00hrs to 18:00hrs Monday to Friday and 09:00hrs to 13:00hrs on a Saturday. No construction works shall take place on Sundays or Bank Holidays. In the interests of the amenities of the occupants of neighbouring properties.
10. Prior to the commencement of development details of the cycle store will be submitted to and approved in writing by the Local Planning Authority. The agreed details will be implemented and retained for the lifetime of the development.
To ensure appropriate cycle storage and in the interest of visual amenity.
11. The development hereby approved shall be used as a C2 residential care home and not for any other use including any other use within that

use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order.

To allow the Local Planning Authority to retain control of the development.

12. Prior to the commencement of development details of a scheme of means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented and retained for the life of the development.
To protect the amenity of neighbouring residents.

Number: H/2016/0089

Applicant: Mrs Krishna Jeyasari Sagayamalar Burbank Street
HARTLEPOOL

Agent: Ian Cushlow 31 Harvester Close HARTLEPOOL

Date received: 09/03/2016

Development: Change of use of ground floor to hot food takeaway
and a residential flat over first and second floor

Location: 76 Church Street HARTLEPOOL

Concerns were raised at the last of consultation with the Regeneration Services Department on this application given current Council policy to transform Church Street into a skills and innovation quarter and the loss of office space which would result if this application were successful. The Planning Services Manager explained that on an application of this size not all departments would be consulted. The Planning Department were bound by the current local plan and national and local planning policy. However it was felt that given the Council's general direction of travel there should at least have been a consultation exercise undertaken. The Chair acknowledged these comments but indicated that members were required to consider the application put before them.

Terry Bates spoke on behalf of the applicant. The family had relocated from Durham and currently owned a premises adjacent to this one which had originally been a takeaway. However they had converted that premises into a general dealers and purchased no 76 as they felt it was more suitable for use as a takeaway. This had been the intention all along and he acknowledged that the applicant should probably have made this clearer previously. This application would not result in an additional takeaway in the area, simply a relocation of an existing outlet. There would be no changes to the frontage and it would generate business rates for the Council.

Steven Carter, a Council Health Improvement Practitioner, spoke against the application on behalf of the Public Health Department. They were concerned that an additional takeaway unit could result in people eating unhealthy meals and contribute to obesity. Members commented that there was no such thing as bad food only bad portion control. Mr Carter acknowledged this but felt that an increase in outlets of this kind would lead to more choice and price reductions thereby making it more attractive to consumers. The area was also close to a number of schools.

Members referred to the map and photos supplied. They asked what provision the applicant had made to dispose of waste created through the business. Mr Bates advised that there was a covered alleyway where refuse bins could be stored. Members asked that a condition be placed ensuring that business waste was not disposed of into a domestic waste bin, that bins should be stored in the curtilage of the property unless being presented for collection and that all waste should be appropriately disposed of. Members also highlighted that the area proposed for bin storage was a fire escape out of the living quarters and felt therefore that this might not be an appropriate location in terms of the family's safety.

Members acknowledged the concerns of the Public health Department but felt it was not up to the Planning Committee to tell people what to eat or impose limitations of this kind.

The application was refused by a majority. The reasons for refusal were inadequate refuse storage which could impact upon the safety of the family, issues around the large number of takeaways at the lower end of Church Street where parking was at a premium. Concerns at a move away from the Council's current strategy in terms of skills and innovation were also reiterated.

Decision: Planning Permission Refused

REASONS FOR REFUSAL

1. In the opinion of the Local Planning Authority the proposed change of use, by virtue of insufficient car parking immediately adjacent to the site, would result in indiscriminate car parking on the highway to the detriment of highway safety contrary to policy GEP1 of the Hartlepool Local Plan (2006).
2. In the opinion of the Local Planning Authority the change of use would result in an additional A5 use in an area which already suffers from higher than average child and adult obesity levels. As such the proposal would be detrimental to the health and well being of the area contrary to paragraph 17 and 171 of the NPPF.

3. In the opinion of the Local Planning Authority there is inadequate space within the curtilage of the property to accommodate commercial and residential refuse store resulting in likely storage of bins externally to the detriment of the amenity/character and appearance of the surrounding area contrary to policy GEP1 of the Hartlepool Local Plan (2006).
4. Should refuse storage be located within the rear yard area of the application site the only means of access to the residential unit and rear of the A5 use would be restricted. As such in the opinion of the Local Planning Authority by virtue of the position of the access door and limited rear yard space it is considered that the change of use would be detrimental to the amenity of future occupants contrary to policy GEP1 and paragraph 17 of the NPPF.

