



Hartlepool
Borough Council

Planning Committee

Agenda

17th June 2026

Time: 10:00 am

Location: Council Chamber

Members: Planning Committee

Councillors Anderson, Dunbar, Feeney, Gaiety (VC), Jorgeson, Oliver, Roy, Storey, Thompson, Wiley and Young (C)

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 22nd April 2026.

4. Items Requiring Decision

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

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|----|-------------|--------------------------------------|
| 1. | H/2026/0064 | 2 Farr Walk (page 1) |
| 2. | H/2026/0009 | 2 Granville Avenue (page 17) |
| 3. | H/2024/0298 | Land at Mainsforth Terrace (page 53) |
| 4. | H/2026/0077 | Norse Cottage (page 101) |

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

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



5. H/2025/0379 130 Oxford Road (page 111)
6. H/2026/0029 Land North of A689 Wynyard Park Estate, Wynyard Woods (page 132)
7. H/2025/0360 19 The Green, Seaton Carew (page 169)

5. Items for Information

- 5.1 Update on Enforcement Actions – *Director for Neighbourhood and Regulatory Services*
- 5.2 Planning Appeal at 14 Elm Grove – *Assistant Director – Neighbourhood Services*
- 5.3 Planning Appeal at 43 Kildale Grove – *Assistant Director – Neighbourhood Services*

6. Any other business which the chair considers urgent

7. For information

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

Any site visits approved by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting which is to be confirmed.

Date of next meeting – to be confirmed.



Planning Committee

Minutes and Decision Record

22nd April 2026

Meeting commenced

Time: 10:00 am

Location: Council Chamber, Civic Centre, Hartlepool

Present:

Councillor: Moss Boddy (In the Chair)

Councillors: Martin Dunbar, Tom Feeney, Michael Jorgeson (Vice Chair), Sue Little, Corinne Male, Amanda Napper, Carole Thompson

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

73. Apologies for Absence

None.

74. Declarations of Interest

Councillor Corinne Male declared an interest in planning application H/2025/0368 as Ward Councillor of the Burn Valley Ward.

75. Confirmation of the minutes of the meeting held on 18th March 2026

Confirmed.

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

Number: H/2020/0387

Applicant: CECIL M YUILL

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

Date received: 29/01/2021

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

Location: LAND AT QUARRY FARM ELWICK ROAD
HARTLEPOOL

This application had previously been deferred from the Planning Committee of 18th February 2026 to allow for a site visit for Members to consider the potential impacts as this development is outside of the local plan limits. The item was deferred at the Planning Committee of 18th March 2026 to allow for the publication of the viability assessment and for clarification to be sought in relation to the financial contributions in terms of the NHS and highways and the further representations of speakers were requested to be limited to these updates.

The Senior Planning Officer had spoken in depth at the last meeting of the Planning Committee on the 18th February 2026 and 18th March 2026. It was the officer recommendation to approve the application subject to planning conditions and to secure appropriate planning obligations including financial contributions.

The Agents, Applicant and an Objector were present at the meeting. The Objector addressed the Committee; he noted the site was an unallocated site and raised concerns around the legality of approving the application in terms of potential Community Infrastructure Levy (CIL) breaches. The Objector had concerns in relation to the funding structure around the Elwick Bypass. The contributions were tied to occupancy, which was dependent on the bypass, and therefore delivery would not be accelerated. The objector felt that the

outcome of viability was predetermined and prioritised profit. It was noted that the Objector felt approving this application would lead to a judicial review.

In response to the Objectors concerns, the below points of clarification were noted from officers:

- Planning obligations need to meet three key tests as part of the Community Infrastructure Levy (CIL), when they were requested the Planning Officer would have considered whether they could be met.
- There are other road improvements required in areas of the town and they were reasonably related to this scheme therefore funding could be requested and would also meet the Community Infrastructure Levy (CIL) test. The other areas included the Elwick Road Corridor, Hart Lane Corridor and the Dunston Road Roundabout.
- The road improvements in the areas stated above would still be required without this application due to general traffic growth.
- The Elwick Bypass improvements were part of a 10–15-year plan and are fully funded.

Councillor Thompson moved that this application be approved as per the officer recommendation. This was seconded by Councillor Dunbar.

The Chair noted that Councillors Little and Male were unable to participate in the vote for this item as they were not in attendance at the last meeting of Planning Committee where this item was considered.

The application was approved by majority by show of hands, Councillor Napper abstained from the vote.

Decision: **Minded to APPROVE**, subject to the completion of a section 106 legal agreement to secure financial contributions and obligations towards:

- HRA mitigation including wardening to mitigate likely recreational disturbance to the interest features (£250 per dwelling, £118,750 total);
- Highway infrastructure (£12,396.01 per dwelling, £5,888,104.75 total);
- Green infrastructure (£250 per dwelling, £118,750 total, to be directed towards the closest allotments);
- Play (two play parks, with a 25 year maintenance contribution or the commitment to hand the facility over to a management company);
- Built sports (£250 per dwelling, £118,750 total, towards borough wide provision);

- Playing pitches (£233.29 per dwelling, £110,812.75 total, towards borough wide provision);
- Tennis courts (£57.02 per dwelling, £27,084.50 total, towards borough wide provision);
- Bowling greens (£4.97 per dwelling, £2,360.75 total, towards the bowling green facilities within the borough);
- Primary contribution (£1,404,798.15 based on a pupil yield of 21.5/100 dwellings and a cost of £13,755.00 per school place);
- Secondary contribution (£917,758.16 based on a pupil yield of 13.7/100 dwellings and a cost of £14,102.00 per school place);
- NHS Tees Valley contribution of £100,000 to deliver services across practices in Hartlepool;
- On site Affordable housing (7% affordable dwellings, of which 70% affordable rent and 30% intermediate tenure);
- A 'recycling' clause/obligation (in the event additional funding was to come forward towards highway improvement schemes, this would ensure such financial contributions are appropriately recycled towards affordable housing and then towards delivering NHS services as set out in the committee report);
- Training and employment charter;
- Provision, maintenance and long term management of new footpaths and footpath connections;
- Provision, long term maintenance and management of play areas;
- Provision, long term maintenance and management of landscaping, open space, and biodiversity measures;
- Provision, long term maintenance and management of surface water drainage infrastructure at the application site;
- To secure the appropriate monitoring fees (per obligation),
and subject to the following planning conditions:

CONDITIONS AND REASONS

1. Application for the approval of the reserved matters (referred to below) and the commencement of development, shall be as follows. The first reserved matters application shall be made to the Local Planning Authority not later than 3 years from the date of this planning

permission and the development so approved shall be begun not later than 2 years from the date of approval of the last reserved matters of that phase. Thereafter, all subsequent phased reserved matters applications shall be made to the Local Planning Authority not later than 5 years from the date of this permission and the development so approved shall be begun not later than the expiration of 2 years from the final approval of the last reserved matters relating to each phase. For the avoidance of doubt.

2. Approval of the details of the Layout (including internal pedestrian and highway layout), Scale and Appearance of the building(s) and the Landscaping of the site (hereinafter called the "reserved matters"), shall be obtained in writing from the Local Planning Authority.

In order to ensure that these details are satisfactory.

3. The details submitted at the reserved matters stage shall be in general conformity with Dwg. No. 07 Rev E (Proposed Illustrative Site Layout, scale 1:1250, received by the Local Planning Authority on 25/07/2023); Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements, received by the Local Planning Authority on 06/03/2025); and Dwg. No. 5 Rev E (Application Masterplan, scale 1:2500, received by the Local Planning Authority on 10/11/2025).

In the interests of the proper planning of the area.

4. The permission hereby granted shall permit the phased development of the site and unless otherwise indicated all other conditions shall be construed accordingly. Prior to the submission of the first "reserved matters" application, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall identify the phasing of all development, infrastructure, landscaping including strategic landscaping, the local centre, the means of access/pathways/cycleways, enclosures and gates, public and amenity open space, treatment of the Local Wildlife Site (LWS), and play facilities of the development hereby approved. Thereafter the development (and subsequent submission of the Reserved Matters) shall be undertaken in accordance with the Phasing Plan so approved unless some variation is otherwise agreed in writing by the Local Planning Authority.

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

5. The development hereby approved shall be carried out in accordance with the following:

Dwg. No. 01-1 Rev B (Site Location Plan, scale 1:5000), received by the Local Planning Authority on 15th January 2021; and

Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 6th March 2025.

For the avoidance of doubt.

6. The total development hereby approved shall not exceed the following maxima:
 - Up to 475 residential dwellings (C3 Use Class);
 - Up to 400sqm retail floorspace falling within Use Class E(a), E(b) and/or E(e) of the Town and Country Planning (Use Classes) Order 1987 (as amended, including by the Use Classes (Amendment) (England) Regulations 2020).

For the avoidance of doubt.
7. No development on any phase shall commence until details of existing and proposed levels of the site (within and outwith the site) including finished floor levels of the dwellings and buildings to be erected, sections through the site and any adjacent land/buildings, and any earth retention measures, have been submitted to and approved in writing by the Local Planning Authority. The phase of development shall thereafter proceed in accordance with the agreed levels.

To ensure that the development safeguards the visual amenity of the area and the living conditions of the neighbouring residents in accordance with Policies QP4, QP5 and LS1 of the Hartlepool Local Plan (2018).
8. No part of the development hereby approved shall be constructed on any phase until construction of the new grade separated junction (comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway) has commenced on site. No dwelling on any phase shall be occupied until the new grade separated junction (comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway) is fully open to traffic, to the satisfaction of the Local Highways Authority (Hartlepool BC) in consultation with the Highways Authority for the A19. In the interests of highway and pedestrian safety and to accord with the provisions of Policy INF2 of the Hartlepool Local Plan 2018.
9. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A19, Travel Plan monitoring shall continue until it has been demonstrated that the travel patterns of the development are in line with the travel plan targets as shown in Table 6.2 of the "Quarry Farm Phase 3, Hartlepool Travel Plan" (reference: JO/VE/ITM15669-002A R, received by the Local Planning Authority on 27/10/2020).

In the interests of highway and pedestrian safety and to ensure that the travel patterns of the development are in line with the objectives of the Travel Plan, in line with PPG (2014).

10. Prior to the commencement of any phase of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19).

The plan shall include as a minimum:

- o Construction phasing;
- o Construction routing plans (where achievable, construction traffic shall not travel through Elwick Village, and shall use alternative routes when travelling to and from site);
- o Permitted construction traffic arrival and departure times.

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

In the interests of highway and pedestrian safety.

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

To ensure a satisfactory form of development and in the interests of highway safety.

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

In the interests of highway and pedestrian safety.

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

- In the interests of highway and pedestrian safety.
14. Prior to the commencement of development details of a system of street lighting on Elwick Road which covers the extent of the site access (and a timetable for implementation) shall be first submitted to and approved in writing by the Local Planning Authority. The street lighting shall thereafter be provided in accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.
 15. Prior to the commencement of development details of a scheme for the provision and location of bus stop infrastructure improvements (as indicated on Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 06/03/2025) to the east bound bus stop at Quarry Farm shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hardstanding, a bus shelter and low floor kerbing, and a timetable for the delivery of the infrastructure improvements. The scheme shall thereafter be provided in accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of sustainable travel, highway and pedestrian safety.
 16. Prior to the commencement the development, details of a scheme for traffic calming measures within the approved site, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measures shall thereafter be provided in accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.
 17. Notwithstanding the submitted information and prior to the commencement of each phase of the development, a site specific Waste Audit which shall identify the amount and type of waste which is expected to be produced by the development, both during the construction phase and once it is in use, shall be submitted to and agreed in writing with the Local Planning Authority. The Waste Audit shall set out how this waste will be minimised and where it will be managed, in order to meet the strategic objective of driving waste management up the waste hierarchy, and shall include a timetable for implementation. Thereafter, the development shall be carried out in accordance with the agreed details.
To ensure a satisfactory form of development, in the interests of visual amenity and the amenities of neighbouring occupiers, and to ensure compliance with the requirement for site specific detailed waste audit in

accordance with Policy MWP1 of the Tees Valley Joint Minerals and Waste Development Plan Document 2011.

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

In the interests of public health and delivering a sustainable development and in order to ensure that the play areas are provided in a planned and appropriate manner.

19. No development of any phase shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include method statements for the avoidance, mitigation and compensation measures as detailed in Section 5 (Recommendations) of the Ecological Assessment by OS Ecology, Project Number 23072, dated September 2024 and received by the Local Planning Authority on 25th October 2024. The CEMP (Biodiversity) shall include the following:

- i) works completed to a precautionary method statement for common toad;
- ii) A pre-commencement check for nesting birds shall be undertaken by a suitably experienced ornithologist if vegetation clearance or building demolition is undertaken between March and August inclusive;
- iii) A bat sensitive light strategy;
- iv) physical screening in some locations;
- iv) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Thereafter the approved CEMP shall be adhered to and implemented throughout the construction period and strictly in accordance with the approved details.

In the interests of avoiding or mitigating ecological harm.

20. No development of any phase shall commence unless and until a Habitat Management and Monitoring Plan (HMMP) to ensure that the approved development provides the delivery of the Biodiversity Net Gain (BNG) as detailed in the 'Landscape Ecological Management Plan (LEMP)' by OS Ecology (Project Number 23072, dated September 2024, and received by the Local Planning Authority 20/09/2024) has

been submitted to and approved in writing by the Local Planning Authority.

The HMMP shall include:

- details of habitat retention, creation and enhancement sufficient to provide the delivery of the net gain proposed in the LEMP;
- the provision of arrangements to secure the delivery of the net gain proposed in the LEMP (including a timetable for their delivery);
- a management and monitoring plan (to include for the provision and maintenance of the net gain proposed in the LEMP for a period of at least 30 years or the lifetime of the development (whichever is the longer). Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery.

To provide biodiversity management and biodiversity net gain in accordance with paragraphs 8, 186 and 193 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).

21. No development on any phase shall take place until a detailed scheme for the provision, long term maintenance and management of all landscaping within that phase of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall, where achievable, include the mitigation measures detailed in the document 'Landscape Ecological Management Plan (LEMP)' by OS Ecology (Project Number 23072, dated September 2024) received by the Local Planning Authority 20/09/2024 and Section 5 (Recommendations) of the Ecological Assessment (by OS Ecology, Project Number 23072, dated September 2024 and received by the Local Planning Authority on 25/10/2024).

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

damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

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

22. Notwithstanding the submitted information and prior to the commencement of any phase of the development, an Arboricultural Impact Assessment and Method Statement for the protection of any trees/hedgerows/landscaping within that phase, which shall be in general conformity with document 'Arboricultural Impact Assessment, Arboricultural Method Statement, and Preliminary Tree Protection Plan', document reference: ARB/AE/823c, dated December 2024 and received by the Local Planning Authority on 10/12/2024, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, the agreed scheme for the protection and retention of the retained trees shall be implemented on site and thereafter retained until the completion of the development of that phase. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees that are found to be dead, dying, severely damaged or diseased as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the existing trees and the visual amenity of the area and surrounding area.
23. Development on any phase shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" (document reference 17N1042 Rev B, prepared by Billinghamurst George and Partners, dated 7 August 2020, received by the Local Planning Authority on 27/10/2020). The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 3306 (and includes a connection to the adopted sewer and Seaton Carew Waste Water Treatment Works) and ensure that surface water discharges to the existing watercourse. To prevent the increased risk of flooding from any sources in accordance with the NPPF and to avoid any likely significant effects on the Teesmouth and Cleveland Coast SPA and Ramsar.
24. Notwithstanding condition 23, no development on any phase shall take place until a detailed design and associated management and maintenance plan of surface water drainage for that phase based on

sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

1. Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - a. human health,
 - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,

- f. archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

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

4. Reporting of Unexpected Contamination

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

Following completion of measures identified in the approved remediation scheme a validation report shall be prepared in accordance with 3 (Implementation of Approved Remediation Scheme)

above, which is subject to the approval in writing of the Local Planning Authority.

5. Long Term Monitoring and Maintenance

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

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

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

6. Extensions and other Development Affecting Dwellings.

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

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

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

In the interests of visual amenity and heritage assets.

27. Notwithstanding the submitted information and prior to the commencement of any phase of the development hereby approved, details of proposed hard landscaping and surface finishes (including the Access, proposed car parking areas, footpaths and any other areas of hard standing to be created) shall be submitted to and approved in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. Thereafter, the development shall be carried out in accordance with the agreed details. To enable the Local Planning Authority to control details of the proposed development, in the interests of the visual amenity of the area and highway safety.
28. Notwithstanding the submitted information and prior to the commencement of any phase of the development hereby approved, details of all walls, fences and other means of boundary enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details for each phase shall, where achievable, include the provision a 10cm² square Hedgehog access hole at ground level within dividing garden fences, to allow free passage of Hedgehogs through gardens and into wildlife corridors. Thereafter, the development shall be carried out in accordance with the agreed details.
In the interests of visual amenity and the amenity of the occupiers of the site, and the ecology of the area.
29. Prior to the commencement of each phase of development, details of the provision for refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, provision shall be made for the storage of refuse in accordance with the agreed details prior to the occupation or completion (whichever is sooner) of the identified dwellings or buildings, for the lifetime of the development hereby approved.
To ensure a satisfactory form of development.
30. A Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority, prior to the commencement of development on each phase, to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation and construction works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, details of the wheel washing facilities to be put in place to minimise the transference of mud onto the highway (these shall be sited on hard standing), road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The approved Construction Management Plan shall

thereafter be adhered to at all times during the construction period unless some variation is otherwise agreed to by the local planning authority.

In the interests of the amenities of the area and highway safety.

31. Prior to the commencement of each phase of the development hereby approved, details of a Noise Attenuation Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority, as specified in the Noise Assessment Report (report No. 0002, version V1, dated October 2020 and received by the Local Planning Authority on 27/10/2020). The Noise Attenuation Scheme shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233:2014 "Guidance on Sound Insulation and Noise Reduction for Buildings" (or as otherwise subsequently amended). The approved scheme shall be implemented, and verification that the measures identified in the scheme have been implemented shall be provided prior to the occupation of any of the dwellings identified in the scheme and shall be permanently retained thereafter unless some variation is otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt and in the interests of the amenity of future occupiers.
32. Prior to the commencement of development on any phase of the development, details of integral bat roosting box bricks (suitable for crevice roosting bats) to be provided to 50% of the dwellings within that phase, and integral universal bird nesting bricks to 50% of the dwellings within that phase, to be installed in a south or east facing sides of each of the dwellings within that phase of the development, including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bat box bricks and bird nesting bricks shall be installed strictly in accordance with the details so approved prior to the occupation or completion of each of the individual dwellings within each phase of the development, whichever is the sooner, and shall be maintained for the lifetime of the development hereby approved.
To provide an ecological enhancement for protected and priority species, in accordance with section 15 of the NPPF (2024).
33. Prior to the commencement of any phase of the development hereby approved, a report shall be first submitted to and approved in writing by the Local Planning Authority that demonstrates how the use of onsite renewable energy infrastructure will provide 10% of the development within that phase's predicted energy supply. The development shall thereafter be constructed/installed in line with the approved scheme prior to the residential occupation or completion (whichever is sooner) of the identified dwellings hereby approved.

- In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy QP7 and CC1.
34. Prior to the commencement of any phase of the development hereby approved, details of electric vehicle charging apparatus, including identifying the dwellings/location of the apparatus for that phase shall be submitted and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation or completion (whichever is sooner) of the identified dwellings, the agreed scheme shall be implemented on site.
- In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.
35. No construction/building works or deliveries shall be carried out except between the hours of 08.00 am and 6.00 pm on Mondays to Fridays and between 09.00 am and 1.00 pm on Saturdays. There shall be no deliveries or construction activity including demolition on Sundays or on Bank Holidays.
- To avoid excessive noise and disturbance to the occupants of nearby properties.
36. The commercial premises (Use Classes E(a), (b) and/or (e)) hereby approved shall only be open to the public between the hours of 07:00 and 23.30 on any day.
- In the interests of the amenities of the occupants of neighbouring properties.
37. Deliveries to the commercial premises (Use Classes E(a), (b) and/or (e)) hereby approved shall only take place between the hours of 07:00 and 21.00 on any day.
- In the interests of the amenities of the occupants of neighbouring properties.

Members considered representations in respect to this matter.

Number: H/2022/0357

Applicant: GLEESON HOMES WYNYWARD PARK HOUSE,
WYNYARD ESHTON STOCKTON ON TEES TS22 5TB

Agent: ORIGIN PLANNING SERVICES LTD MR STEPHEN
LITHERLAND 3B EVOLUTION WYNYARD BUSINESS
PARK WYNYARD

Date received: 14/02/2022

Development: Erection of 81no. dwellings with associated re-profiling of mounds, landscaping and infrastructure

Location: LAND ON THE WEST SIDE OF CORONATION DRIVE
HARTLEPOOL

The Chair noted that the Applicant had requested to withdraw from this Planning Committee agenda to allow time for the planning conditions set by the Local Planning Authority to be reviewed.

The Agent was in attendance at the meeting and addressed the Committee. It was noted the Agent did not feel they received sufficient time to review the conditions within the application. The Agent had some concerns around the conditions and requested additional time to refine them with officers.

Councillor Thompson moved that this application be deferred to allow for discussions between the Agent and the Local Planning Authority regarding the conditions. This was seconded by Councillor Feeney.

This was agreed by majority by show of hands.

Decision: **Members considered and agreed to a request from the applicant that the item be withdrawn from the agenda to allow for further discussions in respect to the proposed conditions.**

Number: H/2025/0368

Applicant: THE SALVATION ARMY MILLSHAW BUSINESS LIVING
GLOBAL AVENUE LEEDS LS11 8PR

Agent: CSN CONSULTING LLP MR STEVE NESBITT STUDIO
21 THE KILN HOULTS YARD WALKER ROAD
NEWCASTLE UPON TYNE NE6 2HL

Date received: 27/11/2025

Development: Change of use of first floor self-contained flat within the building from residential use to a use for the provision of education; for, or in connection with, public worship or religious instruction; and as a hall or meeting place for the principal use of the local community (F1 and F2 Use Class)

Location: HARTLEPOOL TEMPLE 131-133 PARK ROAD
HARTLEPOOL

The Senior Planning Officer outlined the application. It was the officer recommendation to approve the application subject to planning conditions set out in the report.

The Applicant and Objector were not present at the meeting therefore no representation was made.

Councillor Male moved that the application be approved as per the officer recommendation. This was seconded by Councillor Thompson.

The application was approved unanimously by show of hands.

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.
By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby approved shall be in accordance with the following plans and details; Dwg. No.09 Rev A (Location Plan at a scale of 1:1250, and Site Plan at a scale of 1:500), Dwg. No.06 Rev A (Proposed East and West Elevations), Dwg. No.05 Rev A (Proposed North and South Elevations) received by the Local Planning Authority on 24th November 2025; and Dwg No.08 Rev B (Proposed Roof/First Floor Plan) received by the Local Planning Authority on 27th November 2025.
To define the permission.
3. Notwithstanding the provisions of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification, the building shall solely be used for the provision of education (Use Class F1(a)), for or in connection with public worship or religious instruction (Use Class F1(f)) or as a hall or meeting place for public use (Use Class F2(b)) and shall not be used for any other use without the express written approval of the Local Planning Authority.
To define to the permission, in the interests of the character and amenity of the surrounding area and neighbouring properties.
4. The use hereby approved shall only operate between the hours of 09:00-18:00 Monday to Friday, 09:00-14:00 Saturday, and 09:00-13:00 Sundays and Bank Holidays.
In the interests of residential amenity.

Number: H/2025/0426

Applicant: MRS LEANNE COLE ARK ROYAL CLOSE
HARTLEPOOL TS25 1DH

Agent: MRS LEANNE COLE 21 ARK ROYAL CLOSE
HARTLEPOOL TS25 1DH

Date received: 09/02/2026

Development: Erection of a single storey sauna outbuilding to rear garden (retrospective)

Location: 21 ARK ROYAL CLOSE HARTLEPOOL

The Senior Planning Officer outlined the application. The application had been referred to Planning Committee at the request of a Local Ward Councillor. It was the officer recommendation to approve the application subject to the planning conditions set out in the report.

The Senior Planning Officer presented photographs of the site to Committee and a Member noted a gas canaster within the site and raised concerns on the safety of this. It was noted by officers, however, the Member was advised this was not a planning matter and could therefore not be considered as part of the application.

The Applicant and Objector were not present at the meeting therefore no representation was made.

Councillor Thompson moved that this application be approved as per the officer recommendation. This was seconded by Councillor Feeney.

The application was approved by majority by show of hands.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development hereby approved shall be in accordance with the following plans and details; Location Plan (at a scale of 1:1250) and supporting information including elevation plans (not to scale) date received by the Local Planning Authority 22/12/2025; and annotated photographs, date received by the Local Planning Authority 03/02/2026. To define the permission.

2. The single storey sauna outbuilding hereby approved shall only be used for purposes incidental to the use of the dwellinghouse and for no other purpose.

To ensure a satisfactory form of development and the amenities of neighbouring occupiers.

77. Update on Enforcement Actions *(Director of Neighbourhood and Regulatory Services)*

Members were advised on enforcement actions which had taken place within the reporting period.

A Member queried the number of stop notices for one site. The Planning and Development Manager confirmed that they were from two separate applications.

Decision

- i) The report be noted by Members.

78. Development Management Performance – First and Second Quarter 2025-26 *(Assistant Director, Neighbourhood Services)*

The Planning and Development Manager outlined the report. In the first quarter 100% of major and non-major applications were dealt with within the statutory periods or agreed time extensions. There had been no county matters.

In the second quarter, 100% of major applications had been dealt with within the statutory periods or agreed time extensions while 98% of non-major applications had been dealt with within the statutory periods or agreed time extensions. There had been no county matters.

There had been two appeals dismissed within the first and second quarters and one allowed.

The service was achieving government performance requirements in respect to the speed of determining planning applications and the quality of its decisions.

Decision

- i) The report be noted by Members.

79. Planning Appeal at Alvin House, 9 South End (*Assistant Director, Neighbourhood Services*)

A planning inspectorate decision had been received in respect to a planning appeal which had been received in respect of a refused application for the erection of an entrance porch and the erection of a fence (part retrospective). The appeal was dismissed and a copy of the officer report was appended to the report.

Decision

- i) The report be noted by Members.

80. Planning Appeal Outcomes at Low Throston House, Netherby Gate, Hart Lane (*Assistant Director, Neighbourhood Services*)

A combined planning appeal had been received in respect of a refused application for a Lawful Development Use application and in respect of a Planning Enforcement Notice. Both appeals were dismissed and a copy of the Planning Inspectors decision was appended to the report.

Decision

- i) The report be noted by Members.

81. Any other business which the Chairman considers urgent

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

The Chair noted that a letter had been sent to the Planning Inspectorate in relation to an appeal for Whelly Farm. A copy of the letter was tabled for Members.

A member asked whether a paragraph outlining permitted development (PD) rights could be included in Hartbeat for the guidance of residents. The Planning & Development Manager advised that PD rights were complex and it would be difficult to reduce to a short paragraph. The best way to get advise would be through the One Stop Shop services and we could look to promote this service in a future edition.

A Member thanked officers for their hard work during this municipal year and for the high quality of reports and collaborative working.

As this was the last Planning Committee of the municipal year ahead of the May elections, the Chair thanked Members and Officers for their input into the meetings of the Committee while he had been Chair.