Councillor Carl Richardson left the meeting

130. Appeal at land to the rear of Voltigeur Drive, Otterington Close, Hart Village, Hartlepool *(Director of Regeneration and Neighbourhoods)*

Members were advised that a planning appeal had been submitted against the decision, made under delegated powers, to refuse an outline planning application on this site. The appeal would be determined by a hearing.

Decision

That officers be authorised to contest the appeal

131. Appeal at 34 Glentower Grove, Hartlepool, TS25 1DR *(Director of Regeneration and Neighbourhoods)*

Members were advised that the above appeal had been dismissed.

Decision

That the outcome of the appeal be noted

132. Appeal at Worset Lane, Hart, Hartlepool TS27 3BL *(Director of Regeneration and Neighbourhoods)*

Members were advised that the above appeal had been allowed however an application for costs was dismissed

Decision

That the outcome of the appeal be noted

133. Appeal at the Tankerville Hostel, 19 Tankerville Street, Hartlepool TS26 8EY (*Director of Regeneration and Neighbourhoods*)

Members were advised that the above appeal had been allowed along with an application for costs. Members commented that the inspector's report gave the impression that the application had originally been refused due to concerns that those who might live in the hostel might cause problems. On the contrary the committee had been concerned that future hostel residents might be at risk from others. The inspector appeared to have misread what had been said but his comments had been reported in the media giving a false impression of what had been said at the time. Members hoped that the media would correct this.

Decision

That the outcome of the appeal be noted

134. Update on current complaints (*Director of Regeneration and Neighbourhoods*)

Members' attention was drawn to 23 current ongoing issues under investigation.

Decision

That the report be noted

135. Any Other Items which the Chairman Considers are Urgent

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

136. 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 137 – (Planning Advice Note) – 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.

137. Planning Advice Note 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.

The Planning Services Manager updated Members on a number of planning issues. Details are given in the exempt minutes.

Decision

That the update be noted.

The meeting concluded at 12:20.

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.

BACKGROUND

1.2 The application was deferred at the committee meeting on the 20th April 2016 for a site visit. The site visit took place on 11th May 2016, prior to the committee meeting on the same day. The application was deferred at the meeting to allow the applicant further time to consider amending the scheme to address issues raised by objectors.

1.3 The applicant did consider amendments, particularly the provision of a flat roof rather than a hipped roof, however it was decided to proceed with the original plans submitted due to the visual impact of the flat roof. The applicant would accept a condition to restrict the provision of any roof lights in the roof slope of the proposed extension. This has been conditioned accordingly. The applicant has indicated that an existing roof light on the rear roof slope of the original dwelling will be repositioned to the front of the property to mitigate concerns raised by a neighbour. This work is not a consideration of this application and can be completed under the current householder permitted development rights.

PROPOSAL

1.4 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.

1.5 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).

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

SITE CONTEXT

1.7 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

1.8 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.

1.9 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. Two additional letters of objection have been received from number 79 Catcote Road and number 61 Trentbrooke Avenue. Please see the concerns outlined below.

79 Catcote Road

- It was stated that the resident is very disappointed with the recommendation of the committee report, as the proposed extension by reason of its size and siting, represents an un-neighbourly form of development that would have an adverse impact on the amenity of neighbouring properties in terms of an overbearing effect and creating a long dark, cold approach to the neighbouring garage.
- It is stated that the building will be visually overbearing and is of an inappropriate design. It is out of keeping with neighbouring properties.
- A detailed rebuttal of this committee report was also provided. A full account is available in the background papers.

61 Trentbrooke Avenue

- Additional concerns were raised regarding an existing skylight at 81 Catcote Road overlooking this neighbouring property. The issue was raised that this window already causes problems with a loss of privacy and if the extension is permitted there are concerns that additional sky lights will be fitted in the future worsening the situation.

Copy Letters A

1.10 The period for publicity has expired.

CONSULTATIONS

1.11 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

1.12 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

1.13 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

1.14 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

1.15 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

1.16 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.

1.17 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.

1.18 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.

1.19 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.

1.20 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

1.21 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

1.22 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).

1.23 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.

1.24 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.

1.25 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

1.26 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.

1.27 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.

1.28 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

1.29 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.

1.30 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.

1.31 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

1.32 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.

1.33 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

1.34 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

1.35 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.

1.36 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.