The Planning and Development Manager thanked Members on behalf of officers for their patience and understanding during Planning Committee. Members were reminded that they would need to attend Planning Training in the new municipal year if they would be remaining on this Committee.

The meeting concluded at:

Time: 11:20 am

CHAIRMAN

No:	1.
Number:	H/2026/0064
Applicant:	MISS ALISON BRUNT FARR WALK HARTLEPOOL TS25 4EP
Agent:	DNS DESIGNS LTD MR DENIS NOBLE 29 QUEENSLAND ROAD HARTLEPOOL TS25 1LU
Date valid:	20/03/2026
Development:	Erection of pillars and fence with a height of approx. 1.4m along the side and rear boundary, dropping to approx. 1.05m at the front boundary, and erection of an inner fence and access gate with a height of approx. 2m (part retrospective)
Location:	2 FARR WALK HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

1.2. The following application is considered relevant to the current application:

H/2025/0103 – Erection of a 2m high boundary fence (retrospective). Refused at the planning committee meeting of 20th August 2025, for the following reason:

In the opinion of the Local Planning Authority, the erected boundary treatment (to enclose the side and rear garden of the application site adjacent to Wynyard Road) by virtue of its design, scale and siting, constitutes an unsympathetic and visually intrusive form of development, resulting in a detrimental visual impact on the character and appearance of the application site and surrounding area, contrary to Policy QP4 of the Hartlepool Local Plan (2018), the Council's Residential Design Guide SPD (2019) and paragraphs 134 and 139 of the NPPF (2024).

1.3. A planning enforcement notice (EN) was served by the LPA in October 2025 setting out a number of steps in order to address the breach of planning control. The timescale for compliance with the EN lapsed in February 2026.

1.4. In late November 2025, the applicant appealed against the LPA's decision to refuse the planning application (H/2025/0103) however the appeal was turned away by the Planning Inspectorate in early December 2025 as it was deemed that the appeal submission was out of time to appeal.

PROPOSAL

1.5. The application seeks planning permission for the erection of pillars and fencing with a height of approx. 1.4m along the side and rear boundary, dropping to approx. 1.05m at the front boundary, and the erection of an inner fence and access gate with a height of approx. 2m.

1.6. The application follows a refusal of H/2025/0103 for retrospective boundary fences and pillars to the front, side and rear boundaries.

1.7. The application seeks to regularise the unauthorised fencing and pillars to include a reduction in height to approximately 1.4m to the boundary extending to the side (south) and rear (east) of the host property, dropping to a height of approximately 1.05m to the section of the boundary extending along the driveway of the host property and along the front (west) boundary.

1.8. The proposed internal fence would be set in by approximately 2m from the curtilage of the host property and would extend from roughly in line with the front elevation of the host property to the rear boundary (approximately 17.7m in length). The proposed internal fence would have a width of approximately 3.1m and would feature an access gate (of a similar height) in the western/front elevation.

1.9. The application has been referred to be determined in the planning committee at the request of the (previous) Chair of the Planning Committee, in line with the Council's Scheme of Delegation.

SITE CONTEXT

1.10. The application site relates to the front, side and rear garden of 2 Farr Walk, which is a west facing end terraced property occupying a corner plot on Farr Walk/Wynyard Road, in Hartlepool. The host property adjoins No. 4 Farr Walk to the north, whilst No. 100 Wynyard Road is adjacent to the east/rear. Beyond the footpath of Farr Walk to the front/west, is No. 1 Farr Walk. To the south is the main highway of Wynyard Road, beyond which are further residential properties in the form of blocks of flats.

1.11. Prior to the enclosures being erected that formed the consideration of refused application H/2025/0103, the previous and established side and rear boundary are understood to have consisted of low level brick walls with a height of approximately 0.7m, in common with other boundaries throughout the street scenes of Wynyard Road and Farr Walk. The main rear garden appears to have been previously been enclosed by a higher boundary wall, running in line with the gable southern side elevation of the main dwelling and extending across part of the boundary with the adjacent neighbour to the east at 100 Wynyard Road.

PUBLICITY

1.12. The application has been advertised by way of a site notice and notification letters to 30 individual neighbouring properties. To date, there have been two objections received.

1.13. The concerns and objections raised can be summarised as follows:

- Strategic move from the applicant to delay Council's Enforcement action and powers
- Applicant is painting the unauthorised fence
- Out of keeping with street scene and surrounding area
- Inconsistency with other breaches of planning control.

1.14. Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=168549>

1.15. The period for publicity has expired.

CONSULTATIONS

1.16. The following consultation replies have been received:

HBC Traffic and Transport: The proposed scheme is acceptable from a highways point of view.

HBC Landscape Architect: A Planning Statement has been provided that details the planning history of the site.

The current proposals are an improvement on the previously refused scheme. Should the scheme be deemed acceptable, full details including finish should be provided. A visually recessive colour could reduce visual impacts further.

Cleveland Police: With regards to your recent planning application H/2025/0103 (part Retrospective) for Fencing at 2, Farr Walk. Hartlepool. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. Full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com.

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure.

Developers will be expected to have regard to the following matters, where

appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

Another material consideration is Section 17 of The Crime and Disorder Act 1998.

Further information on the Secured By design initiative can be found on www.securedbydesign.com Boundary treatments and recommendations are included within this Guide.

HBC Public Protection: No comments received.

HBC Community Safety and Engagement: No comments received.

HBC Countryside Access Officer: No comments received.

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

SUS1: Presumption in Favour of Sustainable Development

LS1: The Locational Strategy

QP3: Location, accessibility, highway safety and parking

QP4: Layout and Design of Development

QP5: Safety and Security

SPDs

1.19. Residential Design Guide Supplementary Planning Document (SPD), 2019.

National Planning Policy Framework (NPPF)(2024)

1.20. In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of

sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 002: Permission determined in accordance with development plan

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 009: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 039: Decision-making

PARA 048: Determining applications

PARA 131: Achieving well-designed places

PARA 133: Achieving well-designed places

PARA 134: Achieving well-designed places

PARA 135: Achieving well-designed places

PARA 139: Refusing poor designed development

PLANNING CONSIDERATIONS

1.21. 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 the character and appearance of the application site and surrounding area, the impact on the amenity and privacy of neighbouring land users, impact on highway safety, and crime, safety and security. These and any other matters are discussed in the sections below.

IMPACT ON CHARACTER AND APPEARANCE OF APPLICATION SITE & SURROUNDING AREA

1.22. It is acknowledged that objections have been received that raise concerns that the fence and pillars, both as-built and as proposed to be amended/reduced, results in an overbearing development that is not characteristic of boundaries throughout the street scenes, and an adverse visual impact.

1.23. Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. Development should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area, and respects the surrounding buildings, structures and environment.

1.24. Section D of the Council's Residential Design SPD (2019) requires that "the type of boundary enclosure chosen should be reflective of the area and sympathetic to each dwelling and its position in the street scene". This section goes on to detail

“appropriate boundary enclosures considerations”, stating that boundary enclosures should be sensitive to their location, among other criteria. Section E ‘Creating Safe Housing Areas’ of the Residential Design Guide SPD (2019) states that “boundary treatments can have a degree of visual permeability and can create a distinctive, attractive environment”. Consideration of safety and security matters is discussed in further detail below.

1.25. Paragraphs 135 and 139 of the NPPF (2024) stipulates that planning decisions should ensure that developments, amongst other requirements, will function well and add to the overall quality of the area, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

1.26. The host property is situated with its principal elevation facing west (onto Farr Walk) and its southern side elevation presenting onto Wynyard Road. The original boundary comprises low level brick walls along the side (Wynyard Road) and front (Farr Walk) boundaries, which is generally reflective of and replicated along the front and side garden boundaries of the properties along the northern side of Wynyard Road and Farr Walk. However, it is noted that in some instances these low level boundary walls are topped by hedges or a decorative screen wall bricks, and in some instances boundary fences are sited between properties. It is acknowledged that on the southern side, the blocks of flats feature low level fence boundaries.

1.27. As noted above, the proposals through the current application follow a previously refused application for retrospective boundary fencing and pillars (H/2025/0103) which proposed boundary treatments of approximately 2m in height adjacent to the footpath of Wynyard Road and between the application property and the adjacent neighbour of 100 Wynyard Road, dropping to approximately 1.05m around the driveway area of the host property. The previous application was refused as it was considered that the boundary fencing and pillars resulted in a detrimental impact on the character and appearance of the application site and surrounding street scenes of Wynyard Road and Farr Walk.

1.28. By virtue of the layout of the plots within the estate, the host property and its side garden are sited adjacent to the highway of Wynyard Road and it is considered that the proposed amended/reduced fencing and pillars (with a height of approx. 1.4m) adjacent to the footpath of Wynyard Road, would continue to be readily visible and prominent from a number of vantage points along this section of Wynyard Road and Farr Walk.

1.29. It is further considered that the enclosure of the side garden with a proposed fence with a height of approximately 2m would introduce a degree of visual containment which contrasts with the more open character that is generally characteristic within this part of the wider estate (including Wynyard Road and Farr Walk).

1.30. Notwithstanding the above, it is acknowledged that the current application seeks to regularise and amend the previously refused scheme under application H/2025/0103. The extent of harm previously identified related primarily to the excessive height, dominance and resulting overbearing appearance of the boundary

fences and pillars with the height of approximately 2m, being situated on the boundary of the application site and immediately adjacent to the main footpath of Wynyard Road.

1.31. The amended scheme now proposes a reduction in height of the boundary fences and pillars adjacent to the footpath of Wynyard Road, to approximately 1.4m, with further reduction to approximately 1.05m towards the front (west) of the application property adjacent to the driveway (and Farr Walk), together with the proposed 2m high fence set back approximately 2m from the highway, to enclose the side garden of the application property.

1.32. Given that the prevailing character of the area is defined by low-level brick walls, often supplemented by soft landscaping or low-level boundary treatments, which collectively contribute to an open and cohesive visual environment, it remains the consideration (as per H/2025/0103) that the introduction of a more continuous and comparatively taller boundary treatment would result in a degree of impact on the openness and visual continuity that characterises the street scenes of Wynyard Road and Farr Walk.

1.33. Notwithstanding this identified harm, consideration must be given to the ‘fallback’ position of permitted development rights. Under the provisions of the General Permitted Development Order 2015 (GPDO), boundary treatments of up to 1 metre in height adjacent to a highway and up to 2 metres elsewhere could be erected without the benefit of planning permission. Therefore, the proposed front section of the boundary (at approximately 1.05m) is only marginally (approximately 5cm) above what could be achieved under permitted development; the fences and pillars (as proposed to be reduced to approximately 1.4m in height) would be approximately 40cm above the permitted development height; and the proposed 2m (approx.) high internal side garden fence (set back from the highway) would generally constitute permitted development and therefore not require planning permission.

1.34. In terms of the proposed amended fences and pillars adjacent to the main footpath of Wynyard Road, consideration is given to the reduced height of the fencing and pillars (with a proposed height of approximately 1.4m) which would continue to be positioned adjacent to the footpath of the main highway of Wynyard Road (to the south) and along the main footpath of Farr Walk (to the west), with the erection of an additional fence with a height of approximately 2m within the side garden serving the host property (approximately 2m from the main footpath of Farr Walk). This would be approximately 40cm above the above mentioned ‘fallback’ position, within which any comparable impacts may arise and which aligns with what is generally considered acceptable by the government.

1.35. Notwithstanding this potential ‘fallback’ of permitted development, the proposal still requires planning permission, and therefore any weight attributed to it should be applied in a proportionate and reasonable manner.

1.36. However, given that the fences and pillars (as proposed to be reduced) would exceed the ‘fallback’ permitted height of approximately 40cm, and taking into account the proposed internal fence with its height of approximately 2m which also

benefits from the ‘fallback’ position of permitted development, it is considered that, to a large extent, the reduced height of the fences and pillars would be read in the context of the surrounding boundary treatments (including the internal boundary fence which would benefit from permitted development and to which planning permission would not be required). Consideration is also given to the reduced height of the proposal from the previously refused retrospective fences and pillars with a height of approximately 2m which would assist in reducing the identified impacts.

1.37. The unauthorised fences comprise close boarded timber fencing, which is considered to be a typical appearance of fencing found within residential estates. The submitted Proposed Elevations drawing indicates that the amended sections of boundary fencing and proposed internal fence would be constructed from fence panels, however it is noted that the submitted Planning Statement indicates “materials will consist of timber fencing or composite panels in a neutral finish, ensuring the development integrates with surrounding residential boundaries”.

1.38. The application has been assessed taking into account the character and appearance of the erected fencing at the application site. It is considered that it would not be appropriate to install fence panels or composite cladding where they would be dissimilar in appearance to the existing fence panels, and a planning condition is recommended to ensure that the proposed fencing is acceptable.

1.39. As considered through H/2025/0103, it is further considered that the ‘new’ appearance of the fences adds to their starkness and incongruous appearance within the street scene. It is therefore considered prudent to include a planning condition to ensure that the fencing (as both amended and as proposed to be erected) is painted a ‘recessive’ colour (a dark brown colour) within a suitable time frame. This view is supported by the Council’s Landscape Architect. Such a condition is recommended accordingly.

1.40. In view of the above, it is considered that whilst the proposed reduced height (to approximately 1.4m) of the fence and pillars along the southern boundary (adjacent to Wynyard Road) and the 2m section closest to Wynyard Road along the boundary with 100 Wynyard Road (east), and the fence and enclosure of the parcel of side garden along the southern and eastern boundaries (with a height of approximately 2m), would, by virtue of its design, scale and prominent siting, still be prominent in the context of the host property and street scene of Wynard Road. However, given the ‘fallback position’ of permitted development and the context of the application site and surrounding street scene and the improved scheme relative to the previously refused boundary treatments through H/2025/0103, it is considered that the proposed fences and pillars and internal fence would not result in such an adverse impact on the character and appearance of the application site and visual amenity of the surrounding area, as to warrant a reason to refuse the application in this instance.

1.41. Given the nature of the application (amendments to existing unauthorised boundary treatments), it is considered necessary for the works to be undertaken within an appropriate and reasonable timescale (3 months) which can be secured by way of a recommended planning condition.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

1.42. Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy. These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

Impact on 100 Wynyard Road (east)

1.43. The retrospective boundary fence and pillars to the eastern (rear) boundary runs along the western side of 100 Wynyard Road, at a distance of approximately 1.4m to the western side elevation of this neighbour, which features its main access door on the western side, and a footpath to the front (leading onto Wynyard Road). It was noted by the case officer during the site visit that this property does not feature any further fenestration on the western side elevation, and features two large windows at ground floor and two large windows at first floor in the front (south) facing elevation, all understood to serve habitable rooms.

1.44. It is acknowledged that the erected fence and pillars to the eastern boundary result in a degree of impact on the amenity of the occupants of this neighbour, particularly for the closest ground floor window on the western extent of the front/south elevation of this neighbouring property, in terms of overbearing impression, reduced outlook and overshadowing. However, consideration is given to the oblique relationship between the identified window and the boundary treatment and that the windows in the front elevation would continue to benefit from a relatively open outlook to the front/south of the property given the relationship between the two properties.

1.45. Overall, in view of the above and taking into account the established relationship between the two neighbouring properties, together with the section of fencing which would benefit from permitted development rights, it is considered that the proposed boundary fences and pillars to the rear (east) of the host property, to include the existing 2m (approx.) high section and the proposed (to be reduced) 1.4m (approx.) high section, would not result in such an unacceptable impact on the amenity and privacy of the occupants of No. 100 Wynyard Road in terms of loss of outlook, overbearing impression, overshadowing or overlooking, so significant as to warrant a reason to refuse the application in this instance.

1.46. It is considered that the remaining elements of the proposed boundary fences and pillars (including the southern sections along Wynyard Road, the proposed internal fence, the sections to the front of the host property adjacent to Farr Walk, and the boundary fences between the host property and No. 4 Farr Walk)

would be primarily screened from No. 100 Wynyard Road by the host property and/or the aforementioned amended and proposed rear/eastern boundary treatments, and therefore would not result in any adverse impacts on the amenity or privacy of the occupants of No. 100 Wynyard Road in terms of overshadowing, overbearing impression, loss of outlook or overlooking.

Impact on 4 Farr Walk (north)

1.47. To the north, the side boundary to the front (on the northern side), runs along the common boundary between the host property and the adjoining neighbour at No. 4 Farr Walk. It is considered that a boundary fence with a height of 1m between front garden boundaries could be erected under permitted development and without the requirement for planning permission and overall would not have an adverse impact on the amenity or privacy of the neighbouring property.

1.48. It is considered that the proposed boundary fences and pillars to the front (west) of the host property would be partially visible from the windows in the front (west) of No. 4 Farr Walk, and would retain the existing oblique relationship between the identified windows and this boundary treatment to the front of the host property. Taking this relationship into account as well the proposed maximum height of approximately 1.05m of this section, it is considered that the proposed boundary fences and pillars to the front (west) of the host property would not result in any adverse impacts on the amenity or privacy of the occupants of No. 4 Farr Walk in terms of overshadowing, overbearing impression, loss of outlook or overlooking

1.49. Given the established oblique relationships between the remaining proposed boundary fences and pillars to enclose the driveway and front garden (east and south, which are proposed to be amended and/or reduced in height from the existing retrospective fences and pillars) and to enclose the side and rear garden (west and south) of the host property, with the host property (and intervening rear boundary treatment) in between, it is considered that these elements would not result in any adverse impacts on the amenity or privacy of the occupants of No. 4 Farr Walk in terms of overshadowing, overbearing impression, loss of outlook or overlooking.

Impact on properties to the west (the closest being No. 1 Farr Walk)

1.50. The boundary fence to the front (west) retains a separation distance of approximately 10.3m to the closest neighbour to the west at No. 1 Farr Walk. Although it is acknowledged that the proposed boundary fence and pillars to the front (west) would be higher than the former low level brick walls around the host property and replicated throughout front gardens of nearby properties along Farr Walk and Wynyard Road, based on the submitted amended plans, the proposal intends to lower these sections to approximately 1.05m (from the existing height of approximately 1.4m). Such a height of boundary treatment would marginally exceed the height (1m) that could be erected without the requirement for planning permission.

1.51. In view of the above, it is considered that these elements would not result in such adverse impacts on the amenity or privacy of the occupants of No. 1 Farr Walk (or any other property to the west) in terms of overshadowing, overbearing

impression, loss of outlook or overlooking, so significant as to warrant a reason to refuse the application in this instance.

1.52. In terms of the higher proposed boundary treatments along Wynyard Road (south of the host property) and between the front of the host property and this side boundary along Wynyard Road, and between the host property and No. 100 Wynyard Road, a separation distance of approximately 20.5m is retained between these elements and the front (east) facing elevation of No. 1 Farr Walk. Taking into account the satisfactory separation distances and established relationships between the host property and No. 1 Farr Walk and other neighbours extending northwards along this side of Farr Walk and westwards along Wynyard Road, it is considered that these elements would not result in any adverse impacts on the amenity or privacy of the occupants of No. 1 Farr Walk (or any other property to the west) in terms of overshadowing, overbearing impression, loss of outlook or overlooking.

Impact on properties to the south (the closest being the flats of 79-84 (inclusive) Wynyard Road)

1.53. To the south, a separation distance of approximately 19.4m would be maintained between the proposed (amended/reduced) boundary treatment to the southern side and rear (east) of the host property and to the front (west) and the flats at 79-84 (inclusive) Wynyard Road, with the main highway in between.

1.54. Given the aforementioned satisfactory separation distances that would remain with the presence of a busy road in between, it is considered that the proposed reduced height of the existing boundary fences and pillars and proposed internal fence would not have a significant detrimental impact for any neighbouring property to the south (including Nos. 79-84 (inclusive) Wynyard Road) in terms of loss of outlook, overbearing impression, overshadowing or overlooking.

IMPACT ON HIGHWAY SAFETY

1.55. The application has been considered by the Council's Traffic and Transport team who have confirmed no objections, and therefore the proposal is considered acceptable in terms of highway and pedestrian safety.

1.56. During the course of considering the previously refused application, H/2025/0103, the Council's Traffic and Transport team initially confirmed through consultation that the erected fence and pillars to the front driveway area (with a height of approximately 1.4m) adversely impacts upon sight lines, and requested that this section to the front driveway be reduced to a height of approximately 1.05m.

1.57. It was noted by the case officer that whilst the fencing around the front driveway area has been removed since the consideration of H/2025/0103, the pillars remain at the retrospective height of approx. 1.4m. Given that the application includes a reduced height of boundary treatments, including the pillars to the front, of approximately 1.05m, a planning condition is recommended requiring the reduction of the pillars to 1.05m in height in this area (and 1.4m along the remainder of the boundary to Wynyard Road (south) and 100 Wynyard Road (west)) within a specified

timeframe to ensure the development is implemented as assessed and to safeguard highway safety and visual amenity.

1.58. Subject to this condition and such compliance by the applicant, the application is considered acceptable in this respect.

OTHER PLANNING MATTERS

Safety and Security (including Crime and Fear and Crime)

1.59. Policy QP5 of the Hartlepool Local Plan (2018) seeks to ensure that developments are designed to be safe and secure, and requires that developments are developed in a way which minimises crime and the fear of crime. Section E 'Creating Safe Housing Areas' of the Residential Design Guide SPD (2019) states that defensible space considerations can include boundary treatments which have a degree of visual permeability and that boundary enclosures should be secure, where possible and appropriate.

1.60. Paragraph 96 of the NPPF (2024) states that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

1.61. Section 17 of the Crime and Disorder Act 1998 requires Local Planning Authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

1.62. It is acknowledged that the applicant's supporting statement indicates that the proposals have been designed with regard to reducing of crime, fear of crime and anti-social behaviour.

1.63. Whilst sympathising with the applicant and their desire to address crime, fear of crime and anti-social behaviour problems, the Local Planning Authority is obliged to consider a broad range of material planning considerations and to arrive at a decision based on the overall planning balance.

1.64. Cleveland Police have responded to consultation on the application to provide advice in respect of crime and anti-social behaviour matters. No comments or objections have been received from HBC Community Safety and Engagement.

1.65. By virtue of the layout of the plots, the access to the neighbour at 100 Wynyard Road (east) is sited on the western side of its property, with a close proximity to the erected boundary treatment. It was noted by the case officer during the site visit, that when leaving the property, views of pedestrians on the footpath to the west of this neighbour are restricted for the occupants of No. 100 Wynyard Road as a result of the unauthorised erected fencing and pillars, posing potential safety and security issues.

1.66. During the consideration of the previously refused application H/2025/0103, whilst in the context of pedestrian safety and Secured by Design, no objections were

received from Cleveland Police (or HBC Traffic and Transport) in respect to such a relationship, officers considered that the erected high boundary treatment adjacent to the side and front boundary of No. 100 Wynyard Road generally resulted in a poor relationship which added to the view that the proposal was not a well-designed form of development.

1.67. However, consideration is given to the amended proposals which include a reduced section of boundary fence and pillars to the southernmost part of the rear/east boundary, which would allow the occupants of No. 100 Wynyard Road to have some increased visibility from their footpath when exiting their property.

1.68. Overall, and on balance, it is considered that the application is acceptable in respect to such matters and in this instance, subject to the required planning condition.

OTHER MATTERS

1.69. Each case is considered on its own individual merits, and the current application cannot take into consideration other instances of retrospective or proposed boundary treatments or enforcement action undertaken by the Local Planning Authority elsewhere in the borough.

CONCLUSION

1.70. Although the application site forms part of a street scene characterised predominantly by low-level boundary treatments which contribute positively to the openness and visual continuity of the area, it is acknowledged that the current proposal represents a notable improvement over the previously refused scheme, particularly in respect of the reduction in height and overall visual impact of the boundary fences and pillars adjacent to the main footpaths of Wynyard Road (south), Farr Walk (east) and 100 Wynyard Road (west).

1.71. Whilst it is considered that the amended/reduced boundary fences and pillars (approx. 1.4m in height) and internal 2m (approx.) high fence would still appear out of keeping with the prevailing character of the surrounding area and would not represent an enhancement to the street scene, in undertaking the required planning balance, significant weight is attributed to the fallback position afforded by permitted development rights, which would allow for boundary treatments of a similar nature, albeit reduced in height (to 1m along the boundary), and the erection of 2m high enclosures set back from the highway without the need for planning permission.

1.72. In this context, it is considered that the identified harm to the character and appearance of the area is not sufficient to warrant a reason to refuse the application in this instance, particularly when weighed against the fallback position and the improvements made relative to the previously refused boundary fences and pillars under H/2025/0103.

1.73. Accordingly, the proposal is considered acceptable, on balance, when taking into account the relevant provisions of Policy QP4 of the Hartlepool Local Plan (2018), the Council's Residential Design Guide SPD (2019), and paragraphs 135

and 139 of the NPPF (2024), and is therefore recommended for approval subject to appropriate conditions.

EQUALITY DUTY

1.74. The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

1.75. The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

REASON FOR DECISION

1.76. 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 conditions below:

1. The development hereby approved shall be carried out in accordance with the plans and details Dwg. No. -Location (Site Location Plan, scale 1:1250), Dwg. No. PBP (Proposed Block Plan, scale 1:500), Dwg. No. -PEFP (Existing/Proposed Plan), and Dwg. No. PL/PELV (Proposed Elevations) received by the Local Planning Authority on 20th March 2026.
For the avoidance of doubt.
2. Within a period of 3 months from the date of the decision notice, the existing boundary treatment adjacent to the public footpaths of Wynyard Road (south) and Farr Walk (west) and to the boundary with 100 Wynyard Road (east), shall be amended and reduced in height in accordance with the details hereby approved (and as identified on Dwg. No. PL/PELV, Proposed Elevations, received by the Local Planning Authority on 20th March 2026). Within a period of 3 months from the date of the decision notice, the sections of timber fencing (as required to be amended by this permission) shall be painted/stained in a dark brown colour.
In the interests of visual amenity, highway and pedestrian safety and to ensure a satisfactory development.

3. Notwithstanding the submitted details, the materials of the development hereby approved shall accord with those stipulated on the approved plans (contained within condition 1 of this decision notice) and the proposed sections of fencing (both external and internal) shall comprise close boarded timber fencing only (to match the existing fencing) and shall be painted/stained in a dark brown colour.
In the interests of visual amenity and to ensure a satisfactory development.

BACKGROUND PAPERS

1.77. Background papers can be viewed by the 'attachments' on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=168549>

1.78. Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

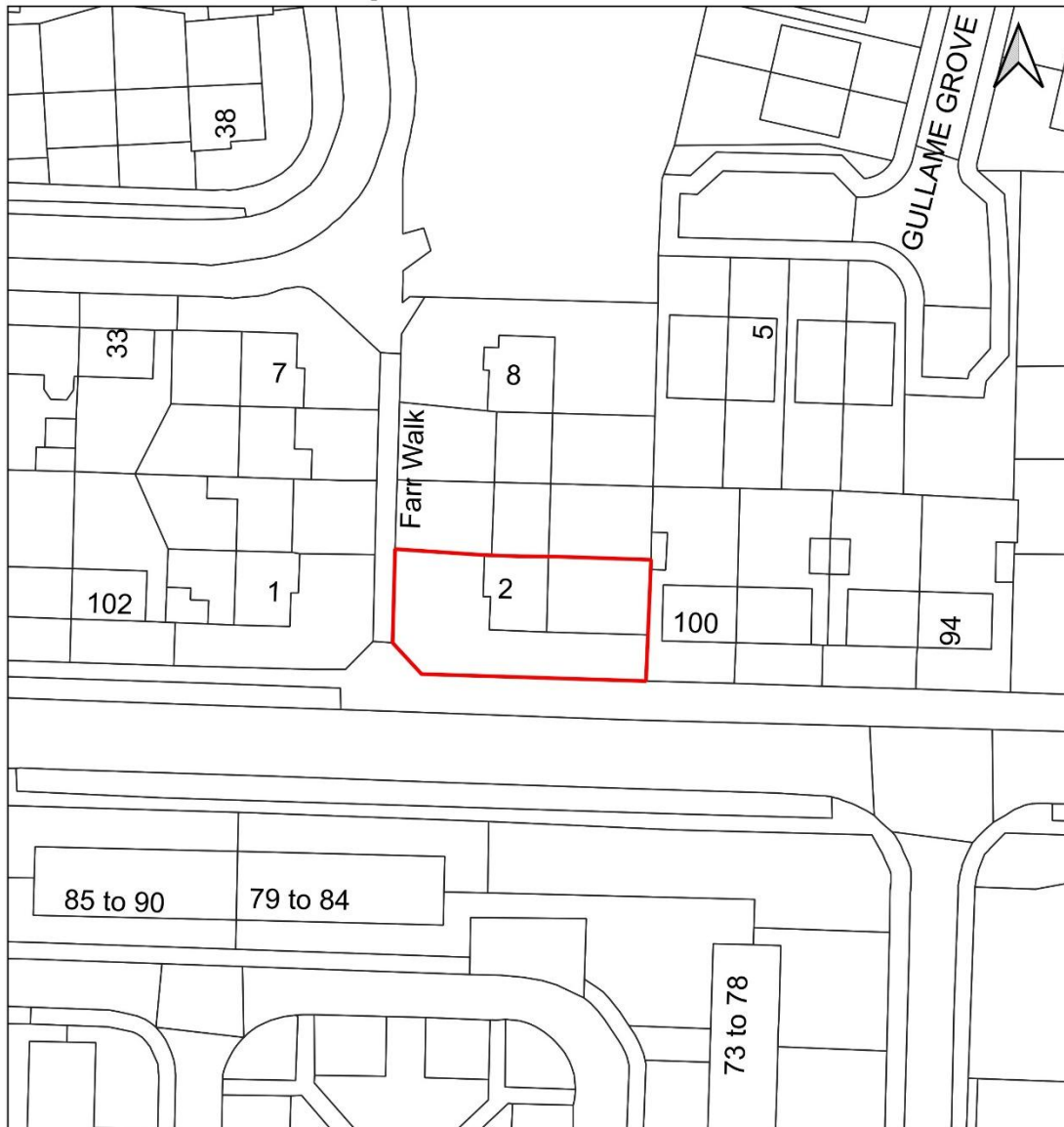
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2 Farr Walk, Hartlepool



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 <p>Hartlepool Borough Council</p>	<p>DRAWN LH</p>	<p>DATE 22/05/2026</p>
	<p>Scale 1:600</p>	
<p>Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY</p>	<p>DWG.NO H/2026/0064</p>	<p>REV</p>

No: 2.
Number: H/2026/0009
Applicant: GRAHAM ALTON ABBEY STREET HARTLEPOOL TS24 0JR
Agent: LOGIC ARCHITECTURE MISS MICHELLE WONG
BOHO SEVEN QUEENS SQUARE BOHO ZONE
MIDDLESBROUGH TS2 1PA
Date valid: 13/02/2026
Development: Proposed change of use of property to a children's care home (C2 Use Class) with associated outdoor space, the laying of associated hardstanding provision for car parking to rear and the widening of existing access points.
Location: 2 GRANVILLE AVENUE HARTLEPOOL

PURPOSE OF REPORT

2.1 An application has been submitted for the development highlighted within this report; accordingly, Hartlepool Borough Council, as the 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 An application for a Lawful Development Certificate (LDC) was received in 2025 for the proposed change of use from a residential dwelling house to a children's care home for up to 4no. young people (H/2025/0337). Based on the evidence provided, the development certificate could not be granted by the LPA and the application was refused on the 10/12/2025.

2.3 On receipt of the LDC application and in view of the proposals and the presence of mature trees on site, the Council's Arboricultural Officer undertook a site visit on 22nd January 2026 and it was deemed that three of the individual trees within the front garden of the site (1no. holly, 1no. sycamore and 1no. lime tree) were worthy of formal protection through a Tree Preservation Order (TPO). The TPO (no 278) was subsequently 'made' on 30/01/2026.

PROPOSAL

2.4 The application seeks planning permission for the change of use of 2 Granville Avenue, a residential property, to a children's care home (C2 Use) for up to four young people (11-18 year olds) and carers working on a shift basis. To facilitate the care home, additional car parking is proposed at the rear of the property (three spaces) utilising the existing access from Hart Lane (north), together with the widening of the two existing access points from Granville Avenue to the front/east and to the existing Hart Lane to the side/north, including the lowering of part of the existing boundary treatments to improve visibility for highway users.

2.5 The original application submission proposed 4 daycare staff members, as well as an on-site manager. The staff changeovers proposed that 4-day time staff would start at approximately 10:00am, and 2 staff members would leave at 11:30pm. Officers raised concerns regarding the available curtilage car parking as well as the unreasonable finishing time for staff at 11:30pm and the potential impact on the amenity of neighbouring properties. The applicant's agent subsequently revised the application submission to reduce the daytime staff members by one and set out that the hours of staff changeovers would not take place before 8am or after 9pm.

2.6 Internal alterations to the property are not Development and therefore do not require planning permission. Notwithstanding this, the submitted plans illustrate 4 bedrooms for resident children and 2 bedrooms for sleeping caregivers. The property includes such facilities associated with dwellinghouses such as bathrooms, kitchens, living rooms and reception rooms with the layout generally reflecting that of the existing layout of the property.

2.7 The application is accompanied by a revised Management Plan (submitted during the course of the application) for the proposed children's home. It is understood that the staff-to-child ratio would comply with OFSTED and statutory requirements. The submitted information indicates that two care members of staff would be on-site overnight (sleep-in shifts). In terms of other staff visiting the property, three caregivers would be present during the daytime and a manager. It is understood that this will result in a maximum of 6 staff members on site mid-morning for approximately 30 minutes, Monday - Friday. The shift patterns proposed are 8 am – 9pm for the daytime staff member, starting and finishing time of 10:30am for the two 12-hour overnight staff each day, and a manager will be present 9 am - 5 pm (Monday to Friday).

2.8 The submitted information advises that the home would provide care for children with some mild to moderate emotional and behavioural needs. No care is provided for children with high-risk or severe complex needs.

2.9 During the course of the application and following comments from officers and HBC Traffic and Transport, amended plans were submitted to detail the widening of the existing access point (to serve hardstanding and car parking) to the front and side of the property from Granville Avenue/Hart Lane. The existing opening between two tall piers would be widened from approximately 2.3 metres to approximately 2.7m whilst the two piers would be reduced in height to approximately 1.05 metres. An existing/historic access point from Hart Lane (where an existing dropped kerb is understood to be in situ) would also be utilised to serve the proposed hardstanding/car parking to the rear of the site and would require the widening of the existing opening in the boundary wall from 2.3 metres in width to 2.7 metres in width. The adjacent approximately 1.6m high boundary wall would also be reduced to approximately 1.05 metres in height for a section in length of approximately 2.8 metres. An approximately 1.05 metre high set of timber access gates is to be installed within the proposed widened access from Hart Lane (north).

2.10 The proposed hardstanding to the rear (to facilitate the three-car parking spaces) would be constructed from permeable block paving. The submitted plans detail that the parking area would be separated/screened from the remaining rear

garden through the erection of a 2m high close boarded fence to the south of the parking/hard standing area (which is permitted development).

2.11 As noted above, amended plans and additional information were received during the course of the application (along with updates to the application description) to which further consultations were issued.

2.12 The application has been referred to planning committee as more than 2 objections were received, in line with the Council's scheme of delegation.

SITE CONTEXT

2.13 The application site relates to a detached property at 2 Granville Avenue, Hartlepool. The property is a large detached 6-bed property situated at the corner of Granville Avenue and Hart Lane, together with incurtilage car parking area to the front and a garden area at the rear.

2.14 The property benefits from private rear amenity space to the rear and a hard-standing area to the front. Several trees within the site are protected by a Tree Preservation Order. The site benefits from two access points to the front (from Granville Avenue) and an second access to the side (from Hart Lane, where a dropped kerb is understood to be in situ), with the perimeter being enclosed to the front and partial side boundary by a low-level brick and hedging and towards the rear side boundary a higher-level brick wall.

2.15 The application site is situated at the corner of Granville Avenue and Hart Lane. Opposite to the front of the dwelling are residential properties (1 & 3 Granville Avenue). To the north is Hart Lane followed by residential properties (46, 48, 50 & 52 Hart Lane), to the west is St Lukes Church, Tunstall Avenue and to the south is a residential dwelling, 4 Granville Avenue.

2.16 Objections received during the course of the application have queried the existing use of the property including that the property may have been a House in Multiple Occupation (HMO) previously. During the consideration of the refused LDC application (reference H/2025/0337) as referenced in the Background section of the report, it came to light that a HMO License had previously been granted for the property (as confirmed by HBC Licensing); however, there was an ambiguity over whether the property remained as a HMO (or a dwellinghouse) at the time of the LDC application. In response to the refusal of the LDC application, the applicant has therefore applied for planning permission through this application.

2.17 Whilst it is acknowledged that the last known use of the property is not definitively known and therefore may have fallen within either of the C3 (dwellinghouses) or C4 (small HMO) use classes, both are residential uses and to which there are current permitted development rights that allow for the interchangeable change between the two uses. Furthermore, and notwithstanding the above position, there is no evidence before the LPA to indicate that the current or last known use of the property was not as a dwellinghouse. In any event, the application has been considered as applied for and is seeking permission to provide

a C2 Use Class against which the principle of the application has been assessed in the report below.

PUBLICITY

2.18 The application has been advertised by way of 16 neighbour letters and a site notice. To date, there have been 11 letters of objection received.

2.19 The concerns and objections raised can be summarised as follows:

- Suitability of the location;
- Unsuitable location, due to school, church and scouts in proximity;
- Impact upon residential character;
- Safety concerns of the community regarding the behaviour of the looked-after children and the safety of resident children within the area;
- Arising anti-social behaviour from the resident children
- Highway safety concerns due to lack of parking, no dropped kerb, close proximity to bus stop, increased traffic and on street parking and unsafe use due to proximity to school and a busy road;
- Increased noise and disturbance from comings and goings of staff etc;
- Loss of a family home;
- Impact upon the surrounding community and an intensification of use/concentration of care homes;
- Impact upon trees;
- Ambiguity over existing use;
- Energy Performance Certificate (EPC) not adequate for living arrangements;
- The home would be 100 yards from a home for residents with disabilities;
- Crime is already within the area and not a location appropriate for homing children;
- Potential for hostel uses;
- Lack of risk assessment regarding security measures;
- Loss of wildlife;
- Privacy issues regarding CCTV;
- Lack of Ofsted registration.

2.20 Background papers can be viewed via the 'click to view attachments' link on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167750>

2.21 The period for publicity has expired.

CONSULTATIONS

2.22 The following consultation responses have been received:

HBC Arboricultural Officer; Following discussions between the Case Officer and the Arboricultural Officer, a Tree Preservation Order (TPO) has been made to protect

three trees located within the front garden of 2 Granville Avenue. TPO 278 was created on 30 January 2026.

Confirmation has been provided that the existing driveway/amendments to the wall will remain unaltered and would not involve the breaking of ground. As a result, there is no additional arboricultural impact arising from this aspect of the application.

Further comments received 06/05/26:

The brick pillar on the front boundary wall is to be relocated; however, it has been confirmed that no excavation is required, as the pillar will be rebuilt on the existing wall foundations. On this basis, I am satisfied that no arboricultural documentation is required, as the works will not result in any additional impact on the protected trees within the front garden of No. 2 Granville Avenue.

HBC Building Control; A Building Regulation application will be required.

HBC Ecology;

1. Overview

No Objection subject to conditions.

Natural England to be consulted on Appropriate Assessment

The application relates to the change of use of an existing dwellinghouse from Use Class C3 to a children’s residential care home (Use Class C2) along with an area of additional parking.

The submitted information shows that the proposal will result in a small loss of on-site habitat associated with the proposed parking area.

The applicant has submitted sufficient biodiversity information to demonstrate that the proposal is within scope of mandatory BNG and that the current design does not achieve the biodiversity gain objective on site. As such, off-site units or statutory credits would be required unless the design is revised.

If permission is granted, the statutory biodiversity gain condition would apply, and a Biodiversity Gain Plan would need to be approved prior to commencement.

A HRA (Stage 2: Appropriate Assessment) has been prepared.

Natural England must be consulted.

2. BNG:

Headline figures:

	Baseline	Post-intervention	Net change
Habitat Units	0.8852 HU	0.8687	-0.0165 (-1.87%)

The submitted BNG Statement (*Ecosurv, 10/02/2026*) concludes that 0.11 off-site area habitat units would be required to achieve the mandatory 10% gain, or 0.21

statutory credits as a last resort.

The report also states that the habitats being created are not considered significant and that a Habitat Management and Monitoring Plan is not required.

HBC Ecology agrees with the conclusions of the report.

Evidence of secured credits must be supplied with the applicant’s Biodiversity Net Gain plan.

3. Suggested Planning Conditions:

1. BNG: The statutory biodiversity gain condition applies. As such, a Biodiversity Gain Plan should be secured.
2. Bat and Bird boxes: The recommendations in the applicant’s submitted Biodiversity Net Gain Statement for bat and bird boxes to be installed on retained trees on-site is considered appropriate and should be conditioned (*see below*).

In accordance with BS8683:2021 Process for designing and implementing Biodiversity Net Gain – Specification “Biodiversity enhancement measures that supplement the projects Biodiversity Net Gain Targets and are outside the scope of a metric, should be described and where possible quantified. It is recommended that bat and bird boxes should be installed on the retained trees on site, the inclusion of such features would therefore add further improvements to biodiversity gain than that demonstrated within the calculations outlined within this statement. See appendix 9.1 for some example boxes.

- The above should be achieved through the installation of at least 2no bat boxes and 2no bird boxes on appropriate locations on-site:
 - Bat boxes: Two long-lasting bat boxes (*made from a product such as ‘woodcrete’*) to be installed >3m above ground level on one of the retained trees (*or, if not suitable, a south or east facing external wall.*)
 - The bat boxes should be in sunlight for part of the day, therefore a sunny location on the east or south facing side is preferred. The boxes should be positioned away from artificial lighting and sheltered from strong winds.
 - Bird boxes: Two bird boxes may be installed to be installed between 2-4m above ground level on one of the retained trees (*or, if not suitable, a north or east facing external wall.*) Bird boxes should be installed with a clear flight path.

4. HRA:

The application site lies within the relevant zone of influence for European sites affected by coastal recreational disturbance.

Nutrient neutrality can be screened out at stage 1. Foul drainage will continue to connect to Seaton Carew Wastewater Treatment Works via the existing public sewer as an embedded component of the project design. There is no increase in built footprint, no material increase in impermeable roof area, and the proposed parking

area is to be formed in permeable block paving. On that basis, nutrient neutrality can be screened out.

However, the proposal is a windfall change of use to residential institution accommodation (Use Class C2), and it cannot be screened out for recreational disturbance. A stage 2 Appropriate Assessment is therefore required. (See below).

Habitats Regulations Assessment stage 1 screening

Revision history

Version	Date	Revision	Prepared by
1	30/03/2026	A	Max Cummins

1. Stage 1 (screening) findings

Nutrient neutrality

Is sewage disposed of via the public sewer systems of either Seaton Carew or Billingham WwTW?	Yes	Connection to the Seaton Carew WwTW is in the project design and is an embedded features so is considered at the screening stage. <i>(Confirmed in Applicant's Nitrate Neutrality Statement)</i>
Will surface water runoff occur?	No	The development is within an urban context, meaning there will be no significant change to the surface water regime.
Conclusion		Nutrient Neutrality is screened out.

Recreational disturbance

Is Recreational disturbance accounted for by the Hartlepool local Plan Coastal Mitigation Scheme?	No	HRA Appropriate Assessment is required.
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Habitats Regulations Assessment stage 2 Appropriate Assessment

Revision history

Version	Date	Revision	Prepared by
1	30/03/2026	A	Max Cummins

1. Introduction

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

2. HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment

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

- Teesmouth and Cleveland Coast SPA and Ramsar
- Northumberland Coast SPA and Ramsar
- Durham Coast SAC

That HRA stage 1 screening screened in the following LSE:

- Increased recreational disturbance.

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

Adverse Effect on Integrity findings

Recreational disturbance is identified as an LSE, potentially harming populations of SPA/ Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is a consequence of housebuilding. The Hartlepool Local Plan identified an average increase of 2.3 people per new dwelling and 24% of new households owning one or more dogs.

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

3. Mitigation measures

Measures to avoid and mitigate Adverse Effects on Integrity

The Hartlepool Local Plan (adopted May 2018), policy 'HSG1 New Housing Provision', provides allocated sites for major residential development (ten or more dwellings). These were collectively HRA assessed as part of the Local Plan HRA, and their mitigation is dealt with by the Hartlepool Coastal Mitigation Scheme.

All major, non-allocated housing developments, and all small-scale housing developments (nine or fewer dwellings) are not covered by the Hartlepool Coastal Mitigation Scheme and must be Appropriately Assessed in their own right.

However, provision to mitigate windfall housing developments is indirectly built into the Hartlepool Coastal Mitigation Scheme.

The Hartlepool Coastal Mitigation Scheme was designed so that:

- A windfall housing development greater than nine dwellings can use the same funding formula (to provide a financial contribution to the Scheme) to meet its HRA AA mitigation requirements.
- Developments of nine or fewer dwellings, or rooms for residential institutions

such as care homes (Including change of use applications) are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings.

The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments of nine or fewer new dwellings are mitigated by the combined Local Plan 'HSG1 New Housing Provision' allocated developments, which fund it. The Hartlepool Local Plan aspiration is for 6,150 new houses and the value of the Hartlepool Coastal Mitigation Scheme is set at £424,000.

This sum was used to calculate the 'per house' financial contribution formula and includes a contingency portion to cover the housing applications for nine or fewer dwellings.

4. Conclusion

This application, involving a Change of Use (CoU) from a single dwelling (C3 use) to a children's residential care home (C2 use), is classified as a windfall project. It is mitigated by the built-in contingency measures provided by allocated housing developments within the Hartlepool Coastal Mitigation Scheme.

This contribution is indirectly funded by the collective contingency provisions of allocated housing schemes in Hartlepool. Therefore, increased recreational disturbance will not cause an Adverse Effect on Integrity (AEOI) to any European Site. This project is compliant with the Habitats Regulations.

Natural England must be consulted on the HRA Appropriate Assessment.

HBC Public Protection; Environmental Protection has reviewed the application for the proposed change of use of the property from a dwellinghouse (Use Class C3) to a children's residential care home (Use Class C2) at 2 Granville Avenue.

The submitted information indicates that the property would accommodate up to four children, with staff operating on a shift basis. Typically two staff members would remain on site overnight, with additional staff present during daytime hours and brief staff handover periods. The information provided indicates that staff arrivals and departures may occur between approximately 7:00am and 10:30am and up to approximately 11:30pm, with handover periods expected to last around 30 minutes.

Environmental Protection raises no objection to the proposal. Based on the information provided, including the proposed staffing levels and arrangements for staff changeover, we do not consider that the development is likely to result in a statutory nuisance or a significant adverse impact on residential amenity. However, in the interests of neighbouring occupiers, we would welcome an earlier staff changeover time where this can be reasonably achieved. We would also request, in the interests of protecting the amenity of neighbouring residents, it is recommended that the below conditions are attached relating to external lighting and construction working hours.

Conditions

External Lighting

Details of any external lighting to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The lighting shall be installed and thereafter operated in accordance with the approved details. This is in the interests of protecting the amenity of neighbouring residential properties from light nuisance.

Construction Hours

No construction or demolition works, including the use of plant and machinery or deliveries to and from the site, shall take place except between the following hours:

- 08:00 – 18:00 Monday to Friday
- 08:00 – 13:00 Saturday
- No works on Sundays or Bank Holidays.

HBC Traffic and Transport;

Initial comments received 01/04/2026

I have no objections in principle to the siting of a Children's Home in this location. The increase in traffic would be minimal compared to existing traffic conditions. The site, however, should provide appropriate parking. In this case with a potential 7 members of staff being on site at any one time I would expect a minimum of 6 parking spaces. This would allow for 0.8 parking spaces per member of staff, which is the requirement for school parking. There is no direct parking requirement for this use. This would also cater for visitor parking during non-changeover periods. A potential extra parking space could maybe be provided at the rear to the side of the building.

The access to the off-street parking areas are below the recommended 2.7metre, the access onto Granville Avenue is very narrow approx. 2 metres and does not have a drive crossing. The access points should be widened to a min. 2.7 metres and a drive crossing installed on Granville Avenue. This may require the relocation of the 20mph speed limit sign at the developer's expense. The drive crossing should be constructed in accordance with the HBC specification and installed by a NRSWA accredited contractor.

The access on Granville Avenue is close to the Hart Lane junction. However, traffic entering Granville Ave will be on the opposite side of the road, and will not come into conflict with vehicles emerging from the access.

Further comments received 09/04/2026:

I have no objections in principle to the siting of a Children's Home in this location. The increase in traffic would be minimal compared to existing traffic conditions.

The site, however, should provide appropriate parking. In this case with a potential 7 members of staff being on site at any one time I would expect a minimum of 6

parking spaces. This would allow for 0.8 parking spaces per member of staff, which is the requirement for school parking. There is no direct parking requirement for this use. This would also cater for visitor parking during non-changeover periods. A potential extra parking space could maybe be provided at the rear to the side of the building.

The access to the off-street parking areas is below the recommended 2.7metre, the access onto Granville Avenue is very narrow approx. 2 metres and does not have a drive crossing. The access points should be widened to a min. 2.7 metres and a drive crossing installed on Granville Avenue to improve the ease of access and comply with Highway Law. This may require the relocation of the 20mph speed limit sign at the developer's expense. The drive crossing should be constructed in accordance with the HBC specification and installed by a NRSWA accredited contractor.

The walls either side of the proposed access points are quite high and would restrict visibility of drivers emerging from the driveway, as the property is located close to a Primary school, the applicant should look to reduce the boundary height in the vicinity of the access to maximum height of 1.05m ideally 600mm to ensure that children on the footway are visible. Railings may be placed on top of the wall to increase security.

The access on Granville Avenue is close to the Hart Lane junction. However, traffic entering Granville Ave will be on the opposite side of the road, and will not come into conflict with vehicles emerging from the access.

Further comments received 22/05/2026:

The proposed amendments to the site's access would be acceptable and provide the required visibility when exiting the car park, and the revised staff numbers can be accommodated in the proposed car park. The car park layout meets the requirement of the Tees Valley Design Guide and vehicles can manoeuvre in and out of the car park in a forward gear.

I have no objections to the siting of a Children's Home in this location.

HBC Waste Management; We require that suitable waste provision is in place at the site. The facility would require a trade waste agreement for waste for business/commercial use.

Adequate refuse storage space must be provided either internally or within the site boundary to accommodate the above requirements. All waste must be stored within the property boundary and must only be placed out on the agreed collection day. Waste must not be stored on the highway, including in a back street.

Cleveland Police; With regards to your recent planning application H/2026/0009 for a Residential Childs Care Home for up to 4 x Children, 2, Granville Avenue. Hartlepool.

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

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

Full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

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

In addition to the above I would also add the following.

For facilities such as this, should permission be granted, good management policies and systems are essential for the most effective running of the premises.

Full compliance with Ofsted Registering for a facility such as this must be adhered to. The applicant should also take into consideration crime statistics available for the locality of the proposed premises.

Once the care home is up and running, owners must email mfhcoord@cleveland.police.uk to add them to the care manager meeting invite list.

Further comments received 06/05/26:

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

HBC Children’s and Joint Commissioning Services; As a council, it is important to us to ensure that our care for children can remain in their hometown and as close to home as possible. However, we also need to ensure that this is balanced with the location of any new children's homes in the local community, and number of children's homes already in Hartlepool.

Natural England; Thank you for your consultation on the above dated 31 March 2026.

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

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

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

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

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

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI.

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England

advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

If the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Annex A – Natural England general advice.

Further comments received 08/05/26:

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our response dated 13 April 2026 reference number 545367.

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

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

Cleveland Fire Brigade; No comments received.

HBC Engineering Consultancy; No comments received.

HBC Community Safety & Engagement; No comments received.

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development

QP5: Safety and Security

QP6: Technical Matters

QP7: Energy Efficiency

RC21: Commercial Uses In Residential Areas

SUS1: The Presumption in Favour of Sustainable Development

NE1: Natural Environment

Supplementary Guidance

2.25 HBC Residential Design Guide Supplementary Planning Document (2019).

2.26 Tees Valley Design Guide and Specification – Residential and Industrial Estates Development

National Planning Policy Framework (NPPF)(2024)

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

the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA001: Role of NPPF

PARA002: Determination of applications in accordance with development plan

PARA003: Utilisation of NPPF

PARA007: Achieving sustainable development

PARA008: Achieving sustainable development

PARA009: Achieving sustainable development

PARA010: Achieving sustainable development

PARA011: The presumption in favour of sustainable development

PARA012: The presumption in favour of sustainable development

PARA039: Decision making

PARA048: Determining applications

PARA057: Planning conditions and obligations

PARA061: Delivering a sufficient supply of homes

PARA063: Housing needs for different groups in the community

PARA092: Promoting healthy and safe communities

PARA116: Considering development proposals

PARA129: Achieving appropriate densities

PARA131: Achieving well-designed places

PARA135: Achieving well-designed places

PARA187: Conserving and enhancing the natural environment

PARA192: Habitats and biodiversity

PARA193: Habitats and biodiversity

PARA198: Ground conditions and pollution

PARA231: Implementation

HBC Land Use Policy comments: *Following their initial comments and consideration of further information received during the course of the application, the following updated comments were received 14/05/2026;*

2.28 The proposed development is located in a predominantly residential area with a primary school nearby. The development is proposing to employ staff working on a shift pattern day/night as stated, the development will also result in other service personnel, professionals and visitors coming in and out of the building. Land use Policy (LUP) raises concerns about public safety, especially that of school children crossing roads within the proximity of the building. As such the proposed development would be required by policies QP3 and QP5 to ensure that the resident staff and all visitors to the building can move with ease and safety; and that the entrance ways and parking access points are conveniently located and safe for users.

2.29 The change of use from a residential home (C3) to a children's residential care home (C2) introduces a business /commercial use in a predominantly residential area. It is commercial in the sense that it is delivered by a private provider, and reliant on a structured, managed service model. As such, it introduces a pattern of use that includes staff movements, shift changes between day and night staff, professional visits, and potential incident-related activity, all of which differ from the

baseline expectations of a typical dwelling. As such policy RC21 (Commercial uses in residential areas) becomes relevant to the application and the policy restricts business operation times to between 6am - 8pm. However, it is noted that the children in care setting will require round the clock care, and the staff will work on a shift pattern therefore reasonable operational times outside 6am-8pm could be justified.