1.37 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.

1.38 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.

1.39 Additional concerns were raised regarding the loss of privacy from the existing roof light and the potential if the scheme is approved, for more to be installed worsening the problem. If the scheme is approved and implemented the extension will benefit from permitted development rights (apart from the proposed garage). Consequently additional roof lights could be provided in the future. Due to the

separation distance between the extension and the properties to the rear it was not considered necessary to restrict any additional roof lights. In order to address the concerns raised by the objector, the applicant has however agreed to a condition which will restrict any additional roof lights in the extension. The applicant also stated that the existing roof light will be re positioned to the front of the property, again to address the concerns raised. This work can be carried out under the current householder permitted development rights.

1.40 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.

1.41 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

1.42 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

1.43 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.44 There are no Section 17 implications.

REASON FOR DECISION

1.45 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.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no roof lights shall be inserted into the east facing roof slopes of the extension without the prior written consent of the Local Planning Authority.
In the interest of neighbour amenity.

BACKGROUND PAPERS

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

CONTACT OFFICER

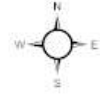
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81 CATCOTE ROAD



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

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

No: 2
Number: H/2016/0159
Applicant: Gain Lane BRADFORD BD3 7DL
Agent: Butterfield Signs Limited Jenna Padgett 174 Sunbridge Road BRADFORD BD1 2RZ
Date valid: 14/04/2016
Development: Display of 1 no. illuminated fascia sign on kiosk, 3 no. illuminated and 3 no. non-illuminated signs on canopy, 2 no. illuminated and 2 no. non-illuminated signs on car wash and 1 no. illuminated totem sign to replace existing
Location: Morrisons Service Station Belle Vue Way HARTLEPOOL HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 The following planning applications relate to the site in question:

HOUT/2002/0378 – [Refused]

Outline application for the erection of retail unit(s).

HFUL/2003/0662 – [Approved]

Extension to include LPG compound, covered car wash, 2 no. jet wash bays and ancillary ground works, hardstanding and circulation.

HADV/2003/0665 – [Approved]

Erection of internally illuminated fascia signs on the canopy, kiosk and car wash and a free standing totem pole sign.

HFUL/2004/0020 – [Approved]

Provision of CCTV column within landscaped island.

H/2008/0083 – [Approved]

Display of replacement illuminated signage including replacement price clock.

PROPOSAL

2.3 Advertisement Consent is sought for the display of;

- 1 no. illuminated replacement fascia sign on the existing kiosk building,
- 3 no. illuminated and 3 no. non-illuminated replacement signs on the existing canopy,

- 2 no. illuminated and 2 no. non-illuminated replacement signs on the existing car wash building, and
- 1 no. illuminated replacement totem sign.

The application has been referred to the Planning Committee at the request of a Councillor.

SITE CONTEXT

2.4 The application relates to an existing filling station adjacent to Belle Vue Way (A689), Hartlepool. The site comprises a single storey kiosk building, with a filling station canopy covering the forecourt to the north east, a standalone totem sign adjacent to Belle Vue Way, and a car wash facility to the far north east of the site.

2.5 The application site is located on the edge of the Usworth Road industrial estate and as such industrial and commercial uses bound the site to the south west, south east and north east. To the north west the site is bounded by Belle Vue Way with residential properties at Cecil Court beyond.

PUBLICITY

2.6 The application has been advertised by way of site notice and neighbour letters (12). To date, there have been 2 letters of objection and 2 letter seeking clarification of details of the application.

2.7 The concerns that have been raised by objectors are:

- Existing light pollution issues from forecourt lights
- Concerns regarding increased illumination/brightness

2.8 The applicant has clarified that the level of illumination will be 700 candelas per square metre and not 350 as originally stated in the forms. The amended illumination level has been the subject of reconsultation which expires on 3rd June 2016. Members will be advised of any further representations received.

2.9 Copy Letters **B**

CONSULTATIONS

2.10 The following consultation replies have been received:

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

HBC Public Protection – Do not object.

PLANNING POLICY

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

National Policy

2.12 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 are of particular relevance:

Paragraph 002 - Primacy of Development Plan
Paragraph 011 - Planning law and development plan
Paragraph 012 - Statutory status of development plan
Paragraph 013 - NPPF is material consideration
Paragraph 014 - Presumption in favour of sustainable development
Paragraph 056 - Design of built environment
Paragraph 067 - Advertisements
Paragraph 196 – Primacy of the Development Plan
Paragraph 197 – Presumption in favour of sustainable development.