2.30 Whilst the importance of providing care for children is recognised and acknowledged, the location of the care home in a predominantly residential area raises concerns regarding its impact on residential amenity and character of the area. Considering that there is one other care home nearby, the impact of the additional proposed home on the residential character will need to be kept to a minimum and not result in an overconcentration of similar uses in the area. However, LUP will require that the proposal puts in place robust servicing arrangements to minimise impact on the residential area and amenities.

2.31 Local Plan policy HSG2 encourages retention of a balanced housing mix boroughwide, and resists loss of large family homes as evidenced in the SHMA. However current up-to-date housing monitoring evidence shows the delivery of large detached family homes is significantly higher than the rate at which they're lost either through conversion or demolition. Therefore 1 large dwelling loss through this proposed conversion would not be sufficient to significantly imbalance the housing stock across the borough. As such LUP has no concerns about the conversion of the family home.

2.32 In conclusion LUP supports the proposed development on condition that the raised concerns are satisfactorily addressed; and that the development will not have a negative impact on the surroundings and amenities of adjacent/neighbouring properties, and also that the residential character of the area is not affected. Although Policy RC21 restricts business operation hours to between 6am and 8pm, LUP notes that the children in care setting will require round the clock care, and the staff will work on a shift pattern therefore reasonable operational times outside 6am-8pm maybe acceptable for as long as reasonable weight is given to policy RC21 in terms of keeping disturbances associated with the business to a minimum.

PLANNING CONSIDERATIONS

2.33 The main consideration of the application is the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan (HLP). In particular, the main material considerations are the principle of development, the character and appearance of the host property and surrounding area, amenity of neighbouring properties, highway and pedestrian safety, car parking, ecology and any other planning matters. These and any other matters are set out below.

PRINCIPLE OF DEVELOPMENT

2.34 Paragraph 63 of the National Planning Policy Framework (NPPF, 2025) highlights the importance of identifying and addressing the housing needs of various

community groups through planning policies. This includes considering the specific requirements of looked-after children, among others.

2.35 Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive, and safe places which promote social integration through mixed-use developments and that planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

2.36 Paragraph 135 of the NPPF emphasises that developments should be designed to function effectively and contribute positively to the quality of the area, not just in the short term, but throughout their lifespan. It advocates for the creation of safe, inclusive, and accessible environments that support health and well-being, offer a high standard of amenity for both current and future users, and do not compromise community cohesion or quality of life due to crime or the fear of crime.

2.37 While the Hartlepool Local Plan (HLP) does not contain policies that specifically address the conversion of existing dwellings into residential children's homes, the preamble of HLP Policy under 'Housing' outlines the Council's commitment to providing a mix of housing to cater for the overall housing need.

2.38 Concerns have been raised regarding the loss of a family dwelling (and the lack of a housing assessment) and the compatibility of the proposed use within a residential area, particularly given its indicated proximity to another care facility and a school. It is acknowledged that Planning Inspectors have recognised that children's care homes can, cumulatively, contribute to the loss of family housing (each application is dealt with on its own merits), which may result in a degree of moderate harm.

2.39 However, such uses continue to provide residential accommodation and remain classified as residential in planning terms. It was considered not to be necessary to request a housing impact assessment as part of the consideration of this application, given that the Borough benefits from a range of housing stock and new dwellings within the Borough are providing 4-bed plus dwellings. HBC Land Use Policy has advised that current up-to-date housing monitoring evidence shows the delivery of large detached family homes is significantly higher than the rate at which they are lost either through conversion or demolition. On balance, it is considered that the loss of one dwellinghouse would not lead to a fundamental imbalance of housing stock within the Borough, a view supported by HBC Land Use Policy. Furthermore, these properties are capable of being reverted back to single-family dwellings in the future, subject to the appropriate planning permission.

2.40 In terms of any cumulative impact of such residential institution uses in the vicinity of the application property, whilst it is acknowledged that there may be other care or supported living facilities in the wider area, the HBC Land Use Policy, HBC Children's & Joint Commissioning Services, HBC Public Protection teams and Cleveland Police have not raised any concerns that this proposal would result in an over-concentration of this type of use in this area, and it is therefore considered that there no evidence to suggest that any cumulative impact of such uses is likely to give

rise to any demonstrable level of harm as to warrant a reason to refuse the application in this instance.

2.41 The application site comprises an existing property located within a predominantly residential area. The site lies within the defined limits of development and benefits from access to local community facilities within walking distance, as well as close proximity to public transport services. As such, the site represents a sustainable location for residential-based development.

2.42 Notwithstanding the residential nature of the use, having regard to the intended function of the proposal, including the staffing levels (as amended during the course of the application), operation hours and due to a manager being present on site during weekdays, it is considered that the provisions of Policy RC21 (Commercial Uses in Residential Areas) are applicable in the assessment of this application. This interpretation is supported by the HBC Land Use Policy Team.

2.43 HLP Policy RC21 seeks to ensure that proposals for industrial, business, leisure, retail and other commercial development, or their expansion, are not permitted within predominantly residential areas outside defined retail and commercial centres unless the criteria below are satisfied.

1. *There is no significant detrimental effect on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and*
2. *The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and*
3. *Appropriate servicing and parking provision can be made.*

2.44 In principle, the use of the property for a children's care home is considered to be acceptable for the reasons detailed above, subject to further consideration of the three identified criterion of HLP Policy RC21 and any other material considerations, which are discussed and set out further below.

CHARACTER & APPEARANCE OF THE HOST PROPERTY AND SURROUNDING AREA

2.45 Concerns have been raised regarding the increased activity and nature of the use of 2 Granville Avenue and its impact on the residential character of the area.

2.46 HLP Policy QP4 (Layout and Design of Development), amongst other requirements, requires that development should be designed to a high quality (layout, form, and scale) that positively enhances its location and setting whilst having regard to the distinctive character and history of the local area and respects the surrounding built environment. HLP Policy RC21 seeks to protect residential amenity by ensuring the scale and impact of commercial uses are compatible with the character of the area. The preamble to HLP Policy RC21 sets out that commercial uses, where there is an intensification of commercial uses, may cause difficulties of parking/servicing, which may harm residential amenity.

2.47 The NPPF places a strong degree of importance on ensuring development is of a high quality, maintains a strong sense of place, functions well and should

improve the quality of the area while not preventing or discouraging appropriate innovation or change.

2.48 There are no external alterations proposed to the existing property to facilitate the proposed change of use (as above, any internal alterations would not constitute 'Development'). The application does seek to provide some additional hardstanding within the rear garden area to provide 3 incurtilage car parking spaces for staff, together with some relatively modest alterations to the existing boundary treatments and vehicular access points to allow for safe access and egress by way of widening the widths of both points, together with lowering part of the front boundary wall along Granville Avenue and lowering of the height of a section of wall on the northern boundary on Hart Lane (with the proposed addition of low timber access gates). It is apparent that a high number of boundary walls have been entirely removed within Granville Avenue; however, the predominant character comprises low-level walls with high brick piers, some with railings. Along Hart Lane, the character of the boundary enclosures varies in their materials and heights.

2.49 Such alterations are therefore not uncommon, and whilst it would be preferable to retain the existing boundary enclosures as is, these alterations would ensure safe access and egress and therefore, on balance, such modifications to the existing walls (and landscaping) around the perimeter of the property are considered to be acceptable in this instance as they would not lead to a significant detrimental impact upon the character of the street scene.

2.50 Whilst it is acknowledged that the proposal would introduce car parking to the rear of the property, it would take access from an existing access (from Hart Lane) and would be primarily contained to the north west corner of the site (adjacent to the rear boundary with the church and separated from the nearest residential properties to the south by both the proposed 2m high internal fence and the existing boundary treatments to the north, south and west. Moreover, residential properties benefit from permitted development rights whereby rear garden areas can be turned into hardstanding for purposes incidental to the main dwelling (as is the case here, to serve car parking albeit for the proposed care home use). In this context, it is considered that such works would not adversely affect the character and visual amenity of the host dwelling and application site or that of the surrounding area.

2.51 HLP Policy RC21 seeks to ensure appropriate servicing and parking provision can be made. Whilst this is primarily considered under the Highway Safety section of the report, the site is proposing to create a greater level of incurtilage car parking (three additional spaces) within the rear area of the property via an existing access point, whilst still retaining an adequate area of outdoor amenity space associated with the premises. Given the intended use and operation of the care home (as detailed in the Proposal) including the car parking provision and anticipated servicing of the property (including waste collection), on balance, it is considered that the scale of the operations associated with the use, together with the proposed car parking provision, is acceptable in this instance and in respect to the character and appearance of the area.

2.52 It is well established that character is not purely visual; character also occurs from the way buildings, spaces, layout and landscapes are combined and how

people experience them and engage with all the senses. A local character with a strong identity aids in creating and sustaining communities and neighbourhoods.

2.53 In terms of servicing the property, it is envisaged that the use of the building would not be dissimilar to a family home; the site provides an area for waste refuse, and waste generated would be dealt with by waste services either by HBC or a private company. An informative will set out the developer requirements to have a waste agreement in place. In terms of impact upon character, it is considered that the scale of the use (as intended) would not result in any greater or demonstrable impacts beyond that of a large family home and as such, it is considered that the proposed development would be of a scale and impact that is compatible with the character and amenity of the application site and the surrounding area and would not result in an unacceptable form and layout within the site context.

2.54 It is understood that 24 Granville Avenue provides rest bite care provision together with St Lukes Church and Sacred Heart Primary School, which are close to the application site; these are considered to offer community facilities within the locality. Given the intended scale and function of the proposed children's home, which is still a form of residential use within the area, it is considered that the proposal would not lead to an intensification of commercial uses within the area and that the residential setting is an appropriate location for a children's home.

2.55 Notwithstanding this, how a use operates has the potential to impact the character of a site and the wider surrounding area. In this instance, the anticipated staff numbers would be at their greatest outside of school hours (mid-morning) and would lead to the presence of 6 staff members on site for an approximate 30-minute period, which would then be reduced to 4 members (including the manager) during the daytime hours after the night staff leave at approximately 10:30 am. Staff start times are to be staggered with 1 member of staff arriving at 8 am, 1 manager at 9 am and a further 2 members of staff at 10 am. Given there are two access points to the property, it is considered that this would not lead to an unreasonable intensification of these access points, given that these access points are existing and could likely be used by families with multiple cars and with young adults living independent lives could easily be replicated. It is understood/anticipated that other visits to the property would be ad hoc and would likely take place during daytime hours (as set out within the submitted Management Plan) when Granville Avenue is less congested and when occupiers within the area are at work and on street parking is in less demand. The use of comings and goings to the property, whilst they would be more presently noticeable beyond the existing (due to the property being vacant), would not be so severe as to result in such a demonstrable impact upon the character and appearance of the area, as this level of activity could be generated from a property of this scale. Nevertheless, to ensure the use remains compatible with the residential area, a planning condition is recommended to restrict the number of children and staff on site and, in effect, the overall scale of the use.

2.56 Taking this into consideration, it is considered that the proposed use would not fundamentally alter the existing character of the area, and there would be no demonstrable impact on the character and appearance of the existing property and the surrounding area. The proposal is therefore considered to be of a design and scale that is acceptable (and generally compatible) with respect to the impacts on the

character and appearance of the existing building and surrounding area. The proposal is therefore considered to accord with the HLP Policies QP4, RC21 (criterion 2) and the general provisions of the NPPF.

IMPACT ON AMENITY OF NEIGHBOURING LAND USERS

2.57 Objections received raise concerns regarding the impact on amenity of neighbouring properties, including in terms of noise disturbance from residents and through comings and goings, privacy impacts from any CCTV, intensification of use, and being in close proximity to an existing home on Granville Avenue.

2.58 HLP Policy QP4 states that development should not negatively impact the relationship with existing and proposed neighbouring land uses or significantly impact the amenity of adjoining occupiers or nearby properties by way of overlooking, overshadowing, or poor outlook. Further development should not impact the amenity of nearby occupiers by way of general disturbance. Proposals should also ensure that the provision of private amenity space is commensurate with the size of the development. Moreover, HLP Policy RC21 (criterion 1) seeks to ensure that development does not result in any significant detrimental effects on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation. The ethos of this requirement is also reiterated within HLP Policy QP6.

2.59 At a national level, paragraph 135 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Paragraph 198 of the NPPF sets out that planning decisions should ensure new development is appropriate for its location by considering pollution impacts on health, living conditions, and the environment, accounting for site sensitivity and cumulative effects, and by minimising noise to avoid significant harm to health and quality of life.

Amenity and Privacy

2.60 No external alterations are proposed to the building as part of the change of use and based on the existing and proposed floor plans where the use of such rooms and the windows served by them would be similar in nature (i.e. habitable rooms would remain habitable rooms), and therefore, owing to the established relationship of the host property relative to surrounding properties, it is considered that there would be no significant or demonstrable adverse impacts on the amenity and privacy of neighbouring properties above and beyond the function of the existing use, in terms of overlooking, overshadowing or loss of outlook.

2.61 In terms of the alterations to the existing access points, which would result in a lower section of boundary treatment to no higher than approximately 1.05 metres for a given section, these alterations in themselves are not expected to create any significant harm upon the future occupants and users of the host site, nor the amenities of nearby residential properties given the modest scale and nature of the works and the satisfactory remaining distances/relationships to neighbouring properties.

2.62 Regarding the amenity of future occupants of the property, the dwelling's internal floor space is relatively generous and exceeds the Nationally Described Technical Space Standards. Residents of the property would have provided the required facilities to provide day-to-day living. Further, whilst some of the rear garden area would provide incurtilage car parking spaces, the remaining outdoor amenity space associated with the use is considered to be suitable with a fence proposed to separate the proposed car parking/hardstanding area to the rear from the rear garden.

2.63 It is acknowledged that the supporting information makes reference to CCTV, which is not being applied for under this application. Nevertheless, if installed, this may be permitted development and would be subject to operating in accordance with GDPR. As this is not a consideration of the application and in view of the above matters, no direct impacts regarding loss of privacy would occur in this instance.

Noise and Disturbance

2.64 It is acknowledged that neighbour objections have been received, raising concerns that the proposed use as a children's care home is not suitable for a residential area, and that it would impact on neighbour amenity, particularly in respect of noise and disturbance due to an intensification of use and proximity to another home along Granville Avenue.

2.65 As previously set out in the HLP Policy, QP4, QP6 and RC21 have particular regard to amenity and noise and disturbance that may be generated from development.

2.66 The proposal seeks to change the use of the property to provide a home for four looked-after children by caregivers working on a shift basis. Initially, the proposal sought to provide care to the four children by two sleep-in caregivers and four caregivers from 10:00 am until 11:30 pm, in addition to a manager on-site presence during the hours of 9 am until 5 pm, Monday to Friday.

2.67 HLP RC21 states that businesses may not operate after 6 pm on an evening until 8 am. Officers raised concerns regarding the level of activity taking place at unreasonable hours, which would lead to noise and disturbance through comings and goings late in the evening, that, when being carried out daily, would create harm to residential amenity. This view was supported by HBC Public Protection and HBC Land Use Policy.

2.68 In response, the applicant's agent provided updated supporting information indicating that the number of daytime staff members would be reduced by 1, and the staff arriving and leaving the site would not occur outside the hours of 8 am and 9 pm.

2.69 The proposed amendments to the shift patterns would mean that the first member of staff would arrive on site at 8 am, a manager would arrive at 9 am, and a further two caregivers would arrive at 10 am, with the overnight staff leaving the premises at approximately 10:30 am. The daytime member of staff would leave at 9 pm.

2.70 The proposal incorporates a reduction in staff numbers, together with staggered arrival times and an earlier finishing time of 9 pm. Whilst this does not fully align with the provisions of Policy RC21, regard is given to the residential nature of the use and its operational characteristics. In particular, staff would not arrive or depart simultaneously, and peak staffing levels would typically occur during mid-morning on weekdays.

2.71 It is acknowledged that one staff member would leave the site at 9 pm, which is three hours beyond the hours anticipated by Policy RC21. However, on balance, this limited activity in the late evening is considered not to result in a demonstrable level of harm to residential amenity sufficient to justify refusal on this basis. Moreover, whilst acknowledging there is a long-established use of a care facility along Granville Avenue, Officers have no evidence to suggest that this use, in combination with the current proposal, would result in a demonstrable or detrimental impact upon residential amenity. Furthermore, HBC Public Protection or Cleveland Police have not raised such a concern in their comments. It is considered that whilst in proximity to one another, the two homes could function together without leading to any significant impacts in terms of residential amenity and the amenity of nearby community facilities.

2.72 It is recognised that the use of the property would differ from a typical dwelling due to the absence of a permanent resident family. Nevertheless, the level and pattern of activity are considered broadly comparable to a residential use. While there may be an increase in vehicle movements during the day associated with staff responsibilities, such as school drop-offs and pick-ups, these are considered not to be dissimilar in nature to movements associated with a conventional household. The proposal may also give rise to occasional visits from third parties, including deliveries and professionals such as social workers. However, it is understood that these would occur on an ad hoc basis, consistent with residential patterns. Supporting information indicates that planned visits would be pre-arranged to avoid staff changeover periods and would take place during normal office hours. Family visits would be limited to two persons and are expected, in most cases, to occur off-site. Taking into account the proposed incurtilage car parking provision (primarily for staff), it is understood that the site would be able to accommodate one incurtilage parking space after 10:30 am on weekdays, increasing to two spaces on weekends for visitors. In this context, it is anticipated that the proposed operation would not result in a detrimental level of harm in terms of disturbance to surrounding residents.

2.73 Whilst it is acknowledged that the proposal would introduce car parking to the rear of the property, it would take access from an existing access (from Hart Lane) and would be primarily contained to the north west corner of the site (adjacent to the rear boundary with the church and separated from the nearest residential properties to the south by the existing boundary treatments. As set out in further detail below, it is considered appropriate to limit the turnover of staff to certain times to avoid any adverse impact on the surrounding residential amenity that could occur from comings and goings, including access/use of the rear car parking area. Moreover, residential properties benefit from permitted development rights whereby rear garden areas can be turned into hardstanding for purposes incidental to the main dwelling (as is the case here, to serve car parking, albeit for the proposed care home use).

2.74 The property would provide a home within a residential setting to care for children by 3-day time care givers (with the presence of an on-site manager). In view of the above, it is considered that the proposal would not result in any significant adverse impacts on the amenity or privacy of any neighbouring property in terms of loss of outlook, overbearing impression, overshadowing or overlooking. On balance and subject to the imposition of a recommended planning condition setting out how many children and caregivers can live and work at the premises together with a recommended planning condition restricting the hours of hand over times for staff (not before 8 am and not after 9 pm), that the use could be made acceptable and would not lead to any demonstrable harm to the amenities of nearby residents and land users on this occasion in terms of noise and disturbance.

2.75 Furthermore, HBC Public Protection have raised no objections to the proposal and supports the principle of the recommended planning condition to restrict the hours of handovers of staff. HBC Public Protection have also recommended a planning condition in respect to hours of construction/deliveries, which can be secured by a planning condition which is recommended accordingly.

2.76 The development would broadly accord with HLP Policies QP4, RC21 (criterion 1) and the provisions of the NPPF.

SAFETY & SECURITY (including Crime and Fear and Crime)

2.77 Concerns have been raised regarding the appropriateness of the area for the cared-for children in terms of existing drug and crime-related activity within the area, and it is not an appropriate location for homing children and the safety of existing residents based on the children's behaviour.

2.78 Policy QP5 of the HLP seeks to ensure that developments are designed to be safe and secure and requires that developments are developed in a way which minimises crime and the fear of crime.

2.79 Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

2.80 Under Section 17 of the Crime and Disorder Act 1998, the Local Planning Authority is required to consider the potential impact of its decisions on crime and disorder and to take reasonable steps to prevent such issues.

2.81 While fear of crime can be a material planning consideration, it must be based on objective evidence rather than perception alone. Objections have been received raising concerns about crime and anti-social behaviour already occurring within the area, and the potential for further such issues arising from the proposed use, and the impact upon the community as a result of the children being cared for.

2.82 The Local Planning Authority is required to have regard to all relevant material planning considerations and to determine the application in accordance with

the overall planning balance. In this regard, it is understood from the submitted information that the children residing at the property would be expected to walk to school and would be subject to an evening curfew, arrangements which are comparable to those of a typical family household. It is further stated that the home would be Ofsted-registered and operated in accordance with appropriate management and safeguarding procedures, including protocols to be followed should a child fail to return home as expected.

2.83 The application does not seek planning permission for the installation of CCTV cameras. In any event, such equipment may constitute permitted development. The decision to install CCTV is a matter of individual choice and, whilst such measures can at times be associated with concerns relating to crime or the perception of crime, in this instance, the presence of CCTV would be intended to support safeguarding and effective management. It is also noted that CCTV has become a common feature at many residential properties due to its widespread availability and affordability.

2.84 Cleveland Police were consulted on the proposal and, while no formal objections were raised, they provided security-related advice and emphasised the importance of Ofsted registration and robust management arrangements. They also requested that the applicant engage with the police once the use is operational. These matters can be appropriately addressed through the inclusion of a recommended informative on the decision notice. With regard to Ofsted registration, the supporting information confirms the applicant's intention to obtain registration; however, it is recognised that this is not a planning matter and falls outside the scope of the planning system to enforce.

2.85 Whilst concerns have been raised by local residents regarding existing levels of crime in the area, and it is acknowledged that any new use has the potential to contribute to such concerns, there is no substantive evidence to demonstrate that the occupation of the property by up to four cared-for children would, in itself, result in an increased perception or fear of crime. It is considered that the proposed use would operate in a manner closely akin to a family home, would remain recognisably residential in character, and is considered to represent an appropriate use within an established residential setting.

2.86 Additionally, the HBC Community Safety team have provided no comments/raised no concerns. Cleveland Police recommend Secure By Design initiatives, good management policies, full compliance with Ofsted, which can similarly be relayed to the applicant through an informative.

2.87 Should any concerns arise in relation to crime or behaviour, officers consider that these could be addressed through other regulatory frameworks, including oversight by Ofsted under the Children's Homes Regulations, intervention by the Police, and appropriate management by the operator. These mechanisms fall outside the scope of planning control but provide robust safeguards.

2.88 Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

HIGHWAY & PEDESTRIAN SAFETY & CAR PARKING

2.89 It is acknowledged that objections have been received from members of the public in respect of highway safety from access and egress to the site in proximity to a school, heavily trafficked highway, close to a bus stop and any reliance on on-street car parking within an area that already suffers from a high level of on-street car parking.

2.90 Paragraph 116 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

2.91 HLP Policy QP3 requires that proposed development is safe (as does HLP Policy QP5) and accessible, and that residents and visitors can move safely, that parking is safe, adequate and conveniently located and that servicing arrangements and highway safety provisions are in line with the relevant local guidance (the Tees Valley Design Guide & Specification). Car parking and servicing requirements are also a consideration of HLP Policy RC21 (criterion 3).

2.92 On review of the originally submitted operational details, it was considered that the proposed staffing arrangements comprising four staff members and a manager, together with shift changeover periods, would result in staff numbers exceeding the level of in curtilage parking provision. As a consequence, there would be periods during the day when up to two vehicles may need to park on the street.

2.93 The HBC Traffic and Transport team advised that there are currently no adopted parking standards within the Tees Valley Design Guide and Specification for this particular use and that it would be akin to school parking. However, having regard to the existing on-street parking pressures, the proximity of the site to a primary school, and its relationship with a busy main road, it was initially recommended that the scheme provide an additional incurtilage parking space, resulting in a total of six spaces. Further recommendations included the widening of existing access points to meet current standards, the provision of a dropped kerb to the front access, and the relocation of an existing highway sign at the applicant's expense.

2.94 Revised plans have since been submitted by the applicant's agent, demonstrating compliance with the HBC Traffic and Transport team's comments in relation to access widths. The amended plans also show the lowering of a section of the existing boundary treatment to a height not exceeding 1.05 metres (approx.) in order to improve visibility for users of the access.

2.95 In addition, the proposed operational arrangements have been amended during the course of the application to reduce staffing levels by one and to alter staff working hours. The revised schedule indicates that, between 10:00 am and 10:30 am Monday to Friday, there would be up to six staff members on site for a short changeover period, and up to five staff members concurrently on weekends. The site would provide five incurtilage parking spaces. As such, for an approximate 30-minute

period on weekdays, one member of staff may be required to park on the street, assuming all staff travel by private vehicle.

2.96 It is noted that staff changeovers would occur during mid-morning, outside peak highway demand periods, at a time when on-street parking availability is typically at its highest. Given the short duration of this overlap and the limited scale of on-street parking reliance, it is considered, on balance, that the proposal would not result in a significant or unacceptable impact on on-street parking conditions, a position supported by HBC Traffic and Transport. Furthermore, the submitted information confirms that visits to the property would be infrequent, pre-arranged to avoid staff changeovers, and would take place during office hours. Family visits would be limited to two persons and are generally anticipated to occur off-site. Following 10:30 am on weekdays, the site would provide one incurtilage parking space for visitors, increasing to two spaces at weekends.

2.97 In terms of the proposed additional parking area within the rear garden area of the property, the Tees Valley Design Guide Specification sets out that a car park should have a minimum width of 2.4 metres and a length of 4.8 metres. The identified spaces shown on the submitted block plan comply with these requirements. Additionally, there would be a minimum manoeuvring space of 6 metres, which complies with standards, and HBC Traffic and Transport are satisfied with the layout proposed.

2.98 HBC Traffic and Transport team has reviewed the amended plans/information and considered the wider context of the site, including its proximity to a school, a busy road, a junction, a bus stop, and nearby dropped kerbs. Subject to the widening of access points, the lowering of boundary treatments, the provision of a dropped kerb, and the relocation of existing highway signage, HBC Traffic and Transport have raised no objections and have confirmed that the proposed use of the property as a children's care home, having regard to the revised staff numbers, would not give rise to a significant detrimental impact on highway safety (or an unacceptable impact for on street car parking) for users of the highway network.

2.99 In this context and given the limited incurtilage parking provision, it is considered necessary to impose a condition restricting staff numbers in order to ensure the development operates as assessed. Matters relating to the dropped kerb and the relocation of highway signage fall to be addressed under separate highway legislation and can be appropriately conveyed to the applicant by way of an informative note on the decision notice.

2.100 Concerns have also been raised in objections regarding the absence of a formal Transport Assessment, swept-path analysis, visibility splay assessments for the Hart Lane access, and detailed engineering drawings for the proposed rear parking area. In this instance, a Transport Assessment was not deemed to be required, given the minor nature of the development, nor is a swept-path analysis considered necessary. Visibility splays are shown on the submitted plans, and, having regard to the limited extent of the proposed hardstanding, detailed engineering drawings are not required. The specification of hardstanding materials can be controlled by condition if deemed necessary.

2.101 In light of the above and that HBC Traffic and Transport has confirmed no highway objections to the proposal, the proposed development is considered not to give rise to a significant impact on highway and pedestrian safety or parking provision and is therefore acceptable in highway terms when considered against the requirements of Policy RC21 (criterion 3), QP3 and QP5 and the provisions of the NPPF.

ECOLOGY AND BIODIVERSITY

Nutrient Neutrality

2.102 The Council's Ecologist has reviewed the application and raised no objections to the proposed development. A Stage 1 Habitat Regulations Assessment (HRA) has been completed to evaluate any Likely Significant Effects (LSE) on the Teesmouth & Cleveland Coast Special Protection Area (SPA) and Ramsar site, particularly in relation to nitrate enrichment and increased recreational disturbance.