Local Policy

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

GEP1: General Environmental Principles
GEP2: Access for All
GEP3: Crime Prevention by Planning and Design
Ind5: Industrial Areas
Ind8: Industrial Improvement Areas

Comments: There are no planning policy objections to this proposal.

PLANNING CONSIDERATIONS

2.14 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact on visual amenity and highway safety.

PRINCIPLE OF DEVELOPMENT

2.15 The application site is located within the Usworth Road Industrial Area and Industrial Improvement Area as designated by saved policies Ind5(c) and Ind8 of the Hartlepool Local Plan 2006 respectively, and outlined in the proposals maps.

2.16 The proposal concerns the replacement of the existing signage at the site only and as such there are no planning policy concerns subject to an assessment of the impact of the proposal on visual amenity and highway safety, as set out below.

VISUAL AMENITY

2.17 The proposed signage is to replace the existing signage at the site including the fascia sign to the existing kiosk, the signage around the forecourt canopy, the signage around the top of the car wash building and the existing totem sign/price clock. The proposed signs are to be approximately the same size as the existing signage, with the exception of the proposed totem sign which is to be approx. 5.95 metres in height. This is approximately 0.4 metres taller than the existing totem sign which has a height of approximately 5.547 metres.

2.18 The proposed signage is to feature a markedly different colour palette and graphics to match the supermarket's recent rebranding. The existing signage is comprised primarily of large segments of yellow and white with green text in parts. The proposed signage is to be primarily moss green (RAL 6005) with smaller segments of white at the edges featuring the company logo (moss green (RAL 6005) and signal yellow (RAL 1003)). The kiosk fascia signage and three sides of the canopy signage are to also feature the company name in large white text. The front and rear elevations of the car wash signage are to feature the words 'Car Wash' also in large white text.

2.19 It is considered that the more subtle tones of the proposed colour scheme will reduce the presence of the filling station in its immediate surroundings and, given the scale and appearance of the proposed signage in comparison to the existing signage at the site, and considering the modest increase in the size of the replacement totem sign, it is considered the proposal will have no significant detrimental impact on the visual amenity of the host premises or surrounding area.

NEIGHBOUR AMENITY

2.20 Concerns have been raised by the residents of the properties to the north west of the site at Cecil Court, on the opposite side of Belle Vue Way, in relation to the impact of the proposal on current levels of light pollution. However, there remains a separation distance of approximately 35 metres between these neighbouring

properties and the application site and it is considered that the proposed replacement signage will not result in an increase in levels of light pollution.

2.21 The proposed signage is approximately the same size as the existing signage it is to replace and the areas of illumination (white segments) are similar in size to those currently in place, and in some instances are to be smaller. The applicant has confirmed that the large expanses of moss green panelling are to be non-illuminated.

2.22 No objections have been received from HBC Public Protection. In addition, the illumination level of the proposed signage is to be 700 candelas per square metre. This is considered to be an appropriate level for the location and therefore a condition shall be appended to the consent restricting any illumination to no more than this level. The applicant has confirmed that this is the same level of illumination as the existing signage and lower than the maximum level of illumination (800 candelas per square metre) permitted by the previous consent (ref: H/2008/0083).

2.23 There are no residential properties to the immediate north east, south east or south west of the application site and it is therefore considered there would be no impact on residential amenity in these directions.

2.24 In terms of the impact on visual amenity, the proposal is considered to be acceptable and in accordance with saved policy GEP1 of the Hartlepool Local Plan 2006 and paragraph 67 of the NPPF.

HIGHWAY SAFETY

2.25 The Council's Highways, Traffic & Transport have no highway or traffic concerns with regards to the application. The proposal is therefore considered to be acceptable and in accordance with paragraph 67 of the NPPF in terms of the impact on highway safety.

RESIDUAL MATTERS

2.26 Concerns have also been raised by objectors in relation to floodlights that are currently used to illuminate the forecourt at night, however these do not relate to this advertisement consent application for replacement signage and it is considered that the proposal will not result in an increase in light pollution, taking into account cumulative effects.

CONCLUSION

2.27 With regards to the above planning considerations and the relevant saved 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

2.28 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

2.29 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.