2.103 The application confirms that foul drainage will be directed to the public mains sewer, which is treated by the Seaton Carew Wastewater Treatment Works. Based on this, HBC Ecology has advised that any LSE can be screened out at Stage 1 of the HRA. Natural England has also reviewed the assessment and confirmed that they have no objections.

Recreational impacts on designated sites

2.104 Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment has been triggered. As the competent Authority, Hartlepool Borough Council has a legal duty to safeguard European Sites. Increased recreational disturbance (including dog walking) is linked to an increase in new residents, which is a consequence of new and increased forms of residential development.

2.105 The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments could be suitably mitigated. As the proposal is for a residential institution, it would be captured and covered by the wider mitigation scheme, which has factored such minor developments into the overall consideration.

2.106 The Council's Ecologist has appropriately assessed the application through Stage 1 and 2 (Appropriate Assessment) and considers that, in this instance, the increased recreational disturbance is mitigated by the Hartlepool Coastal Mitigation Scheme and there will be no Adverse Effect on the Integrity of any European Site. Natural England has been consulted and raises no objection, subject to the appropriate mitigation for recreational disturbance, as set out, the development would not create any likely significant effects on designated sites, as it would be mitigated through the Coastal Mitigation Scheme that the Council has adopted.

Biodiversity Compensation and Mitigation Measures

2.107 The Environment Act 2021 includes Biodiversity Net Gain (BNG), which came into force on 12th February 2024, with a mandatory requirement for at least 10% BNG post-development. The NPPF requires development to provide net gains for biodiversity. Paragraph 187(d) of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

2.108 The application was accompanied by a Biodiversity Metric and Biodiversity Net Gain Report. The site would, as a result of the proposed hard-standing area to the rear, result in an area unit deficit of -0.02 of non-significant habitat. The report sets out the BNG hierarchy and concludes that in order to achieve a 10% net gain, a total of 0.11 off-site area habitat units are required or 0.21 of statutory credits. The report indicates that the site is constrained and therefore the uplift would be provided by the purchasing of off-site units via an accredited habitat bank or, as a last resort, Government Statutory Credits.

2.109 In response, the HBC Ecologist has reviewed the submitted BNG information provided and agrees that the habitat creation would be non-significant and that a Habitat Management and Monitoring Plan is not required. However, the statutory pre-commencement biodiversity gain condition applies

2.110 It is anticipated that the applicant will purchase the appropriate amount of habitat units to offset the identified impacts/loss of the application and will therefore provide details of the purchased units. Subject to the developer securing these units, the development can be made acceptable in this respect. The developer will ultimately need to submit and discharge the mandatory/deemed Net Gain Plan condition. Details of this can be secured by way of an informative (as per the national PPG advice for this). The proposal is therefore considered to be acceptable in this respect.

2.111 Accordingly, and for the avoidance of doubt, the intended provision of delivering the mandatory 10% BNG (through offsite units with a registered provider or statutory credits) would not require a legal agreement to be secured as part of the determination of this planning application.

Biodiversity enhancement

2.112 In addition to the above-referenced mandatory BNG requirements, the submitted supporting ecological information advises that ecological enhancements would also be provided by installing 2 bat and 2 bird boxes on the retained trees within the site, which is supported by the Council's Ecologist and a planning condition is duly recommended.

Ecology summary

2.113 Given the above assessment, the proposed development is considered to be acceptable with regard to ecological matters, subject to the identified recommended

planning conditions and subject to the scheme satisfying the mandatory Biodiversity Gain Condition.

OTHER PLANNING MATTERS

Lighting

2.114 HBC Public Protection have recommended a planning condition regarding the installation of any external lighting. No lighting is indicated or illustrated as part of the proposed scheme, and given the nature of the proposed use, it is not envisaged that such issues would arise. Should lighting be installed at a future date, depending upon its nature and scale, planning permission may be required, where necessary controls can be exercised, and alternatively the Council's Public Protection section can manage any lighting issues that may arise through the respective legislation and no issues are raised in respect to the current proposals.

Waste provision

2.115 It has been indicated on the proposed site layout plans that space for refuse storage is to be provided (understood to be on an existing area of hardstanding to the side/rear of the property). An informative is recommended to advise the applicant that a trade waste agreement is required for staff waste, reflecting the comments of HBC Waste Management. The application has demonstrated that appropriate waste area provision can be provided and accords with the aims of HLP Policy RC21 in this regard.

Impact upon trees

2.116 It is acknowledged that there are now three protected trees on site (protected by way of a recently made Tree Preservation Order); however, the creation of the additional hardstanding area does not impact upon the existing trees, and the applicant has confirmed that the widening of the access points (whereby hard standing is already present) would not involve the breaking of ground. The HBC Arboricultural Officer has confirmed that no additional supporting information in respect of trees is required in this instance, and the proposal is therefore acceptable in this regard.

Energy Efficiency

2.117 Given the nature of the proposal (to change the use of an existing building) and that the proposal does not relate to a new build, the requirements of Policy QP7 (Energy Efficiency) and the provision of improving the energy efficiency of a building would be beyond the remit of this planning application. The submitted documentation contains an EPC Certificate. Notwithstanding this, for the purposes of determining the application on its planning merits, this is an existing building that would be reused, and it is considered that thermal efficiency would primarily be a matter for building regulations, should it be required.

Potential for other uses

2.118 In respect to the objection/concern received that the proposed use would fall within C2 use class, hostel uses are C1 use class. Allowing such development does not set a precedent for such uses, and in each case, each application is dealt with on its own merits. A planning condition is recommended in this instance to stipulate that the premises be used for C2 purposes as applied for only, and a further condition is recommended to restrict the number of children and staff.

OTHER MATTERS

Fire Considerations

2.119 Cleveland Fire Brigade has been consulted, and no comments have been received. Access and water supplies (and any requirement for sprinklers) would need to be considered and addressed through Building Regulations. Should any comments be received, Members will be duly updated at the committee meeting.

Lack of Ofsted registration

2.120 It is understood that Ofsted registration is not a legal requirement; however, in any event, the application does set out that the premises would be registered with Ofsted.

Lack of risk assessment regarding security measures

2.121 Risk assessments of how the security measures would operate from the site are considered to fall outside the remit of planning. It is understood that such management issues would need to be considered by the operator and by Ofsted.

CONCLUSION

2.122 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to a children's care home (C2 Use Class) is acceptable in this instance. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety or any other planning matter, including safety and security. It is therefore considered that the development accords with the relevant policies of the HLP and relevant provisions of the NPPF.

EQUALITY DUTY

2.123 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

2.124 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

REASON FOR DECISION

2.125 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 recommended planning conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby approved shall be carried out in accordance with the plans: Dwg. No 2587-LAL-XX-XX-DR-A-00-500 REV P1 (Proposed Floor Plans) and Location Plan (scale 1:1250) received by the Local Planning Authority 14/01/2026; DWG NO. 2587-LAL-XX-XX-DR-A-00-601 REV P1 (Visibility Splay of Access Points Boundary Treatment), DWG NO. 2587-LAL-XX-XX-DR-A-00-200 REV P5 (Proposed Block Plan) received by the Local Planning Authority 24/04/2026; DWG NO. 2587-LAL-XX-XX-DR-A-00-600 REV P2 (Existing and Proposed Elevations Boundary Treatment) received by the Local Planning Authority on 7th May 2025.
To define the planning permission.
3. Notwithstanding the provisions of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order (with or without modification), the planning unit (2 Granville Avenue) shall be restricted to a children's care home (Class C2 residential institution) only and for no other purpose, including any other use within Class C2 or any other use class of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any order revoking or re-enacting that Order.
The use hereby approved shall accommodate no more than four (4) children at any one time and shall be staffed by no more than three (3) caregivers on site at any one time. Staff shift changeovers associated with the use hereby approved shall not take place between the hours of 21:00 and 08:00, and no staff arrivals or departures associated with shift changes shall occur during this period.
To adequately control the use of the site, and to ensure the use remains compatible with the residential character of the area and to protect the amenities of nearby occupiers in accordance with HLP Policy QP4 and RC21.

4. Prior to the completion or occupation (whichever is sooner) of the development hereby approved (as a children's care home), full details of a minimum of 2no. bat boxes and 2no. bird boxes to be installed more than 3m above ground level on the retained trees within the curtilage of the site (or, if not achievable, a north or east-facing external wall of the building), including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed enhancement measures shall be installed strictly in accordance with the details so approved prior to the occupation of the development, and shall be maintained for the lifetime of the development.
To provide an ecological enhancement for protected and priority species, in accordance with Policy NE1 of the Hartlepool Local Plan (2018) and Section 15 of the NPPF (2024).
5. Prior to the completion or occupation (whichever is sooner) of the development hereby approved (as a children's care home), the proposed hardstanding to the rear of the site as detailed on plan DWG NO. 2587-LAL-XX-XX-DR-A-00-200 REV P5 (Proposed Block Plan, received by the Local Planning Authority on 24/04/2026) shall be constructed and completed in accordance with the approved plan including the requirement for the additional car parking spaces to be constructed from porous/permeable materials as detailed on the aforementioned approved plan. Thereafter, the total parking provision within the site (5no. car parking spaces as detailed on the plan DWG NO. 2587-LAL-XX-XX-DR-A-00-200 REV P5 Proposed Block Plan, received by the Local Planning Authority on 24/04/2026) shall be retained for the lifetime of the development.
To provide the requisite incurtilage car parking provision in the interests of highway safety and to prevent increase risk of flooding from surface water run-off in accordance with planning policy, CC1, QP4 and RC21.
6. Prior to the completion or occupation (whichever is sooner) of the development hereby approved (as a children's care home), the approved scheme to widen and amend the two existing access points (from Granville Avenue and from Hart Lane) and the associated amendments to the existing boundary enclosures shall be implemented and completed in accordance with plan DWG NO. 2587-LAL-XX-XX-DR-A-00-600 REV P2 (Existing and Proposed Elevations Boundary Treatment received by the Local Planning Authority 07/05/2026). The works to amend/relocate the existing boundary walls/piers shall be finished in materials to match those of the existing adjacent boundary treatments (as detailed within the approved plan referenced in this condition) and the proposed timber gate (to serve the access from Hart Lane) shall be stained a dark brown colour (or any other similar visually recessive colour as agreed in writing with the Local Planning Authority). Thereafter, the two access points shall be retained for the lifetime of the development.
To provide safe access and egress to the property in the interests of highway safety and in the interests of the visual amenity of the surrounding area.

7. No construction or demolition works, including the use of plant and machinery or deliveries to and from the site, shall take place except between the following hours:

08:00 – 18:00 Monday to Friday

08:00 – 13:00 Saturday

No works on Sundays or Bank Holidays.

In the interests of residential amenity.

BACKGROUND PAPERS

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

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167750>

2.127 Copies of the applications are available online:

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

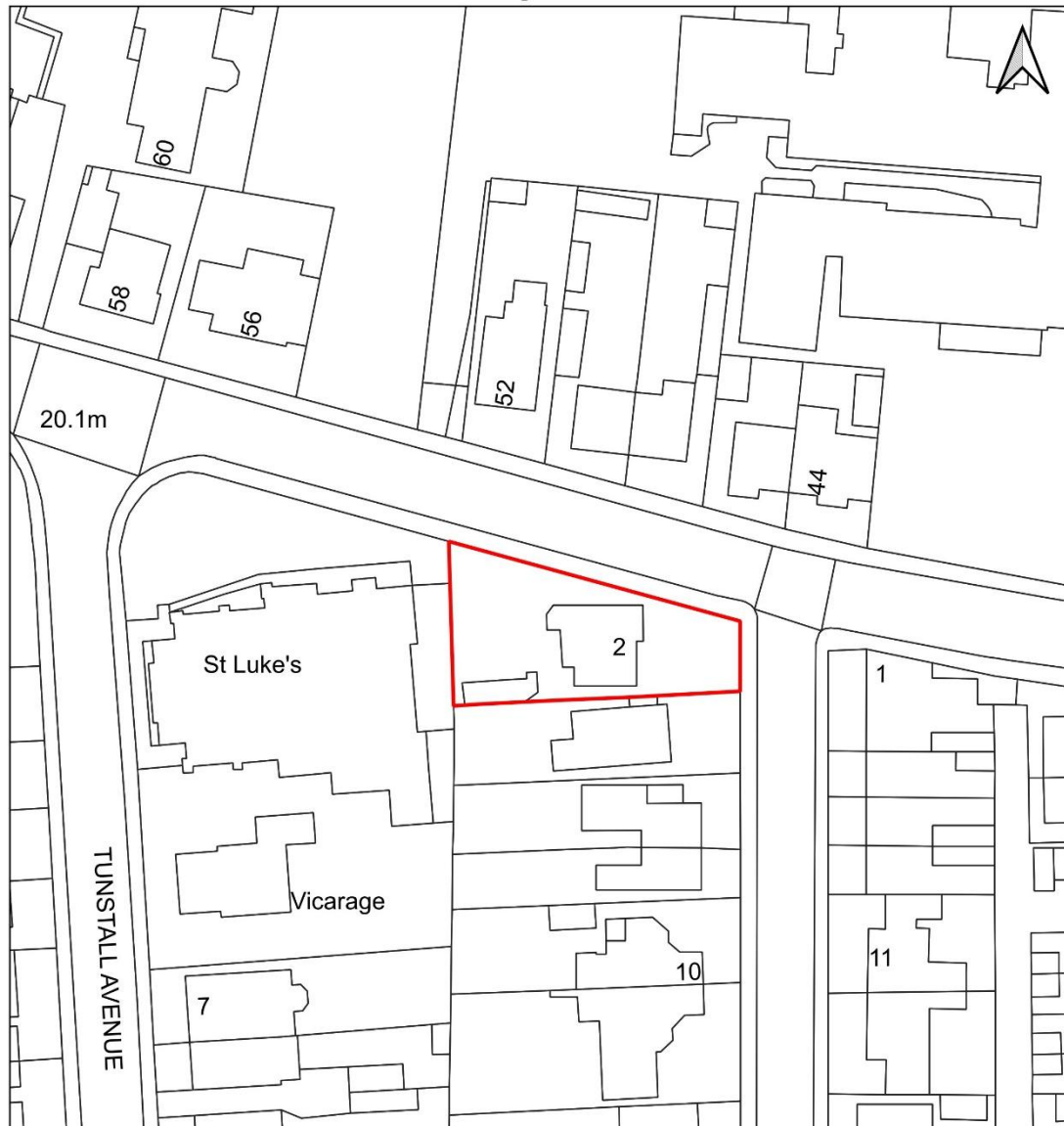
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 Hartlepool Borough Council	DRAWN LH	DATE 22/05/2026
	Scale 1:700	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2026/0009	REV

No:	3.
Number:	H/2024/0298
Applicant:	BLACKBURN MAINSFORTH TERRACE HARTLEPOOL TS24 7LT
Agent:	PYRAMID ARCHITECTURAL DESIGNS UNIT 8 LEXINGTON BUILDINGS MARSKE BY THE SEA TS11 6HR
Date valid:	04/02/2025
Development:	Erection of 17 No. commercial business units consisting of E (g)ii, E(g)iii and B8 (storage and distribution) with ancillary first floor office units associated with respective ground floor uses, associated site access, parking and landscaping.
Location:	LAND AT MAINSFORTH TERRACE, HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

3.2 The application site relates to the former Havelock Day Centre site, which has since been demolished, and the site cleared. Recent, relevant planning history is detailed below:

H/2014/0515 - Provision of an independent living day care facility including community facilities, hall and bistro, the provision of car parking, lighting, CCTV, PU panels and boundary wall and railings. Approved 15.01.2015. This application also included the current application site within the red line boundary.

H/2020/0202 - Prior Notification Application for the demolition of the former Havelock Day Centre. Decision: Prior Approval Not Required issued on 30.07.2020.

PROPOSAL

3.3 The application seeks planning permission for the erection of 17no. two storey commercial, business units consisting of E (g)ii (Research and development of products or processes), E(g)iii (Industrial processes) both defined within the Use Classes Order (as amended) as “*being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit*.”) and B8 (storage and distribution) uses with ancillary first floor office units associated with respective ground floor uses.

3.4 The proposed buildings would take the form of three, two storey blocks located along the respective boundaries of the application site. Units 1 to 8 would be the largest block and would be positioned along the western boundary, in a north to south direction, and would measure approximately 56 metres in length by a depth of approximately 12.3 metres.

3.5 Units 9 to 12 would be the smallest block and would be located along the southern boundary, in an east to west direction, and would measure approximately 28 metres in length by a depth of approximately 12.3 metres.

3.6 Units 13 to 17 would be located in a block located along the northern boundary, in an east to west direction, and would measure approximately 34 metres in length by a depth of approximately 12.3 metres.

3.7 All of the buildings would have a maximum dual pitched height of approximately 9 metres in height by an eaves height of approximately 6.2 metres. The internal courtyard elevations would feature associated garage doors and pedestrian access doors into the units with two windows proposed above at first floor respectively both to the front and rear elevations. Solar panels are also illustrated to be installed on the roof slope of each of the proposed buildings.

3.8 The associated parking would be located centrally to the site, with 28 vehicular parking spaces illustrated on the submitted proposed site plan. A new vehicular site access into the site would be taken from Mainsforth Terrace at the west of the site, although vehicles would be required to exit through the existing site access along Burbank Street (north). A second existing site access at the north of the site would be closed off as a result of the proposed layout.

3.9 The submitted plans illustrate bin stores to be located at the north-east corner of the site. Proposed boundary treatments would replace the existing low boundary wall with a combination of a wall, railings and associated piers at a total height of 1.8 metres in height. Associated soft landscaping would form along the northern/north-eastern and southern/south-eastern site boundary.

3.10 Through the course of the planning application plans were revised from the original scheme for 18 no. units to the current scheme under consideration for 17 no. units. Additional plans/information was also received in respect to ecology, details/elevations of the proposed bin stores and boundary treatments.

3.11 The application has been referred to the Planning Committee due to the number of objections received (more than 2), in line with the Councils scheme of delegation for planning applications.

SITE CONTEXT

3.12 The application site relates to the former Havelock Day Centre site, which has since been demolished and the site cleared, at the junction of Burbank Street and Mainsforth Terrace in Hartlepool. The application site is bounded by vehicular highways on three sides with Mainsforth Terrace bounding the application site to the east, Burbank Street bounding the site to the north and Havelock Street bounding

the application site to the south. To the west is the Centre for Independent Living building and associated car park. The immediate surrounding streets contain a mixture of residential and commercial buildings and across from the vehicular highway to the east is the railway line running in a north/south direction. To the east of the application site, across from the highway of Mainsforth Terrace, is land in the jurisdiction of the Hartlepool Mayoral Development Corporation (HMDC). At the time of writing, an application for a mixed use development, including housing opposite the application site was understood to be recommended for planning approval, subject to the completion of a legal agreement. (HMDC reference: H/2024/0037 and H/2025/0071).

PUBLICITY

3.13 The application has been advertised by way of neighbour letters (23), a press advert and a site notice. To date, there have been objection comments received from 4 separate residential properties. Since the submission of revised plans, a further public consultation period was carried out and an additional objection comment was received from a neighbouring resident who had previously objected.

3.14 The objections and concerns raised can be summarised as follows:

- Visual impact of scale and location of the proposed buildings considered an eyesore;
- A loss of light/sunlight and a result of scale and location of proposed units in proximity to nearby residential properties;
- Traffic, parking and highway safety concerns;
- Impact on wildlife and consideration of impact on ecology;
- Noise impact of nearby residential occupiers from operational use.
- Concerns that the proposal would result in dust and mess.
- Residents have questioned the need for the proposed units.

3.15 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=162888>

3.16 The period for publicity has expired.

CONSULTATIONS

3.17 The following consultation replies have been received:

HBC Arboricultural Officer: - The area of land at Mainsforth Terrace is overgrown with small shrubs and weeds with nothing of any arboricultural significance or concern. There are some small trees to the west of the site inside the boundary of the Hartlepool Centre for independent living and community hub however given the size of the trees and the existing brick boundary wall these are also of no concern.

Trees are essential to softening the impact of the development from Mainsforth Terrace. As mentioned by the landscape architect the site is difficult in terms of tree

establishment and so the species selection of trees which are proposed as indicated on the proposed site plan should be well thought out and climate resilient. Trees that may have been suitable for the last 50 years are slowly becoming less suitable for the ever-changing climate conditions of the UK and the serious threat from incoming pests and diseases. The focus should no longer be using native species as a default position and instead introducing non-natives into planting schemes where they are expected to be a vital part of the street scene for many years. Two reference guides for suitable species in relation to plantings are 'Trees and Design Action Group' Trees Species Selection for Green infrastructure, A guide for Specifiers' and 'The Essential Tree Selection Guide' from RBG Kew. The applicant should seek the advice of an arboriculturist to identify and optimise the species selections to ensure a strong biosecurity and to build a resilient treescape. Ideally to ensure a strong biosecurity and to build a resilient treescape the species mix should consist of:

No more than 5% of a particular cultivar

No more than 10% of a particular species

No more than 20% of a particular genus and

No more than 30% of a particular family

Further comments received 12/03/2026;

All previously submitted comments remain applicable and should be taken into consideration.

HBC Landscape Architect: - There are no landscape issues with the principle of development. The frontage to Mainsforth Terrace requires an appropriate landscape treatment as it forms part of the approach to the Town centre from the Coast Road. While detail can be controlled by condition, an outline of the approach to be taken should be provided, as soft landscape establishment condition are challenging at this location.

Further comments received 27/02/2026;

Landscape details are required that provided a strong road frontage treatment. The site location is problematic in terms of establishment and the comments of the Arb. Officer should be followed to ensure a successful scheme.

HBC Traffic & Transport: - There are no Highway objections in principle to this application.

Unfortunately, the proposed access onto Mainsforth Terrace would not meet the junction spacing requirements in the HBC Design Guide. The applicant should look to Utilise the existing access off Burbank Street.

Further comments received 19/08/2025;

Although the site access will be private it will serve several properties with frequent traffic movements onto a Classified A road. I would therefore consider that the proposed junction should be designed in accordance with the Tees Valley Design Guide for residential and Industrial Estates.

This requires the adjacent junction to be a minimum of 60 metres apart. Siting the new junction between the existing junction would provide junction spacing of approximately 35 metres. Significantly below the required 60 metres. This spacing is required to avoid conflict between turning vehicles. I would therefore object to the proposed access location on road safety grounds.

I would have no objections if the existing access on Burbank Street was utilised.

Further comments received 15/09/2025:

I can confirm that we have serious concerns road safety concerns with the proposed access and that we would be confident that we could defend our position if it went to appeal.

We are normally quite flexible in these matters, however locating the access here would result in a significant reduction in the junction spacing standards onto a classified A Road with high traffic volumes.

Further comments received 13/03/2026 (summarised):

The proposed development complies with the required parking standards, and the car park layout is acceptable.

The revised access points are now acceptable. The access point into the site from Mainsforth Terrace should be constructed to deter vehicles from exiting this location and appropriate signage should be implemented at both the entry and exit.

Summary: No objections.

National Highways: - I write from National Highways with regards the above planning application. Our prime concern is the sustainable safety and efficient operation of the Strategic Road Network (SRN). The nearest point on the SRN to this development is the A19

The scale and location of the development is such that it will not have a significant impact on the traffic flows at Junctions on the A19.

I attach a response recommending no objection.

I trust this is clear, but please get in touch if further information is required.

Referring to the consultation on a planning application dated 6 February 2025 referenced above, in the vicinity of the A19 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we: a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is/is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via not determine the application until the consultation process is complete.

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre.

Annex A National Highways' assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Standing advice to the Local Planning Authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision led approach. Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions. These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

HBC Engineering Consultancy: - Proposals to discharge to sewer seem reasonable for this application given that this is a redevelopment of a 100% impermeable site with no nearby watercourses. It is proposed that surface runoff is taken to the local combined sewerage network, reutilising an existing connection at Mainsforth Terrace. Proposed flows will be restricted to a discharge rate of 2.7l/s via a hydro brake. We note that the Drainage Strategy is reliant on the reutilisation of the existing sewer connection and estimated connection level. This should be confirmed,

and Northumbrian Water consultation should be provided to confirm acceptability of this.

Whilst the site is potentially at low risk from coastal flooding, with a sea level of 5.11mAOD for a 1in200 year event including sea rise due to climate change, the lowest site level is shown to be 5.46mAOD within the topographical survey. It is understood that a further freeboard of 600mm will be provided resulting in a minimum FFL across the development of 5.71mAOD.

Whilst the correct modelling approach has been applied, FEH-13 methodology has been used in Micro Drainage. For full planning this should be updated to FEH-22 in line with best practice.

The FRA refers to permeable paving for water quality. Given the entire site does not appear to drain through the permeable paving, are additional measures required based on the proposed site uses? We note that the maintenance schedule does not include for the replacement of permeable paving, however, this does not form part of the whole site attenuation requirements.

Further comments received 11/09/2025:

Northumbrian Water acceptability consultation confirmed. Proposed surface flows to be restricted to a discharge rate of 2.7l/s via a hydro brake to m/h 6102. Whilst the connection level is still to be fully confirmed, this appears achievable based on NWL existing sewer depths. No further comments on this point.

Whilst the correct modelling approach has been applied, FEH-13 methodology has been used in Causeway Flow model. For full planning this should be updated to FEH-22 in line with best practice. We note the updated FRA report does not include revised drainage modelling outputs.

The FRA refers to permeable paving for water quality. Given the entire site only partially drains through the permeable paving, additional measures would be expected based on the proposed site uses. Whilst suggestion is made in the FRA for a petrol interceptor or similar, no measures are specifically proposed.

Further comments received 25/11/2025

The FRA refers to permeable paving for water quality. Given the entire site only partially drains through the permeable paving, additional measures would be expected based on the proposed site uses. Whilst suggestion is made in the FRA for a petrol interceptor or similar, no measures are specifically proposed.

In accordance with the applicant's response "*permeable paving sufficient in line with SuDS index approach (SuDS manual) in treating the highest hazard index (i.e. non-residential car parking) and is probably more on the conservative side with assuming the site medium risk as it is probably more Low Risk*".

We would note that residual risk remains from the low traffic roads within the site boundary. However, the site is proposed to discharge to combined sewer. If NWL do

not have any specific water quality requirements then we would have no objection to proposals.

Further comments received 20/03/2026:

In terms of contaminated land, a desk-based study has already been submitted (although its called a phase 2 for some reason). It recommended further ground investigation to further assess contamination risk from site, given all of the historic developments onsite.

We would agree with these conclusions for further ground investigation, which could be secured by condition. We would also suggest that a condition is imposed requiring a remediation strategy and verification report if the investigation concludes that there is contamination onsite. I appreciate you will still need flood risk (LLFA) comments.

Further comments received 30/03/2026:

We have previously reviewed this application and provided comment on the 24/11/2025. We note that the site layout has since been updated and now proposes 17 commercial units (down from 18 previously). However, the strategy still includes for both permeable paving and an attenuation tank.

Given the entire site only partially drains through the permeable paving, additional measures would be expected based on the proposed site uses. Whilst suggestion is made in the FRA for a petrol interceptor or similar, no measures are specifically proposed.

In accordance with the applicant's response "*permeable paving sufficient in line with SuDS index approach (SuDS manual) in treating the highest hazard index (i.e. non-residential car parking) and is probably more on the conservative side with assuming the site medium risk as it is probably more Low Risk*".

We would note that residual risk remains from the low traffic roads within the site boundary. However, the site is proposed to discharge to combined sewer. We note that Northumbrian Water (NWL) correspondence has now been provided for review. As NWL has no specific water quality requirements, then we would have no objection to proposals.

HBC Ecology: - The site is a small area of vacant land.

No PEA (Preliminary Ecological Appraisal) has been submitted to support the application, however a Biodiversity Net Gain Statement has been submitted with a BNG metric. This document states that a preliminary Ecological Appraisal (PEA) survey was completed in October 2024. I would request that this document is submitted so that it can be reviewed to support the conclusions in the BNG statement. The conclusion of this metric is that there will be total net unit change of +0.07 habitat units equating to +13.81%, which is in accordance with the statutory requirement of a minimum gain of 10%.

HRA

The site is within c. 150m of the Teesmouth and Cleveland Coast Ramsar / SPA site. There are no additional residents as a consequence of this development, therefore recreational disturbance is ruled out. It has been assumed that the proposed development would not result in any increase in overnight accommodation or a net increase in population served by a wastewater system, including new homes, student accommodation and tourist accommodation. Therefore, Nutrient Neutrality is not considered relevant to this application. There is no direct loss of habitats. However, the erection of 18 new commercial units may result in disturbance to the bird communities of the Teesmouth and Cleveland Coast SPA, which supports breeding little tern (*Sterna albifrons*) and passage sandwich tern (*Sterna sandvicensis*). It also supports wintering knot (*Calidris canutus islandica*), redshank (*Tringa totanus totanus*), and an assemblage of over 20,000 wintering waterfowl. I assume that any impacts are discussed in the PEA (see comments above). Disturbance could occur during construction and operation, I would therefore require information on the construction programme and further information on the nature of the commercial operations (assessment of traffic and vehicles trips). I cannot support the application without this information.

Further comments received 19/03/2026:

Holding Objection

HBC Ecology cannot support the application at present because the ecological information remains incomplete.

HBC previously raised an objection based on a missing submission of a Preliminary Ecological Appraisal referenced in the applicant's submitted BNG Statement. This relevant section is included below for context:

HBC Ecology Consultee Response (17/02/2025)

No PEA (Preliminary Ecological Appraisal) has been submitted to support the application, however a Biodiversity Net Gain Statement has been submitted with a BNG metric. This document states that a preliminary Ecological Appraisal (PEA) survey was completed in October 2024. I would request that this document is submitted so that it can be reviewed to support the conclusions in the BNG statement.

Biodiversity Net Gain Statement Issue 1, Section 2.1, page 7 (07/11/2024)

A preliminary Ecological Appraisal (PEA) survey and desktop study were completed in October 2024, following the guidelines set out in the CIEEM Guidelines for Preliminary Ecological Appraisal (GPEA) document (CIEEM, 2017) and includes a standard Phase 1 habitat survey (JNCC, 2010); an assessment of the presence, or likely presence, of notable species; and an assessment of the value of habitats present on site.

The applicant has stated that the original reference to a PEA was a typo and has submitted a revised version (see below) which revises the statement.

Biodiversity Net Gain Statement Issue 3, Section 2.1, page 7 (11/02/2026)

A site visit was completed in October 2024, following the guidelines set out in the CIEEM Guidelines for Preliminary Ecological Appraisal (GPEA) document (CIEEM, 2017) and includes a standard Phase 1 habitat survey (JNCC, 2010).

HBC Ecology does not consider the above correction to have substantively changed the position on the application. In the previously raised objection, the concern was raised regarding potential impact of both construction and operation on the bird communities of the Teesmouth and Cleveland Coast SPA. These concerns have not been addressed in Issue 3 of the BNG Statement.

HBC Ecology Consultee Response (17/02/2025)

*[...] the erection of 18 new commercial units may result in disturbance to the bird communities of the Teesmouth and Cleveland Coast SPA, which supports breeding little tern (*Sterna albifrons*) and passage sandwich tern (*Sterna sandvicensis*). It also supports wintering knot (*Calidris canutus islandica*), redshank (*Tringa totanus totanus*), and an assemblage of over 20,000 wintering waterfowl. I assume that any impacts are discussed in the PEA (see comments above). Disturbance could occur during construction and operation, I would therefore require information on the construction programme and further information on the nature of the commercial operations (assessment of traffic and vehicles trips). I cannot support the application without this information.*

Issue 3 of the BNG Statement states that impacts on protected species and designated sites are covered within an Ecological Impact Assessment:

Biodiversity Net Gain Statement Issue 3, Section 2.2, page 7 (11/02/2026)

“Please note that this BNG assessment report does not cover potential impacts of the Proposed Development on protected species and designated sites. These are covered within the Ecological Impact Assessment.”

No separate impact assessment has been provided within the information reviewed. It is possible that the above is another typo that has yet to be corrected, however the considerations for impacts on protected species remain both valid and currently unaddressed.

BNG

On-site baseline	0.5 HU
On-site post-intervention	0.55 HU
On-site net change	0.05 HU (+10.48%)

The proposed gains are achieved through an area of grassland planting around the

site’s perimeter and verges, along with the planting of 33 trees. No off-site BNG is proposed.

The revised BNG statement and statutory metric broadly indicate that the current 17-unit scheme is capable of achieving the statutory 10% biodiversity net gain requirement. However, the applicant should provide a short addendum addressing the below issues:

There appears to be a mismatch between Drawing PV2424-APP-92-XX-DR-C-7100 (Impermeable Areas Comparison) and the proposed post-development habitats in the applicant’s BNG Net Gain Statement. This should be resolved. (See below)

Document	Habitat Type	Area (Ha)
BNG Net Gain Statement	Developed land; sealed surface	0.3460
Impermeable Areas Comparison	Proposed Impermeable Area	0.3616338

The BNG statement is internally inconsistent on habitat condition: Table 1 and Table 2 treat the derelict land as Poor, but Appendix 9.3 records it as Moderate. This should be resolved and, if necessary, the metric updated.

HRA

Natural England were previously consulted on the application (14/02/2025) and raised the need for a HRA to be completed for the site.

HBC Ecology has previously commented on the applicability of HRA Assessment to this application:

HBC Ecology Consultee Response (17/02/2025)

The site is within c.150m of the Teesmouth and Cleveland Coast Ramsar / SPA site. There are no additional residents as a consequence of this development, therefore recreational disturbance is ruled out. It has been assumed that the proposed development would not result in any increase in overnight accommodation or a net increase in population served by a wastewater system, including new homes, student accommodation and tourist accommodation. Therefore, Nutrient Neutrality is not considered relevant to this application.

However, correspondence from Natural England (04/03/2026) reaffirm that Natural England are requesting HRA be completed for the site.

On current information, nutrient neutrality and recreational disturbance can be screened out (see below). However, insufficient information has been provided to assess the potential for construction and operational effects arising from noise, visual disturbance, dust, and airborne or waterborne pollution.

Applying the precautionary approach, and in the absence of information on those pathways, the competent authority cannot lawfully conclude that likely significant

effects can be excluded.

HBC Ecology cannot support the application at present because insufficient ecological information has been submitted to rule out likely significant effects on the Teesmouth and Cleveland Coast SPA and Ramsar, or to enable the competent authority to complete Habitats Regulations Assessment screening and, if necessary, an appropriate assessment.

The application documents do not yet provide enough information to assess those pathways. Further information is therefore required from the applicant to inform HBC's HRA.

Nutrient neutrality

Is sewage disposed of via the public sewer systems of either Seaton Carew or Billingham WwTW?	Yes	Seaton Carew WwTW. Confirmed by Northumbrian Water (26/06/2025) Sewage is screened out.
Does the scheme fall within EIA Regulations, meaning it must be assessed for LSE of nutrients contained in its surface water runoff?	No	Surface water is screened out.
Is a SUDS scheme provided?	Yes	
Conclusion		Nutrient Neutrality is screened out.

Increased recreational disturbance

Are there are any additional residents as a consequence of this development?	No	This proposal is for the erection of 17 business units.
Conclusion		Recreational Disturbance is screened out.

Further comments received 27/05/2026

<p>No Objection – Subject to conditions.</p> <p>HBC Ecology previously raised a holding objection because the ecological information submitted with the application was incomplete. I have reviewed the updated ecological information, including the Preliminary Ecological Appraisal and Shadow Habitat Regulations Assessment Report (JP Environmental Solutions, May 2026), Biodiversity Net Gain Statement and updated statutory metric.</p> <p>On the basis of the updated information, the previous holding objection is withdrawn. The statutory biodiversity gain condition will require submission and approval of a Biodiversity Gain Plan before commencement.</p>
--

HBC Ecology previously raised the following issues in its comments dated 18/03/2026 (full details contained within those comments):

Insufficient information to assess impact on bird communities of the Teesmouth and Cleveland Coast SPA.

This has now been resolved through the submission of a sHRA and PEA. HBC agrees with the conclusions reached and adopts the sHRA as its position. A conclusion of No LSE has been reached. As no Appropriate Assessment is required, Natural England does not need to be consulted.

Mismatched BNG information.

This has now been resolved through the submission of an updated metric and Net Gain Statement. The statutory biodiversity gain condition will require submission and approval of a Biodiversity Gain Plan before commencement. The headline figures remain the same.

On-site baseline	0.5 HU
On-site post-intervention	0.55 HU
On-site net change	0.05 HU (+10.48%)

The gains are to be delivered through on-site modified grassland and 33 urban trees, with no off-site units proposed.

Recommended Conditions

Bird & Bat Boxes:

The recommendation for bird and bat boxes in the BNG Statement and the PEA is considered appropriate and should be conditioned.

Wildlife-sensitive lighting:

The PEA recommendation that the lighting scheme should have regard to the Bat Conservation Trust guidance on bats and artificial lighting is considered appropriate and should be conditioned. No external lighting should be installed until a wildlife-sensitive lighting scheme has been submitted and approved.

Habitat Management and Monitoring Plan:

A HMMP should be submitted with the BNG Gain Plan. This will need to be secured by an appropriate legal mechanism and will require a monitoring fee.

Construction Ecological Method Statement (Biodiversity) (*CEMP*)

The PEA and sHRA include recommendations for pre-commencement checks, INNS, nesting birds, hedgehog precautions and pollution/dust controls, these measures are considered appropriate and should be conditioned through a Construction Ecological Method Statement.

Informatives

The Breeding Bird Informative should be issued:

Breeding birds and their nests are protected by the Wildlife & Countryside Act (1981) as amended. It is an offence to damage or destroy the nest of a breeding bird whilst it is being built or in use. In practice the bird

breeding season is mainly confined to the period from March to August inclusive, but it should be noted that some species will breed outside this period. If bird's nests that are actively being built or used are found, then work should be suspended within a 10m circumference until the birds have finished breeding.

Mammal Safety informative:

Any excavations left open overnight should include a fixed plank/ramps (≥ 30 cm wide, $\leq 45^\circ$) to allow egress of hedgehog and other mammals.

End.

Natural England: - Thank you for your consultation on the above dated 06 February 2025, which was received by Natural England on the same date.

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

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on:

Teesmouth and Cleveland Coast Special Protection Area

Teesmouth and Cleveland Coast Site of Special Scientific Interest Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

Habitats Regulation Assessment Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites and advice on other issues is set out below.

Additional Information required Teesmouth and Cleveland Coast Special Protection Area and Ramsar Site Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out.

We recommend you obtain the following information to help you undertake a Habitats Regulations Assessment: • The likely predicted levels of noise and visual disturbance and the potential for dust and pollution (airborne or waterborne) during the construction and operational phases that could affect the features of the Teesmouth and Cleveland Coast SPA and Ramsar Site.

Teesmouth and Cleveland Coast Site of Special Scientific Interest

Our advice in respect of the European Sites applies similarly to the Teesmouth and Cleveland Coast SSSI and the results of the Habitats Regulation Assessment and the proposed mitigation measures will apply to and will protect SSSI features. The SSSI is designated for its bird populations as well as sensitive intertidal habitats, seal populations and invertebrate features. Impacts to the SSSI features from the proposals must also be considered and any additional mitigation required to ensure effects are minimised should be defined and secured.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on the protected species and other natural environment issues is provided at Annex A. If you have any queries relating to the advice in this letter please contact me.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service. Please consult us again once the information requested above, has been provided.

Annex A – Natural England general advice (Provided as Informative).

Further comments received 04/06/2026

I can confirm that Natural England have no objections to the application and agree with ecology's comments. Please accept this email as our formal response.

HBC Public Protection: No objections subject to the conditions below.

Comments and background to any licensing position
None

Suggested Planning Conditions

No external lighting including security lights shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and maintained in accordance with the approved details.

The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Mondays to Fridays and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays. Deliveries and collections to be limited to these times as well.

Informative (advice to applicant re any other requirements such as licensing)
No open burning at all on site.

HBC Countryside Access Officer: - There is no information to imply that there is any data relating to any recorded or unrecorded public rights of way and/or permissive paths running through, abutting to or being affected by the proposed development of this site.

HBC Economic Development: - We have reviewed the proposed development of 18 new build units at Mainsforth Terrace and Economic Growth would support the proposals. The development will bring a vacant piece of land back into productive economic use, providing much needed small business accommodation in Hartlepool for new and existing businesses that will hopefully create job opportunities for local people.

Tees Archaeology: - Thank you for the consultation on this application. I have checked the HER and the proposed development should not have a significant impact on any known heritage assets. No archaeological work is required.

Environment Agency: - Further to our correspondence, below is a screenshot of our flood map. You can see from this that a small section of the site boundary falls within Flood Zones 2 and 3. It is not within 20 metres of a main river.

My thoughts are that you do not need to consult us but you should follow our Flood Risk Standing Advice guidance. Further information can be found here à [National flood risk standing advice for local planning authorities - GOV.UK](#)

The information below tells you more on when we need to be consulted.

When to consult the Environment Agency or follow standing advice

Flood Zone 1 - When to consult the Environment Agency

You must consult the Environment Agency if the proposed development (including change of use) is:

within 20 metres of a main river – use the [main river consultation area](#) in an area with critical drainage problems, other than minor development - check the development class section above

When to follow standing advice

Check your SFRA and the flood map for planning to see if the site will be at increased risk of flooding from rivers or the sea in future. If it will be, you should: make sure a FRA is provided
treat the site as if it were in Flood Zone 2 when deciding whether to consult the Environment Agency or follow standing advice

Flood Zone 2 - When to consult the Environment Agency

You must consult the Environment Agency if the proposed development is within 20 metres of a main river (including culverted main rivers) - use the main river consultation area. This includes change of use and minor development - check the development class in the above section.

You must also consult the Environment Agency if the development will have a vulnerability classification of:

'essential infrastructure'

'highly vulnerable'

'more vulnerable' and it's a landfill, waste facility site, caravan or camping site

'less vulnerable' and it's a waste treatment site, mineral processing site, water treatment plant, or sewage treatment plant

This includes change of use but excludes minor development - check the development class in the above section.

When to follow standing advice

You must refer to standing advice for vulnerable developments when the proposed development (including change of use) will have a vulnerability classification of:

'water compatible' - including essential accommodation within a water compatible development

'more vulnerable' - and not a landfill, waste facility site or a caravan or camping site where the Environment Agency should be consulted

'less vulnerable' - and not a waste treatment site, mineral processing site, water treatment plant, or sewage treatment plant where the Environment Agency should be consulted

Refer to advice for minor extensions for householder or non-domestic extensions with a floor space of no more than 250 square metres.

Flood Zone 3 or 3b - When to consult the Environment Agency

You must consult the Environment Agency on:

development (including change of use) proposed within 20 metres of a main river
development other than minor development (check the development class in the above section)

Changes of use where the vulnerability classification will:

be 'more vulnerable' or 'highly vulnerable'

change from 'water compatible' to 'less vulnerable'

When to follow standing advice

Refer to advice for minor extensions for household or non-domestic extensions with a floor space of no more than 250 square metres.

Refer to standing advice for vulnerable developments for:
change of use to 'water compatible'
change of use where the vulnerability classification will reduce or remain unchanged as 'less vulnerable' or 'water compatible'

Table 2 of the planning practice guidance states you should not permit development in Flood Zone 3b if its vulnerability classification will be:
'highly vulnerable'
'more vulnerable'
'less vulnerable'

I hope this is helpful.

Northumbrian Water: - Thank you for consulting Northumbrian Water on the above proposed development. In making our response to the Local Planning Authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

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

We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled "DWG PV2424-APP-92-XX-DR-C-2500 REV PO4 DRAINAGE STRATEGY". These documents reflect our pre-planning enquiry advice identifying a foul and surface water connection at manhole 6102 with surface water restricted to a rate of 2.7l/s
We request that the following approval condition is attached to a planning approval, so that the development is implemented in accordance with the above named document:

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted documents entitled "DWG PV2424-APP-92-XX-DR-C-2500 REV PO4 DRAINAGE STRATEGY" submitted February 2026. The drainage scheme shall ensure that foul and surface water flows discharge to the combined sewer at manhole 6102. The surface water discharge rate shall not exceed the available capacity of 2.7l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developer's approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the

hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option. They are not part of any approval process for determining whether the proposed drainage layouts / design put forward at the planning stage satisfies the adoption criteria as set out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where it is their intention to offer SuDS features for adoption.

Anglian Water: - Thank you for your email consultation on the application H/2024/0298. The proposed development site area is outside of Anglian Water statutory area, please be advised that the water supply for the area and sewerage is served by Northumbrian Water therefore this application is outside of our jurisdiction to comment.

Further comments received 30/03/2026

Anglian Water have reviewed the planning application and the applicant does not provide details of the non domestic water demand for the proposed development site and does not provide the details on the number of the occupants for the development units. Non-domestic demand refers to water use of industrial processes (e.g. agri-food production or car washes), and there is no legal requirement for us to supply for this type of water usage where it might put at risk our ability to supply water for domestic purposes. Although Anglian Water does not have a statutory obligation to supply for non-domestic purposes, in these circumstances we factor into our Water Resources Management Plan and we do everything we can to support business in the region, with the help of the water retail market. Any application for non-domestic proposals requiring heavy water usage will need to demonstrate that sufficient water capacity is available through a Water Resources Strategy in consultation with us.

Anglian Water currently have a restriction for non-domestic water supply of 20m³ per day. The applicant does not state if the proposed building will be occupied by different tenants/occupiers. We must advise that when a development site is occupied by multiple occupants, Anglian Water's non-domestic water supply limitation of 20m³ per day limit is per occupant.

We therefore need to ensure the approved development does not exceed this and require a water resources statement which confirms demand will not exceed this. For further information on the non-domestic process please go to:

<https://www.anglianwater.co.uk/siteassets/developers/new-content/p--c/aws-non-domestic-demand-policy-sm-v2.pdf>

Condition: No development shall commence until a strategic water resources strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. The strategy will confirm non-domestic water is available to serve the development and should explore innovative solutions which may help reduce overall water demand

Reason: To ensure domestic water supply is not jeopardised and to protect water resources and ensure sustainable development.

Cleveland Police: - With regards to your recent planning application H/2024/0298 for 18 x Commercial Units. Burbank St. Hartlepool.

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

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

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

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

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

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure.

Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on www.securedbydesign.com

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

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

In addition to the above I would also make the following comments having viewed the proposal. All doors, ground floor and easily accessible windows and proposed roller shutters to the units are recommended to be tested and accredited LPS1175:A1 (or equivalent) rating as a minimum. Fire doors are recommended to be devoid of external furniture.

The parking areas are recommended to be column lit to BS5489-1:2020 standards with a minimum uniformity of 25%. It is recommended to have alarm provision provided. CCTV provision is recommended within proposal. A suitable 2.4m boundary treatment, including gates is recommended to protect premises and misuse of the proposed EV charging ports, when units are closed. This should be of either a weldmesh or expanded metal type.

Further comments received 12/03/2026

With regards to this application, my previously submitted comments are still valid and applicant/agent is encouraged to contact me for any additional input, advice I can offer in relation to designing out opportunities for crime and disorder to occur.

Network Rail: - Thank you for your letter of 06/02/2025 providing Network Rail with an opportunity to comment on the abovementioned application. In relation to the above application I can confirm that Network Rail has no observations to make.

HBC Building Control: - A Building Regulation application will be required for 'Erection of 17 No. commercial business units consisting of E (g)ii, E(g)iii and B8 (storage and distribution) with ancillary first floor office units associated with respective ground floor uses.

Cleveland Fire Brigade: - Cleveland fire Brigade offers no representations regarding the development as proposed.

However, Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 2 Section B5 Table 15.2.

Recommendations

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Further comments may be made through the building regulation consultation process as required.

Please assist us to improve the service we provide in completing our Fire Safety Survey by visiting the following site <https://forms.office.com/e/SZLMRQwiY2>

Further comments received 03/03/2026

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

Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

Northern Gas Networks: - Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated.

No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue. If you have any questions, our Before You Dig Team will be able to help.

Northern Powergrid: - Thank you for your recent enquiry regarding the above location. The enclosed Mains Records only give the approximate location of known Northern Powergrid apparatus in the area. Great care is therefore needed, and all cables and overhead lines must be assumed to be live.

Town and Country Planning Act 1990

Under the provisions of the above Act, Northern Powergrid have no objections providing that our statutory rights are not affected and that we will continue to enjoy rights of access to the apparatus for any maintenance, replacement, or renewal works necessary. Please note that while all efforts are made to ensure the accuracy of the data provided, no guarantee can be given. We would refer you to the Health Safety Executive's publication HS(G) 47 "Avoiding Danger From Underground Services" which emphasises that: The position of any services in or near the proposed work area should be pinpointed as accurately as possible using a detecting device in conjunction with up-to-date service plans and other information which provides a guide to the possible location of services and help interpret the signal. Excavation work should follow safe digging practices. Once a detecting device has been used to determine position and route, excavation may proceed, with trial holes dug as necessary, to confirm the position of any detected services. A cable is positively located only when it has been safely exposed. Cable depths are not generally indicated on our records and can vary considerably even when shown. Great caution must be exercised at all times when using mechanical plant. Careful trial digging should always be carried out on the whole route of the planned excavation to ascertain no cables exist. The Health Safety Executive publication GS6 "Avoidance of Danger from Overhead Electric Lines" must be consulted if your work is near overhead power lines. Both of these documents provide comprehensive guidance for observance of statutory duties under the Electricity at Work Regulations 1989 and the Health Safety at Work Act 1974. Our provision of these records is based upon the assumption that people using them will have sufficient competence to interpret the information provided. Any damage or injury caused will be the responsibility of the organisation or individual concerned who will be charged for any repairs. Please note ground cover must not be altered either above or below our cables or below overhead lines. In addition, no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All our apparatus is legally covered by a wayleave agreement, lease or deed or alternatively provided under the Electricity Act 1989. Should any alteration / diversion of Northern Powergrid's apparatus be necessary to allow your work to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees.

All future works that we may have will be included on the quarterly NRSWA coordination return for discussion at the quarterly meeting of authorities / utilities in order to minimise disruption to the public.

Hartlepool Mayoral Development Corporation: - Many thanks for consulting Hartlepool Development Corporation on the application for the erection of 18no. commercial business units (Use Class E) and creation of associated access road on land to the west of Mainsforth Terrace.

The Development Corporation supports the principle of this site being redeveloped to provide Class E commercial business units. We welcome the applicant's proposal to use brick facades and pitched roofs and consider this to be an appropriate approach for this site which lies immediately adjacent to existing and proposed residential dwellings.

As you may be aware, on 22nd January 2025, the Hartlepool Development Corporation Board determined that they were minded to grant an application (subject to the finalisation of a s106 agreement) for residential development on the site immediately to the east of the current application site. We would suggest that, if you are minded to approve application H/2024/0298, planning conditions will be needed to ensure that the development has no adverse impacts upon the amenity of the residents of the proposed new housing site. We would anticipate the need for conditions relating to the following matters:

- control of noise from the site
- control over opening hours
- control over delivery/servicing hours
- control over installation of external plant and ventilation/extraction details
- submission of a Construction Environmental Management Plan
- no external refuse storage

Subject to the imposition of suitably worded conditions dealing with these matters the Development Corporation has no objections to application H/2024/0298.

HBC Estates: - No comments received.

HBC Waste Management: - No comments received.

HBC Community Safety & Engagement: - No comments received.

PLANNING POLICY

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

Hartlepool Local Plan

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

- CC1: Minimising and Adapting to Climate Change
- LS1: Locational Strategy
- QP3: Location, Accessibility, Highway Safety and Parking
- QP4: Layout and Design of Development
- QP5: Safety and Security
- QP6: Technical Matters
- RC21: Commercial Uses In Residential Areas
- SUS1: The Presumption in Favour of Sustainable Development
- NE7: Landscaping Along Main Transport Corridors

National Planning Policy Framework (NPPF)(2024)

3.20 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for

the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA001: Role of NPPF

PARA002: Determination of applications in accordance with development plan

PARA003: Utilisation of NPPF

PARA007: Achieving sustainable development

PARA008: Achieving sustainable development

PARA009: Achieving sustainable development

PARA010: Achieving sustainable development

PARA011: The presumption in favour of sustainable development

PARA012: The presumption in favour of sustainable development

PARA039: Decision making

PARA048: Determining applications

PARA057: Planning conditions and obligations

PARA061: Delivering a sufficient supply of homes

PARA063: Housing needs for different groups in the community

PARA092: Promoting healthy and safe communities

PARA116: Promoting sustainable transport

PARA129: Achieving appropriate densities

PARA131: Achieving well-designed places

PARA135: Achieving well-designed places

PARA196: Ground conditions and pollution

PARA231: Implementation

HBC Land Use Policy comments:

Sequential/Impact Assessments

3.21 Based on the updated description of development, and a review of similar national cases, it is not considered that the use subclasses E(gii) and E(giii) would result in a negative impact of the viability and vitality of Town Centre uses. As such neither a sequential test nor impact test would be required to support this development.

3.22 However, should officers be inclined to recommend the scheme for approval, a condition restricting the range of acceptable Class E uses to those in the description of development (egii and egiii) is required. This condition would ensure that no changes of use would occur through permitted development that could result in unassessed impact on the viability and vitality of the retail hierarchy.

Principle of Development

3.23 The proposed development would involve the creation of 18 no. units for the commercial business units consisting of E (g)ii, E(g)iii and B8 uses. The development is not designated or allocated for any given use within the 2018 Hartlepool Local Plan and the site is considered white land within a residential area for the purposes of decision making. Based on the above, the principal policy for decision making in this instance is RC21 (Commercial Uses In Residential Areas) which states that:

3.24 *“Proposals for industrial, business, leisure, retail and other commercial development, or for their expansion, will not be permitted in predominantly residential areas outside the defined retail and commercial centres unless:*

- 1) *There is no significant detrimental effect on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and*
- 2) *The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and*
- 3) *Appropriate servicing and parking provision can be made.”*

3.25 The acceptability of the development will therefore be dependent on whether the decision maker is comfortable the proposals are able to satisfy each of the above criteria. Should the decision maker be satisfied the development is acceptable in principle, we would note a condition to restrict the hours of operation between 6pm and 8am would be required.

Key Landscaping Impact

3.26 Policy NE7 (Landscaping Along Main Transport Corridors) of the Hartlepool Local Plan identifies a list of key landscape corridors which are an integral part of the green infrastructure network, and a particularly high standard of landscaping, tree planting and design will be required from developments adjoining these corridors. One of the identified corridors is development adjoining the main coast rail line (#7).