2.30 There are no Section 17 implications.

REASON FOR DECISION

2.31 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

1. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 14/04/16 (Sign 1 (REF PFS1), Internally illuminated PFS totem sign; Sign 2 (REF PFS2), PFS Canopy; Sign 3 (REF PFS3), Internally illuminated kiosk sign; Sign 4 (REF PFS5), Car wash signage, Internally illuminated to front & rear & non illuminated to sides; Colour Refs; Signage Site Plan) as amended by the amended plan received 22/04/16 (Site Location Plan).
For the avoidance of doubt.
2. The maximum intensity of the illuminated sign(s) shall not exceed 700 cd/square metre.
In the interests of visual amenity.

BACKGROUND PAPERS

2.32 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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MORRISONS SERVICE STATION, BELLE VUE WAY



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

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POLICY NOTE

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

ADOPTED HARTLEPOOL LOCAL PLAN 2006

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

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

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

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.

Ind5 (Industrial Areas) - States that business uses and warehousing will be permitted in this area. General industry will only be approved in certain circumstances. A particularly high quality of design and landscaping will be required for development fronting the main approach roads and estate roads.

Ind8 (Industrial Improvement Areas) - States that the Borough Council will encourage environmental and other improvement and enhancement schemes in designated industrial improvement areas.

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.

67: Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

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

22 June 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 a partially collapsed side boundary wall at a residential property in Benmore Road.
 2. An investigation has commenced in response to concerns raised regarding works involving the erection of new and replacement fencing at the site of a scheduled ancient monument on Hart Lane.
 3. An investigation has commenced in response to a complaint regarding the erection of an outbuilding in the rear garden of a residential property in Hutton Avenue.
 4. An investigation has commenced in response to a complaint regarding the erection of a high side boundary fence in the rear garden of a residential property in Westbrooke Avenue.
 5. An investigation has commenced in response to a complaint regarding groundworks involving excavations and the creation of a site access at land adjacent to Tees Bay Retail Park.
 6. An investigation has commenced in response to concerns raised regarding the untidy condition of the site of a former training centre on The Parade.
 7. An investigation has commenced in response to a complaint regarding the untidy condition of a former nightclub premises on Lucan Street.
 8. An investigation has commenced in response to a complaint regarding the untidy condition of a former public house in Park Road.

9. An investigation has commenced in response to concerns raised by the Council's Public Protection Team regarding the installation of refrigeration units to the rear, and changes to the shop front, at a retail premises in Oxford Road.
10. An investigation has commenced in response to a complaint regarding the installation of a chimney in a conservatory at a residential property in Amble Close.
11. An investigation has commenced in response to a complaint regarding the change of use from a dwelling house to a hotel at a residential property in Windsor Street.
12. An investigation has commenced in response to a complaint regarding the erection of a shed at an allotment site in Haswell Avenue.
13. An investigation has commenced in response to a complaint regarding the carrying out of car repairs at a residential property in Hayston Road.
14. An investigation has been completed in response to a complaint regarding the erection of a detached garage at the rear of a residential property in Haswell Avenue. Permitted development rights applied in this case.
15. An investigation has been completed in response to a complaint regarding the erection of side boundary fencing to the front of a residential property in Fieldfare Road. The property is located in an open plan estate enforced by a condition linked to the housing development planning consent. Following negotiations with the property owner, the fencing has been removed.
16. An investigation has been completed in response to a complaint regarding the erection of an ornamental lighting column in the rear garden of a residential property in Riverston Close. A valid planning application seeking to regularise the erection of the ornamental lighting column has subsequently been received.
17. An investigation has been completed in response to a complaint regarding the erection of a two storey brick outbuilding in the rear garden of a residential property in Hutton Avenue. A valid application seeking to regularise the erection of the outbuilding has subsequently been received.
18. An investigation has been completed in response to a complaint regarding the erection of a rear extension at a residential property in Kinross Grove. Permitted development rights applied in this case.
19. An investigation has been completed as a result of a complaint regarding a car port not built in accordance with the approved plans and the installation of an extractor vent at a residential property in Swalebrooke Avenue. It was found that the car port was being built in accordance with the approved plans. The installation of a domestic cooker extract vent does not require planning permission.

20. An investigation has been completed as a result of Officer monitoring which identified the unauthorised change of use from a taxi office to a hot food takeaway at a commercial premises at Navigation Point. A valid application seeking to regularise the change of use has subsequently been received.
21. An investigation has been completed as a result of a complaint regarding non-compliance with a sound insulation condition at a residential property in Grange Road. It was found that the development had been carried out in accordance with the agreed details.

2. RECOMMENDATION

- 2.1 Members note this report.

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