3.27 The site is separated from the existing rail line by the existing Mainsforth Terrace road and currently vacant land to the east of Mainsforth terrace. As the site has a degree of separation from the rail line, and when considering the landscape comments submitted in response to the proposals, that the extent of landscape treatment proposed would be sufficient to meet the requirements of NE7.

Planning Obligations

3.28 The proposed development would result in a greater increase to the level of development in the area and an associated increase in pedestrian visits/use. As such, the development would be expected to contribute towards the provision and maintenance of Green Infrastructure in the borough. The Planning Obligations Supplementary Document sets out the methodology for calculating the required sums for development.

3.29 As the total area of proposed commercial floorspace appears to be 1,368sqm (based on site plan), a Green Infrastructure obligation of £8,000 would be required to meet the objective of policy INF2 (Improving Connectivity in Hartlepool).

Further comments received 21 May 2026

3.30 Whilst the floor space as has been correctly updated within the application form for completeness and would be larger than initially indicated, there are no policy issues with the updated accurate figure, where the proposed uses do not represent town centre uses (as set out within the initial policy comments). The updated floor space would be required to contribute a revised figure of planning obligation of £24,000 (as calculated based on the new floor space). Its acknowledged the size was inaccurate but our overall comments would not be different other than the planning obligations sum as you have set out.

3.31 With regard to the ground floor uses, those uses are not town centre uses and would not be subject to a sequential and/or impact assessment. Land Use Policy do not consider it necessary to set a limit on how much floor space should be associated with each use and therefore, LUP would expect that if approved, the ground floor uses operate as E (g)ii, E(g)iii and B8 (storage and distribution), it is immaterial if there is a greater level of E use to B8 use or vice versa, it may be the case that the ratio changes over time in light of market demand and LUP would support this level of flexibility.

3.32 LUP would have concerns however, if the ground floor is, in the main, used for office space, LUP have assessed this application on the understanding that the office space is ancillary and LUP would request that if this application is approved then office space is conditioned to remain in connection and ancillary with the ground floor unit.

Further comments received 03/06/2026 in response to the applicant's comments on the requested planning obligations:

3.33 With regard to the CIL tests LUP are of the opinion that the obligations is legally justified.

3.34 LUP consider that if enhancements to sustainable transport are not made then there is a lack of compliance with transport, natural environment policies and NPPF paragraphs 8 and para 96 (health) and LUP considers that improvements to sustainable transport links are necessary to make the application acceptable in planning terms. Without such enhancements, the site does nothing more than build within the red line in an area that is bleak in parts and does not typically inspire one to walk or cycle. In addition, with low car ownership in the borough compared to the national average and lower than national average wages, it's likely the case that staff and visitors will not have use of a car and so efforts should be made to ensure walking, cycling links and/or public transport options area enhanced.

3.35 LUP consider there are a plethora of ways in which a contribution towards GI could directly related to the development, for example GI could be located in areas that would be typical walking and or cycling routes or improvements to the closes bus top could be made. Without knowing exactly where the money would be spent I am perplexed as to how the applicant consider such a request does not meet reg 122 (b). Typically, applicants discuss this with HBC and thus we agree a scheme that would

meet reg 122 (b). Sadly, in all this time the application has been live, I am not aware of any such negotiations.

3.36 LUP are of the view that there are numerous options to enhance sustainable transport modes and any option could fairly and reasonably related in scale and kind to the development. The maximum sum has been set out in the 2015 SPD which was available at examination in public, it assisted in justifying policy QP1 and that policy was agreed by the inspector. The applicant has put forward no evidence with regard to why the maximum sum or any sum is not fairly and reasonably related in scale and kind to the development.

3.37 I have not seen options put forward by the applicant, nor am I aware that the applicant has sought to engage with HBC with regard to possible schemes and I do note that this is a 2024 Planning application.

3.38 It is a matter for the decision maker to decide if the application complies with policy and if it does not comply with the local plan then the application should be refused unless material considerations indicate otherwise.

PLANNING CONSIDERATIONS

3.39 The main planning considerations with respect to this application relate to the principle of development, the impact on the character of the surrounding area and the impact on landscaping and trees, the impact on the amenity of the surrounding neighbouring residential properties and future occupiers, highway safety related matters, flood risk and drainage, contamination, ecology and any other material considerations arising through the course of the planning application. These matters are considered below.

PRINCIPLE OF DEVELOPMENT

3.40 The application proposes the erection of 17 No. two storey commercial business units consisting of E (g) ii (Research and development of products or processes), E(g) iii (Industrial processes) and B8 (storage & distribution) uses with ancillary first floor office space. The application site is not designated or allocated for any given use within the 2018 Hartlepool Local Plan and for the purposes of decision making, the site is considered to represent 'white land' within a residential area. Consequently, policy RC21 (Commercial Uses In Residential Areas) of the Adopted Hartlepool Local Plan is considered to be the principal policy, appropriate to the determination of the planning application.

3.41 Policy RC21 states that as a result of the proposals:

- 1) *There is no significant detrimental effect on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and*
- 2) *The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and*
- 3) *Appropriate servicing and parking provision can be made."*

3.42 With respect to criterion 1, as set out within the subsequent amenity section of this report, it is considered that notwithstanding the concerns in relation to criteria 2 of the abovementioned policy, given scale of the proposed development and the distances and relationships to the surrounding neighbouring residential and commercial occupiers, and subject to a number of appropriate controls (discussed in the section below), the proposed development would not, on balance, lead to a significant, detrimental impact on the privacy and amenities of neighbouring land users.

3.43 In respect to criterion 3, and as detailed further within both the amenity and the highway safety sections below, it is considered that based upon the separate ingress and egress use of the site access and given that there would be sufficient parking provision, both HBC Traffic and Transport and National Highways have confirmed no objections to the proposal in terms of highway safety and vehicular parking related matters. The proposal is therefore considered to meet the requirements of criterion 3 of Policy RC21 in this respect.

3.44 In respect to criteria 2, consideration of the proposals in respect to the compatibility of the design, scale and impact with the character and amenity of the site and surrounding area raises some significant concerns, where the form, extent and massing of the proposals are considered to have an unacceptable impact on the immediate surrounding area. These matters are considered in greater detail within the following section.

Sequential Considerations

3.45 With respect to consideration of any sequential requirements, it is recognised that two of the proposed uses would fall under E Class (Commercial, Business & Service), where there is a potential to represent town centre uses. The Council's Land Use Policy section have had regard to the proposals and consider that given the nature of the use subclasses E(gii) and E(giii) proposed, such uses would not constitute town centre uses and would not lead to a negative impact of the viability and vitality of Town Centre uses and as such, neither a sequential test nor impact test is required to support this development in this instance. In the event of a planning approval, however, a planning condition would be recommended to restrict the E subclass from changing to other uses within E class or any potential other town centre uses that would normally be permissible, in the interest of the impact on the viability and vitality of the retail hierarchy.

3.46 With respect to the office element of the proposed use, the written description describes the first floor as being ancillary to the primary ground floor use. Given that the first-floor element would represent a similar amount of floor space as the primary ground floor use, the use of the term 'ancillary' to describe the associated office space is questionable, although the important requirement in this circumstance would be for the office space to be associated to the respective ground floor unit and not capable of being separated or disaggregated. In such circumstances where the first-floor use was an independent use, it would be required to be considered through the sequential approach, as such, an independent use may impact on the viability and vitality of the retail hierarchy. Consequently, in the event of a planning approval, a planning condition would be required to ensure that the

first-floor office space element would remain in association and/or ancillary to the ground floor use as a single planning unit. The Council's Land Use Policy section have also confirmed this approach.

3.47 Through the course of the planning application, the floor space to be created for the proposed units, as set out within the submitted application form, were altered to accurately reflect the proposed scheme, where as a result, the figures significantly increased. Notwithstanding the changes to address the anomalies, the Council's Land Use Policy section has confirmed that the increased figure does not impact on the acceptability of the proposed uses, which are not town centre uses. It is also recognised that the application under consideration has not sought to define which of the units would represent what proposed uses and at what ratio. The Council's Land Use Policy section has had regard to the matter and confirmed that whatever the range of the ratio and mix of the proposed uses to be created, it would not lead to any planning policy issue or concern and would allow for a flexible approach to the proposed scheme. In the event of a planning approval, a planning condition would be recommended to require the applicant to confirm each respective use for each unit in order to define the planning permission and for the avoidance of doubt.

Energy Efficiency and Renewable Energy

3.48 Policy QP7 (Energy Efficiency) of the Local Plan seeks to ensure high levels of energy efficiency in all development, and the development is therefore expected to be energy efficient. In line with this Policy, the development is required to ensure that the layout, building orientation, scale and form minimises energy consumption and makes the best use of solar gain, passive heating and cooling, natural light and natural ventilation alongside incorporating sustainable construction and drainage methods. The submitted application drawings illustrates the use of solar PV panels on the roof slopes of the respective buildings. In the event of a planning approval, a scheme for the provision of solar PV panels can be imposed to secure such details.

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

3.50 In respect to energy efficiency, it is of note that Building Regulations were updated as of 15th June 2022, and any forthcoming Building Regulation application will now be assessed under the 2022 Regulations. In light of the above, given the implementation and requirements of the new Building Regulations, a planning condition is not required in respect of any energy efficiency improvement (previously required to be 10% improvement above the Regulations, prior to 15th June 2022) and such matters will need to be addressed through the new Building Regulations requirements. Notwithstanding the concerns as identified above, subject to the identified planning conditions in the event of a planning approval, the application is considered not to raise any significant concerns in respect to energy efficiency and renewable energy provision.

Planning Obligations

3.51 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms, and in accordance with Policies HSG9 and QP1 (Planning Obligations) of the Hartlepool Local Plan (2018) and the Planning Obligations SPD, the Council's Planning Policy team has confirmed that given the size of the proposed residential development and its intended purpose and in the interest of providing sustainable development, the Council's Planning Policy section had initially calculated the planning obligation requirements for sustainable transport enhancements, identifying a maximum contribution of £24,000 based on the 2015 Planning Obligations SPD and proposed uses of the development. In response to the LPA's request, the applicant has cited reasons for not providing planning obligation contributions, emphasising the benefits of the scheme in developing a redundant, brownfield site. Following discussions with the applicant, no planning obligations are proposed, with the developer questioning their relativity to the scheme.

3.52 Despite the above concerns, it is acknowledged that the proposal would bring a large, vacant brownfield site back into use, and the proposal's potential for investment and job creation, officers acknowledge that the proposal has a number of positive benefits. The Council's Land Use Policy section have confirmed that any request for planning obligations would meet the necessary tests and can be sought if the decision maker deems them necessary. Whilst such obligations would be welcome, it is acknowledged that there are no known active schemes for the planning obligations to contribute towards and therefore, considering the overall benefits of the proposal, the relatively sustainable location on the site including the existing sustainable transport accessibility, the absence of the requested planning obligations would not be sufficient, in this instance, as to warrant a reason for refusal of the application in this instance when weighing the proposal against all relevant Local Plan policies and general provisions of the NPPF.

Principle Conclusion

3.53 Notwithstanding the above, given the concerns with respect to the compatibility of the scale, design and impact with the character and amenity of the site and surrounding area, (as set out within the requirements of criteria 2 of Policy RC21 of the Hartlepool Local Plan (2018), the form, extent and massing of the proposals are considered to have an unacceptable impact on the immediate surrounding area, the principle of development is therefore considered to be unacceptable in this instance.

3.54 These matters are considered in greater detail within the following section.

IMPACT ON CHARACTER OF THE SURROUNDING AREA

3.55 Policy QP4 of the adopted Hartlepool Local Plan (2018) seeks to ensure that the design of proposals do not affect the visual amenity of the area. Policy RC21 of the adopted Hartlepool Local Plan requires the design, scale and impact is compatible with the character and amenity of the site and the surrounding area. In addition Policy NE7 has regard to landscaping along main transport corridors.

3.56 The application seeks planning permission for the erection of 17 No. two storey commercial, business units. The proposed buildings would take the form of three, two storey blocks located along the respective western, northern and southern boundaries of the application site. Block 1 (Units 1 to 8) would be the largest block and would be positioned along the western boundary, in a north to south direction, and would measure approximately 56 metres in length by a depth of approximately 12.3 metres. Block 2 (Units 9 to 12) would be the smallest block and would be located along the southern boundary, in an east to west direction, and would measure approximately 28 metres in length by a depth of approximately 12.3 metres. Block 3 (Units 13 to 17) would be located in a block located along the northern boundary, in an east to west direction, and would measure approximately 34 metres in length by a depth of approximately 12.3 metres. All of the buildings would have a maximum dual pitched height of approximately 9 metres in height by an eaves height of approximately 6.2 metres. The internal courtyard elevations would feature associated garage doors and pedestrian access doors into the units with two windows proposed above at first floor respectively both to the front and rear elevations. Solar panels are also illustrated to be installed on the roof slope of each of the proposed buildings. The associated parking would be located centrally to the site, with 28 vehicular parking spaces illustrated on the submitted proposed site plan.

3.57 Through the course of the planning application, plans were revised from the original scheme of 18 no. units to the current scheme under consideration for 17 no. units. Notwithstanding the reduction of the single unit from the scheme originally proposed, the development under consideration is considered to be substantial. It is noteworthy that the former building at the application site was significantly smaller at a single storey scale and featured spacious surroundings, with parking and landscaping towards the outer boundaries. Similarly, the neighbouring building to the west of the application site is constructed of an L-shaped stepped design, where it is lower towards the prominent highway of Burbank Street, before it features a tiered increase further away towards the rear (south) of the site. The neighbouring site also features a relatively open front with parking and landscaping. With respect to the residential properties in this area, whilst it is acknowledged that there is a three storey building opposite, the gable end present towards the highway, although the main building elevation is set back, where the visual impacts are considered to be less prominent. Further along Burbank Street, properties are largely two storey with a front gabled design, where they feature a part set back element, which assists in breaking their mass along the highway of Burbank Street.

3.58 With respect to the proposals, Block 1 would be located along most of the western boundary of the application site for an unbroken two storey length of approximately 56 metres. Views onto the front, rear and side gable of Block 1 would be highly visible when traversing east and west along Burbank Road. The gable end of the proposed building would also be positioned immediate to the boundary with the highway to the north. In addition, the rear elevation of Block 3 would be positioned adjacent to Burbank Road for an unbroken length of approximately 34 metres. Whilst it is recognised that landscaping is proposed along this elevation, with the building set off the immediate boundary along this elevation, Block 3 is still considered to be highly prominent.

3.59 In this context, taking account of the location and extent of Blocks 1 and 3 of the proposed development, having regard to the scale and the vantage points onto the proposed buildings, it is considered that they would be highly prominent within the immediate and wider surrounding area. When viewed from the various vantage points, the proposed buildings are considered to create an undue, overly dominant and extensive scale and mass of the built form that is unsympathetic and fails to respect the character of the application site and surrounding area.

3.60 With respect to other aspects of the proposal, it is also recognised that Block 2 would be positioned adjacent to Havelock Road to the south. Block 2 is the smallest of the proposed buildings and positioned adjacent to Havelock Road, which is considered a less prominent hierarchical highway and the building's siting in isolation is considered not to lead to significant concerns from a visual perspective.

3.61 Views onto the proposed development from Mainsforth Terrace to the east would capture the internal and insular make-up of the scheme. It is acknowledged that the landscaping at both the north-east and south-east corners would assist in providing a degree of softening and balance to the hardstanding and parking area and the buildings beyond.

3.62 Timber waste storage enclosures are proposed within the site at a number of locations, including within the north-east corner of the application site adjacent to Mainsforth Terrace, which raise no significant concerns given their scale and position beyond the boundary enclosure. A combination of a wall with piers and railings are proposed to surround the proposed development, which in isolation raises no significant concerns.

3.63 Policy NE7 (Landscaping Along Main Transport Corridors) of the Hartlepool Local Plan identifies a list of key landscape corridors which are an integral part of the green infrastructure network, and a particularly high standard of landscaping, tree planting and design will be required from developments adjoining these corridors. One of the identified corridors is development adjoining the main coast rail line.

3.64 The site is separated from the existing rail line by the existing Mainsforth Terrace road and currently vacant land to the east of Mainsforth terrace. As the site has a degree of separation from the rail line, and when considering the landscape comments submitted in response to the proposals, that the extent of landscape treatment proposed would be sufficient to meet the requirements of NE7.

3.65 Notwithstanding the considerations of NE7, having regard to the above considerations, it is considered that the proposed development, by virtue of the extensive scale and mass of the built form, would create an undue, overly dominant and unsympathetic development that fails to respect the character of the application site and wider surrounding area, contrary to policies QP4 and RC21 of the adopted Hartlepool Local Plan and the provisions of paragraph 135 of the NPPF. As a result, it is recommended that the application be refused on such grounds.

3.66 It is appreciated that had the application been considered acceptable in all respects, conditions could be imposed in relation to external finishing materials, boundary treatments and hard and soft landscaping to secure such details.

Landscaping

3.67 Given the prominence of the buildings and the location of the application site as an arterial approach to the Town centre from the coast road, the Council's Landscape Architect notes the importance of landscaping to the proposed scheme, which is reiterated through policy NE7, should the application be considered acceptable. In addition, the Council's Landscape Architect notes that the coast location is challenging for the establishment of such soft landscaping and that any scheme should ensure that the species are suited to the environment in order to ensure long term resilience and successful establishment.

3.68 As set out within the below Ecology and Nature Conservation section, on-site habitat creation would be provided in the form of 33 No. trees, verges between parking areas and an area of grassland at the east of the site to meet the 10% BNG requirements. The proposed landscaping would perform a multi-functional role and would also provide an important soft landscaping role from a landscape and visual perspective. An indicative landscape plan has been provided to demonstrate the requisite soft landscaping.

3.69 The Council's Arboricultural Officer has provided comments that notes the difficult conditions at the application site and recommends that the applicant seek the advice of an arboriculturist to identify and optimise the species selections to ensure a strong biosecurity and to build a resilient treescape mix. Whilst the comments have been provided to the applicant, no further information was received, during the course of the application. Notwithstanding this, it is considered that such matters could be conditioned, in the event of a planning approval to secure a suitable landscaping scheme. The site's long-term landscaping would also be secured through the necessary legal agreements associated with the requirements of the 10% BNG uplift.

3.70 With respect to existing vegetation on site, the Council's Arboricultural Officer notes the site is overgrown with small shrubs and weeds with nothing of any arboricultural significance or concern. Some small trees to the west of the site inside the boundary of the Hartlepool Centre for independent living and community hub, although given the size of the trees and the existing brick boundary wall, there are no concerns in respect to neighbouring site trees.

3.71 In conclusion, in the event of a planning approval, trees would be essential to the softening the impact of the development from Mainsforth Terrace, as a key arterial route and subject to associated conditions that control the suitability and ensure that they align with the requirements of BNG commitments, although it is considered that they would not overcome or address the fundamental concerns as set out in the section below.

IMPACT ON AMENITY AND PRIVACY OF SURROUNDING AREA

3.72 Objections received raise concerns regarding the impact on the privacy and amenity of neighbouring properties including in terms of noise and disturbance and dust.

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

3.74 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Borough Council seeks to ensure adequate space is provided between houses and sets out minimum separation distances. These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

3.75 The above requirements are reiterated in the Council's Residential Design SPD (2019). Whilst policy QP4 largely refers to residential extensions, a line within the aforementioned SPD notes that *"The principle elevations of a commercial unit are to be treated the same as the principle elevations of a dwelling i.e. the principle elevation of a dwelling should be located at least 20m from the principle elevation of a commercial unit"*. In addition, and as noted above, criterion 1 of Policy RC21 of the Hartlepool Local Plan (2018) requires that proposals do not result in adverse impacts on neighbour amenity and privacy. Policy QP6 of the Hartlepool Local Plan (2018) also requires that proposals must be satisfactory in terms of the effects on or impact of general disturbance including noise.

3.76 Paragraph 135 of the NPPF (2024) requires that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Paragraph 198(a) of the NPPF (2024) states that "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life".

3.77 The proposed buildings would take the form of three, two storey blocks located along the respective boundaries of the application site. Block 1 (Unit 1 to 8) would be the largest block and would be positioned along the western boundary, in a north to south direction, and would measure approximately 56 metres in length by a depth of approximately 12.3 metres. Block 2 (Units 9 to 12) would be located along the southern boundary and would measure approximately 28 metres in length, in an east to west direction by a depth of approximately 12.3 metres. Block 3 (Units 13 to 17) would be located in a block along the northern boundary, in an east to west

direction, and would measure approximately 34 metres in length by a depth of approximately 12.3 metres. All of the buildings would have a maximum dual pitched height of approximately 9 metres in height by an eaves height of approximately 6.2 metres.

Properties to the North

3.78 The proposed buildings would take the form of three, two storey blocks located along the respective boundaries of the application site. Blocks 1 and 3 are proposed to be located along the northern part of the application site, adjacent to Burbank Street.

3.79 Units 1 to 8 would be the largest block and would be positioned along the western boundary, in a north to south direction, and would measure approximately 56 metres in length by a depth of approximately 12.3 metres. Adjacent to the northern boundary with Burbank Street would be the side gable of the proposed building.

3.80 Units 13 to 17 would be located in a block along the northern boundary, in an east to west direction, and would measure approximately 34 metres in length by a depth of approximately 12.3 metres. Adjacent to the northern boundary with Burbank Street would be the rear elevation of the proposed building. All of the buildings would have a maximum dual pitched height of approximately 9 metres in height by an eaves height of approximately 6.2 metres.

3.81 Across from the vehicular highway of Burbank Street to the north are residential properties located within the three-storey building of 43 to 51 (consecutive) Mainsforth Terrace (north-east). The proposed rear elevation of block 3 would be set off the shared site boundary by approximately 4.5 metres and there would be an approximate 22 metre separation distance from the proposed building and the neighbouring properties to the north. The side elevation of Block 1 is situated closer to the northern boundary than Block 3, (with a separation distance of approximately 18 metres) although the relationship between the properties on Mainsforth Terrace and the side gable of Block 1 would be oblique.

3.82 Whilst it is recognised that the proposed development would be a notable change for the respective neighbouring residential occupiers, and notwithstanding the concerns as considered within the above section, taking account of the distance and relationships, which would meet the requirements of policy QP4 of the Adopted Hartlepool Local Plan and associated Residential Design SPD, it is considered that the proposed development would not lead to any significant loss of amenity in terms of significant overbearing, overshadowing and loss of light impact for the neighbouring properties to the north to warrant the refusal of the planning application on such grounds. The proposed units would contain windows within the rear elevation at first floor, that would face towards the windows of the neighbouring properties (including habitable rooms), although given the distance and relationships, it is considered that the proposals would not lead to any significant loss of privacy for the neighbouring dwellings to the north in terms of overlooking.

3.83 With respect to the proposed site access and servicing, it is recognised that the activity from comings and goings would take place during operational hours. Notwithstanding considerations in respect to hours of operation, as considered below, both Burbank Road and Mainsforth Terrace is a busy junction, where a degree of activity already takes place, including from the use of HGV vehicles. The proposed use of the site including the use of the egress site access is considered not to raise any significant concerns over and above the existing situation. In addition, the Council's Public Protection section has considered the proposals and raises no concerns in this respect. Having regard to the proposed site access, no significant concerns exist with respect to impact on neighbouring amenity to warrant the refusal of the planning application on such grounds.

Properties to the North-west

3.84 To the west of Mainsforth Terrace are the properties located on James Street, with the side elevations of 1 and 2 James Street closest to the location of the proposed development. The gable side elevation of 1 James Terrace would be directly opposite the rear of blocks 3 and 1 of the proposed development. The side elevation of the residential property features a single ground floor window (understood to serve an internal lobby/porch area of the property) and a blank first floor gable. There would be a side to rear separation distance of approximately 17 and 21 metres respectively from the nearest neighbouring property of 1 James Terrace and the proposed development. The front of the properties along James Terrace would have oblique views onto the proposed rear elevation of the proposed block 3. Having regard to the distances and relationships involved, which would meet the requirements of policy QP4 of the Adopted Hartlepool Local Plan and associated Residential Design SPD, it is considered that the proposed development would not lead to any significant loss of amenity in terms of significant overbearing, overshadowing, loss of light impact and loss of privacy for the neighbouring properties to the north to warrant the refusal of the planning application on such grounds.

3.85 To the north-west of the application site are the properties of 2, 4 and 6 Burbank Street, with 2 Burbank Street being the closest to the application site. The properties to the north-west would have an oblique relationship with the side elevation of block 1 and block 3 where there would be approximate separation distances of 21 metres from block 1 and approximately 27 metres from block 3 respectively. Having regard to the distances and relationships involved, it is considered that the proposed development would not lead to any significant loss of amenity in terms of significant overbearing, overshadowing, loss of light impact and loss of privacy for the neighbouring properties to the north-west to warrant the refusal of the planning application on such grounds.

Building to the West

3.86 To the west of the application site is the Hartlepool Centre for Independent Living, which is a non-residential institution. The rear expanse of Block 1 would be positioned along the shared boundary to the west for much of the extent, with the vehicular parking area of the neighbouring use adjacent to the shared boundary. It is considered that whilst the proposal would be a notable change, taking account of the

nature of the neighbouring use, the proposals would not lead to any significant loss of amenity and privacy in this respect.

Properties to the South

3.87 Block 1 and 2 would be located along the southern part of the application site, adjacent to Havelock Street. The rear length of Block 2 (Units 9 to 12) would measure approximately 28 metres in length, in an east to west direction by a depth of approximately 12.3 metres. In addition, the side gabled elevation of Block 1 would also be located adjacent to the southern boundary. From the application site, across the highway of Havelock Street to the south are a number of commercial/industrial units. Most immediate to the application site, the side elevation of a warehouse unit (understood to serve a Tackle Supplies store) and a vehicle repairs garage and yard area (understood to be Lynn Service Garage). There would be a separation distance of approximately 16 metres between the rear and side of the proposed units 1 and 2 and the neighbouring warehouse and yard areas respectively. It is considered that given the commercial-to-commercial relationship, the proposed development would not lead to any significant loss of amenity and privacy to the neighbouring land users.

Impact on Future Occupiers (East)

3.88 As noted through the comments received by the Hartlepool Mayoral Development Corporation, to the east of the application site lies an area of vacant land where it is confirmed that proposals to include residential development is 'minded to being approved' by the Local Planning Authority, subject to the completion of a necessary legal agreement. Having reviewed the planning register, planning applications H/2024/0037 and H/2025/0071 are understood to be relevant in this respect. The former application illustrates the land to the east forming 'Zone 1' of a linear (north to south) residential development, with the rear of the respective dwellings facing towards Mainsforth Terrace.

3.89 With respect to the application site and the proposals, the eastern boundary (adjacent to the site) would be the less developed boundary of the application site, where an access point would be located for inward traffic. The side gable elevations of blocks 2 and 3 would face towards the anticipated elevations of future occupiers to the east on Mainsforth Terrace and there would also be a bin storage area along the north-eastern boundary. The boundary treatments would be made up from brick wall and railing with landscaping proposed to the north-east and south-east respectively.

3.90 From reviewing the neighbouring Local Planning Authority's planning application, there would be an approximate 26 metre separation distance from the rear of the residential properties to the site boundary of the application site and an approximate distance of 30 metres to the side gables. Having regard to the distances and relationships involved, which would meet the requirements of policy QP4 of the Adopted Hartlepool Local Plan and associated Residential Design SPD, it is considered that the proposed development would not lead to any significant loss of amenity in terms of significant overbearing, overshadowing, loss of light impact and loss of privacy for the neighbouring properties to the north to warrant the refusal of the planning application on such grounds.

3.91 With respect to the proposed site access, it is recognised that the activity from comings and goings would take place during operational hours. Notwithstanding considerations in respect to hours of operation, as considered below, Mainsforth Terrace is a busy highway, where a degree of activity already takes place, including from the use of HGV vehicles. The proposed use of the site including the use of the ingress site access is considered not to raise any significant concerns over and above the existing situation. In addition, the Council's Public Protection section has considered the proposals and raises no concerns in this respect. Having regard to the proposed site access, no significant concerns exist with respect to impact on neighbouring amenity to warrant the refusal of the planning application on such grounds.

Noise and Disturbance

3.92 It is acknowledged that neighbour objections have been received raising concerns that the proposed use would not be suitable for a residential area, and that it would impact on neighbour amenity, particularly in respect of noise and disturbance.

3.93 Whilst it is acknowledged that such a commercial complex as proposed would likely result in a degree of activity in respect to noise generation, the nature of the uses proposed are not identified as bad neighbour uses and the Council's Public Protection section have considered the nature and relationship with the surroundings and raise no objection (or requirements) to the scheme. Whilst, as detailed above, the design of the proposed scheme raises concerns in respect to its visual impacts, it is considered to create a relatively insular development, where activity would largely occur internal to the courtyard area, with the proposed buildings providing a degree of screening to the surroundings.

3.94 Notwithstanding this, residential areas should be areas where residents can expect peace and quiet especially during certain times of the day i.e. early evening through to morning. As set out within the Land Use Policy comment section, policy RC21 of the Adopted Local Plan sets out that, had the application been considered acceptable in all respects, a condition to restrict the hours of operation between 6pm and 8am would be required and could be recommended. In addition, had the application been considered acceptable in all respects, the Council's Public Protection section recommends a planning condition to restrict the construction hours/days of operation. A further condition would also be recommended in respect to control external lighting. An informative is also recommended to advise the applicant that no open burning should take place at the site.

3.95 In addition to the above, comments received from the Hartlepool Mayoral Development Corporation have suggested a condition in relation to noise generation at the site. Whilst acknowledging the comments, the scheme has been assessed, taking account of the nature and relationship of the proposals, where on balance, the Council's Public Protection section raise no concerns to the proposed development and any approved scheme would be subject to control of hours of operation in this respect. In the event that planning approval was granted and noise related matters were generated, the Council's Statutory Nuisance legislation outside of the planning regime would be the most appropriate. The Hartlepool Mayoral Development Corporation also suggest planning conditions in relation to extract plant ventilation

details. Whilst no information is submitted with the proposed scheme in respect of such paraphernalia, had the application been considered acceptable in all respects, such details could be controlled through a recommended planning condition. The Hartlepool Mayoral Development Corporation also suggest a condition in respect to external waste. Notwithstanding the provision of waste bins, a planning condition to control external refuse storage could also be imposed in the had the application been considered acceptable in all respects.

Existing and Proposed Levels

3.96 From the case officer's site visit, the application site appeared relatively level. Notwithstanding this, had the application been considered acceptable in all respects, a condition can be recommended to secure the levels details accordingly.

Amenity Conclusion

3.97 In view of the intended scale of the proposed use including comings and goings, it is considered that the proposed development would not result in a significant negative impact upon the amenity of adjacent residents, which would not conflict with the requirements of Policy RC21 of the Local Plan and paragraphs 135 and 198(a) of the NPPF (2024).

HIGHWAY SAFETY & PARKING RELATED MATTERS

3.98 It is acknowledged that objections have been received from members of the public in respect of increased traffic and vehicular parking related matters.

3.99 Policy QP3 of the Hartlepool Local Plan (2018) requires that proposed development is safe and accessible, with criterion 2 seeking to ensure all residents and visitors can move with ease and safety and that parking is conveniently located, criterion 3 seeking to ensure that servicing arrangements and highway safety provisions are in line with the relevant local guidance (the Residential Design Guide SPD, 2019), and criterion 5 seeking to ensure the provision of adequate, safe, secure and conveniently located car and cycle parking, having regard to the possible movement of residents and visitors.

3.100 The proposed commercial/light industrial uses would likely result in commercial vehicles including HGV 's utilising the site. Through the course of the planning application, the proposed scheme has been subject to revisions, which now includes the use of separate ingress and egress to and from the site, with the site entrance from Mainsforth Terrace and the site exit onto Burbank Road.

3.101 The Council's Traffic & Transport section have had regard to the revised entrance and exit solution and raise no objections to the proposed development in this respect. It is noted that the Council's Traffic & Transport section highlight that appropriate signage should be used at the access points to deter vehicles from exiting the entrance of Mainsforth Terrace. Had the application been considered acceptable in all respects, an informative would be recommended accordingly to assist in respect to such signage to address this matter, whilst also being mindful of any restrictions/requirements of the Advert Regulations. In respect to vehicular

parking, the proposed site plan illustrates the provision of 28 vehicular parking spaces and the Council's Traffic & Transport section raise no issues in respect to vehicular parking related matters.

3.102 In addition, National Highways were also consulted, who raise no objections or concerns to the proposed development. National Highways have provided an informative note and in the event of a planning approval the informative note would be provided to the applicant accordingly.

3.103 Having regard to the above considerations, taking account of the comments and considerations of both the Council's Traffic & Transport section and National Highways, based upon the latest site layout and use of access point and subject to the recommended informatives, no issues are raised in respect to highway and pedestrian safety and vehicular parking related matters.

FLOOD RISK & DRAINAGE

3.104 The application site is largely located within Flood Zone 1, although the eastern section of the site is located within both flood zones 2 and 3. The application has been accompanied by a submitted Flood Risk Assessment and a Drainage Strategy. The Drainage Strategy proposes to utilise an element of permeable paving and an attenuation tank to restrict the flow of surface water before discharging to the combined sewer at an agreed rate with the utility operator. Northumbrian Water have responded to the consultation exercise and confirmed that there are no objections or concerns to the proposed drainage solution, subject to the submitted details being secured. The Council's Engineering Consultancy section have considered the proposed scheme, in light of Northumbrian Water's agreement to accommodate the proposed drainage solution and the agreed flow rate and have confirmed no objections to the proposed scheme. Had the application been considered acceptable in all respects, a planning condition can be recommended to secure the details accordingly. It is also considered appropriate for a legal agreement to secure the provision and long-term maintenance and management of surface water infrastructure within the application site.

3.105 With respect to consideration of the sequential approach to flood risk, as detailed above, it is recognised that a small part of the site would be located within the more vulnerable flood zones 2 and 3. Paragraph 027 of The National Planning Policy Guidance (PPG) states that *'In applying paragraph 175 (of the NPPF) a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.'*

3.106 The submitted Flood Risk Assessment details that the proposed use would provide for 'less vulnerable' uses and assessment of all sources of flood risk are deemed to be 'low risk' or 'very low risk'. The Flood Risk Assessment includes such measures as finished floor levels 600 millimetres above the 1 in 200 year +Climate Change level proposed and it is proposed to raise any sensitive electrical points on

plinths/concrete bases. The assessment also states that no flood compensation is considered necessary as the site is higher than the Flood Zone 3 site level. The Flood Risk Assessment also details that the proposed Drainage Strategy would incorporate Cellular Storage Tank, which has been designed to manage surface water flood risk at the development site without increasing flood risk on site or elsewhere for storm events.

3.107 With respect to the submitted Flood Risk Assessment, as detailed above, there are no objections received from any key consultees, including the Environment Agency and the LLFA, to the solutions as outlined, where the flood risk assessment demonstrates mitigation measures that are considered to keep occupants safe from surface water flood risk and therefore, in line with paragraph 175 of the NPPF, it is considered that no sequential assessment is required in this instance and no concerns exist in respect to flood risk and drainage related matters. Had the development been considered acceptable, the measures as outlined within the submitted Flood Risk Assessment could capture such details and secure them by way of planning condition

3.108 It is also of note that some conflicting comments have been received through the consultation exercise from Anglian Water, who firstly confirmed that the site was outside of their area of infrastructure, although have since sought to impose a planning condition, in the event of a planning approval, for securing details of a strategic water resources strategy. As a result, at the time of writing, the utility operator has recommended a planning condition, which if the scheme was considered acceptable in all other respects, a condition could be imposed.

ECOLOGY & NATURE CONSERVATION

3.109 The application has been submitted together with a Preliminary Ecological Assessment (PEA), a Bio-diversity Net Gain Statement and Metric Calculator and a Shadow HRA Assessment. A number of these documents were updated during the course of the application. The Ecology and nature conservation matters are considered below.

Biodiversity Net Gain & Habitat Loss

3.110 The Environment Act 2021 includes Biodiversity Net Gain (BNG), with a requirement for at least 10% BNG post-development. Nonetheless, some proposals are exempted from this requirement by transitional arrangements and other exemptions. In this instance the proposed development would not be exempt from the requirements.

3.111 A Biodiversity Net Gain Assessment including a Biodiversity Metric spreadsheet has been prepared to measure biodiversity change between baseline and post-development scenarios, as measured in Habitat Units. A BNG Assessment has been provided (as updated during the course of the application) where it details that on-site habitat creation would be provided in the form of 33 No. trees, verges between parking areas and an area of grassland at the east of the site. The habitat creation is calculated to add 0.05 habitat units through the tree and grassland planting, (equating to a net gain of +10.48%). The 10% habitat creation is considered

to amount to 'significant' BNG. An indicative landscape plan has been provided to demonstrate the requisite on site BNG, which would also perform as soft landscaping from both a landscape and visual perspective. The Council's Ecologist has confirmed that the submitted details are acceptable.

3.112 In the event of a planning approval, the statutory biodiversity gain condition will require submission and approval of a Biodiversity Gain Plan before commencement. The applicant would be required to discharge the 'deemed' BNG condition to demonstrate the provision of 10% BNG uplift. In the event of a planning approval, an informative would be recommended to advise the applicant of the pre-commencement requirements accordingly. In addition, a legal agreement would also be required to secure the submission and implementation of a Habitat Management and Monitoring Plan (in this instance to monitor for a minimum period of 30 years) and will require the necessary monitoring fee to be secured.

3.113 Subject to the delivery of the on-site BNG, in accordance with the submitted information, as discussed above, the development is considered to be acceptable in this respect.

3.114 With respect to consideration of existing site ecology and the submitted PEA, consideration has been given to potential for impacts on breeding birds if active nests are present on site, potential impacts foraging activity on local bat populations during the development, and if any additional lighting is added, potential impacts on any existing invasive non-native species on-site, preventing further invasive non-native species entering the site as a result of the proposed development.

3.115 The submitted PEA identifies the application site as having low potential for protected species and being impacted by the proposed development. It considers there to be limited potential for hedgehog to fall down any open excavations or hide under any materials stored outside for a period of time, although a precautionary approach is advised as hedgehogs are likely present in the surrounding area and could potentially be found on the sites during any development work.

3.116 It is acknowledged that through the public consultation period, comments were received stating that breeding birds were disturbed during the bird breeding season and their habitat destroyed. Such matters would need to be directed to the police at the time of the alleged activity, although in this instance no evidence or information has been provided to the Local Planning Authority to substantiate the comments.

3.117 The Council's Ecologist has had regard to the submitted PEA and accepts the findings, subject to planning conditions had the application been considered acceptable in all respects, in relation to the requirement for a Construction Ecological Method Statement (CEMP) and the requirement to control lighting. A number of informatives would also be recommended in relation to mammal safety during construction and legal responsibilities with respect to the bird breeding season. Subject to the recommended planning conditions and informatives, no issues are raised in this respect.

2) *Habitat Regulations Assessment (HRA)*

3.118 Through the course of the application, a Shadow HRA was produced, which has assessed potential pathways of impact on the integrity and conservation objectives of the relevant identified European designated sites for nature conservation. The Shadow HRA has considered potential pollution from entering the designated site, as a result of spillage from the application site; on-site invasive species spreading onto the designated sites; and disturbance to designated protected species due to construction operations. The assessment concludes that adopting a precautionary approach principle during the development work and with some suitable mitigation written into a Construction Environment Management Plan, the development can be considered to have no Likely Significant Effect (LSE) on the designated landscape. As such the Shadow HRA considers that the risk of pollution and disturbance is not significantly likely and is therefore scoped out.

3.119 The Council's Ecologist has considered the submitted Shadow HRA and agrees with the findings and adopts the shadow HRA as the competent Authority's position and advises that a conclusion of No LSE has been reached and as no Appropriate Assessment is required, Natural England do not need to be consulted. In addition, for the avoidance of doubt, Natural England have also confirmed the position. Consequently, the proposed development is considered not to raise any significant impacts in this respect and would not result in a Likely Significant Effect on the designated sites.

3) Ecological Enhancement

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

3.121 The site is considered appropriately located to support declining bird populations, which could benefit from the provision of both bird and bat boxes (to be applied to the building). In the interests of biodiversity enhancement, the Council's Ecologist has confirmed that had the application been considered acceptable in all respects, bird nest boxes and bat boxes should be provided as an enhancement, integral to the proposed building fabric. Such measures could be secured by an appropriately worded planning condition accordingly.

Ecology Conclusion

3.122 Having regard to the above considerations, and subject to any identified planning conditions in the event of a planning approval, it is anticipated that the proposed development will not raise any significant issues with respect to nature conservation and ecology related matters.

CONTAMINATION

3.123 The application was submitted with a Phase 1 Desk-based study, which recommends further ground investigation to further assess contamination risk from site, given all of the historic developments onsite. The Council's Engineering Consultancy section agree with the findings and in the event of a planning approval,

a condition would be recommended to secure such details including requirements for a remediation strategy and verification report if the investigation concludes that there is contamination onsite. Subject to the recommended planning condition, had the application been considered acceptable in all respects, no concerns are raised in respect to contamination related matters.

OTHER PLANNING MATTERS

Crime and Safety

3.124 Section 17 of the Crime & Disorder Act (1998) requires the planning system to give consideration to implications for crime and anti-social behaviour. Policy QP5 (safety and security) of the HLP seeks to ensure that all developments are designed to be safe and secure. Comments have been received from Cleveland Police who have advised that the applicant should consider integrating secure by design principles into the proposed development, incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED) which, can be relayed to the applicant in the event of a planning approval.

3.125 In addition, the Council's Community Safety & Engagement team were also consulted, although no comments were received. Having regard to these considerations, including the comments and considerations of Cleveland Police, the proposed development raises no significant concerns in respect to crime and safety related matters.

Archaeology

3.126 Tees Archaeology have been consulted and have advised that upon checking the HER, there are no known archaeological artefacts within this area and there are no objections and no requirements for any associated conditions to be recommended in respect to Archaeological works. Having regard to the comments and considerations of Tees Archaeology, the application therefore raises no objections in this respect.

Public Rights of Way

3.127 The Council's Countryside Access officer has confirmed that no public rights of way would be affected by the application and the proposed development therefore raises no objections in this respect.

Impact on Railway

3.128 As a neighbouring land user, Network Rail were consulted, who have confirmed no objections or concerns to the proposed development.

Utilities

3.129 Northern Powergrid has been consulted and has not raised any concerns or objections in respect of the proposals, however has provided a Mains Record for the applicant's information and has provided advice in respect of any works in proximity

to Northern Powergrid apparatus. In the event of a planning approval, an informative note would be recommended accordingly.

3.130 Northern Gas Networks have been consulted and whilst they offer no objections to the proposals, they have advised that there may be apparatus in the area that may be at risk during construction works and therefore they we require the promoter of these works to contact Northern Gas Networks directly to discuss their requirements in detail. In the event of a planning approval, an informative note would be recommended accordingly.

Building Regulations

3.131 The Council's Building Control section have advised that a Building Regulations application would be required for the proposed development. In the event of a planning approval, an informative would be recommended to advise the applicant of their requirements in respect of the necessary Building Regulations process outside of the planning regime.

Fire Safety

3.132 Cleveland Fire Brigade have offered no objections to the proposals with advice on the requirement for access and water supplies access. Cleveland Fire Brigade also advise that they are committed to Automatic Fire Suppression Systems and advise the client to consider the installation of sprinklers or a suitable alternative AFS system. Such matters would need to be considered and addressed through the separate legislation of Building Regulations and is not a material planning consideration. Nevertheless, in the event of a planning approval, Cleveland Fire Brigade's comments would be forwarded to the applicant for their consideration as part of an informative note.

CONCLUSION

3.133 On balance, having regard to the above planning considerations including the requirements set out in policies RC21 and QP4 of the Hartlepool Local Plan (2018) and identified paragraphs of the NPPF (2024), it is considered that by virtue of the extensive scale and mass of the built form, it would create an undue, overly dominant and unsympathetic development that fails to respect the character of the application site and wider surrounding area and is therefore not be compatible with the character of the site and the surrounding area. It is therefore recommended that the application is refused on these grounds.

EQUALITY DUTY

3.134 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

3.135 In this instance, there are no Section 17 implications.

REASON FOR DECISION

3.136 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

RECOMMENDATION – REFUSE, for the following reason:

1. In the opinion of the Local Planning Authority, by virtue of the extensive scale and mass of the built form, the proposed development would create an undue, overly dominant and unsympathetic development that fails to respect and therefore would not be compatible with the character and appearance of the site and the surrounding area, contrary to policies QP4 and RC21 of the adopted Hartlepool Local Plan and the provisions of paragraph 135(f) of the NPPF (2024).

BACKGROUND PAPERS

3.137 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=162888>

3.138 Copies of the applications are available on-line:

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

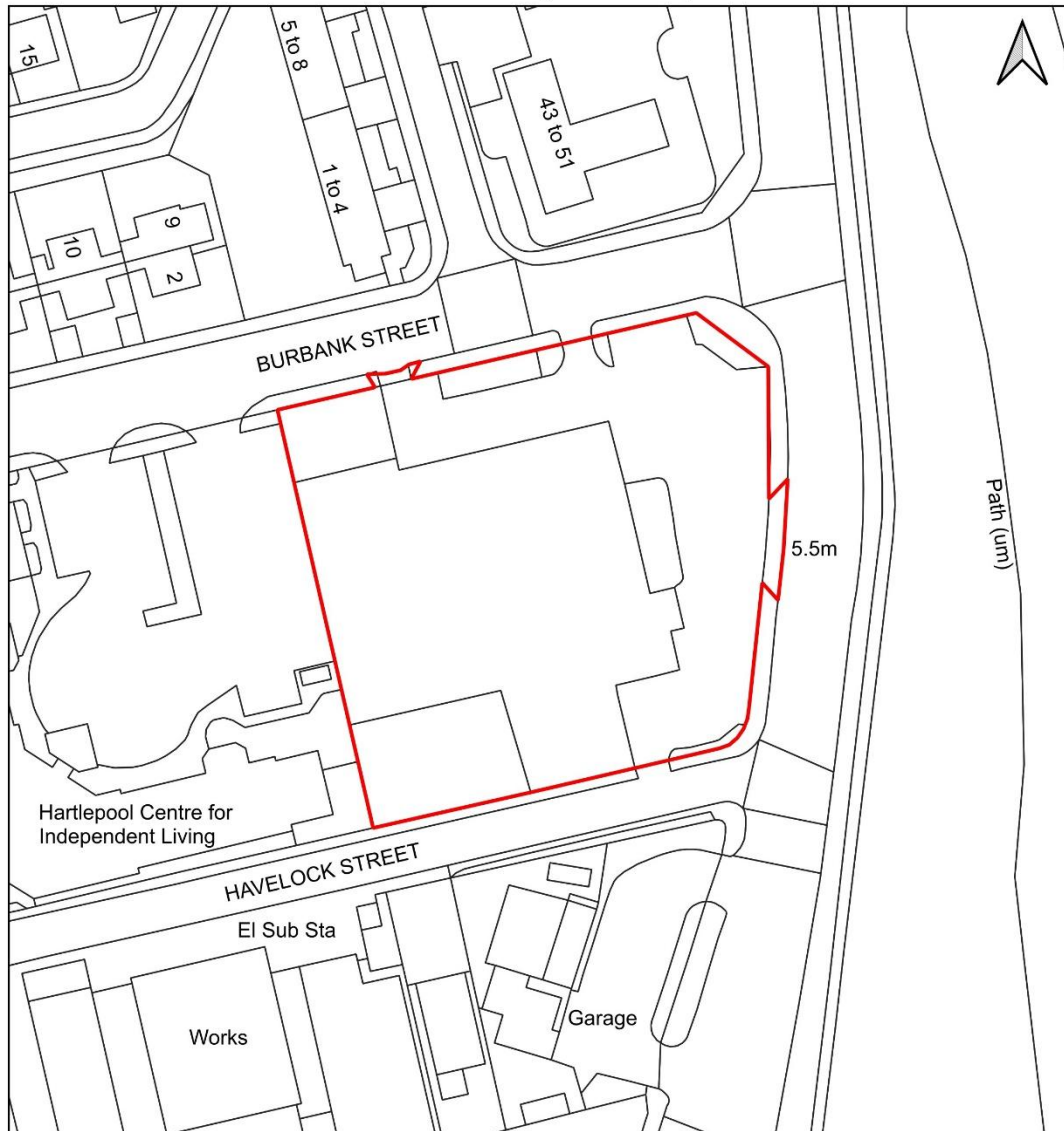
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Land At Mainsforth Terrace, Hartlepool



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 <p>Hartlepool Borough Council</p>	<p>DRAWN LH</p>	<p>DATE 22/05/2026</p>
	<p>Scale 1:800</p>	
<p>Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY</p>	<p>DWG.NO H/2024/0298</p>	<p>REV</p>

No: 4.
Number: H/2026/0077
Applicant: MR MICHAEL THURSTON HEWORTH DRIVE NORTON STOCKTON ON TEES TS20 1TB
Agent: NORSE COTTAGE MANAGEMENT LTD MR MICHAEL THURSTON 27 HEWORTH DRIVE NORTON STOCKTON ON TEES TS20 1TB
Date valid: 27/03/2026
Development: Replacement of all existing wooden frames, doors and single glazed windows with white UPVC frames, doors and double glazed windows
Location: NORSE COTTAGE THE GREEN ELWICK HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

4.2 The following planning history is considered to be relevant to the current application site;

H/1977/0084 - Conversion of loft into 3 bedrooms and 1 w.c. - 14/04/1977

H/1978/0217 - Installation of solar panels on roof of heated swimming pool - 26/06/1978

H/1977/0226 - Outdoor swimming pool with filter/boiler room - 27/06/1977

H/1976/0388 - Reinforced concrete garage - 30/09/1976

H/1982/0561 - Rear dormer bedroom extension - 09/11/1982

H/1977/0569 - Enclosed swimming pool - 28/01/1977

HFUL/1996/0151 - Alterations and extension to adapt dormer bungalow to house - 02/07/1996

PROPOSAL

4.3 This application seeks planning permission for the proposed replacement of all existing wooden frames, doors and single glazed windows with white UPVC frames, doors and double glazed windows.

4.4 The replacement windows include:

- 7no windows to the front elevation
- Entrance door to the front elevation
- 5no windows to the rear elevation
- 2no access doors to the rear elevation
- 1no window to side elevation

4.5 The application is being considered at planning committee in line with the scheme of delegation for replacement windows in a conservation area.

SITE CONTEXT

4.6 The application site relates to Norse Cottage, a two-storey, detached dwelling in a residential area within the Elwick ward of Hartlepool. The application site is located within the Elwick Conservation area.

4.7 The property features a projecting gable element as well as a first floor balcony element above the front entrance door. Adjacent to the application site to the side (west) is Sycamore House, The Green. To the front (north) and beyond the highway of The Green is no. 17 The Green, and adjacent to the other side (east) is High Garth, The Green.

PUBLICITY

4.8 The application was advertised by way of neighbour notification letters, a site notice and a press advert. To date, no responses have been received.

4.9 Background papers can be viewed via the 'click to view attachments' link on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=168670>

4.10 The period for publicity expires on 19/06/2026.

CONSULTATIONS

4.11 The following consultation replies have been received:

HBC Heritage and Countryside Conservation: The application site is located in Elwick Conservation Area. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (NPPF) goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 219, 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. 203 & 210, NPPF).

Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, 'seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.'

The buildings to be found in the Area reflect the settlement's early agricultural origins. Many properties appear to date from the 18th century, although this may disguise their earlier origin. In addition, there are examples of early and late 19th century terraced dwellings and some individual houses. The scale and character is predominantly residential.

The earliest buildings are single and two storey most constructed in rubble or stone, often whitewashed or rendered subsequently. Roofs are steeply pitched finished with clay pantiles. Windows can be either horizontal sliding sashes (Yorkshire lights) or vertical sash windows. Later 19th Century terraced dwellings are constructed in brick (with contrasting brick detail) with roofs of Welsh slate.

The proposal is the replacement of all existing wooden frames, doors and single glazed windows with white UPVC frames, doors and double-glazed windows on the property. The house is a modern building which does not contribute to the significance of the conservation area, no objections to the proposal

HBC Building Control: A Building Regulation application will be required for 'Replacement of all existing wooden frames, doors and single glazed windows with white UPVC frames, doors and double glazed windows

Civic Society: No comments received

Elwick Parish Council: No comments received

Rural Planning Working Group: Consultation expires 19/06/2026

PLANNING POLICY

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

Hartlepool Local Plan 2018

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

HE1: Heritage Assets

HE3: Conservation Areas

HE7: Heritage at Risk

CC1: Minimising and adapting to climate change

LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 SUS1: The Presumption in Favour of Sustainable Development

National Planning Policy Framework (NPPF)(2024)

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

- PARA001: Role of NPPF
- PARA002: Determination of applications in accordance with development plan
- PARA003: Utilisation of NPPF
- PARA007: Achieving sustainable development
- PARA008: Achieving sustainable development
- PARA009: Achieving sustainable development
- PARA010: Achieving sustainable development
- PARA011: The presumption in favour of sustainable development
- PARA012: The presumption in favour of sustainable development
- PARA039: Decision making
- PARA048: Determining applications
- PARA056: Planning conditions and obligations
- PARA057: Planning conditions and obligations
- PARA116: Highway matters
- PARA131: Achieving well-designed places
- PARA135: Achieving well-designed places
- PARA137: Achieving well-designed places
- PARA139: Achieving well-designed places
- PARA167: Planning for climate change
- PARA203: Considering heritage assets
- PARA208: Considering heritage assets
- PARA210: Considering heritage assets
- PARA212: Considering heritage assets
- PARA215: Considering heritage assets
- PARA219: Considering heritage assets

PARA231: Implementation

PLANNING CONSIDERATIONS

4.15 The main planning considerations with respect to this application are the impact of the development on the character and appearance of the existing dwelling and conservation area, and the impact on the amenity and privacy of neighbouring properties. These and any other planning matters are considered below.

IMPACT ON CHARACTER AND APPEARANCE OF EXISTING DWELLING AND SURROUNDING CONSERVATION AREA

Legislation and Policy Context relating to Heritage Assets

4.16 The application site is located in the Elwick Conservation Area, which is a designated heritage asset. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

4.17 Furthermore, when considering a planning application which affects a conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

4.18 Local Plan Policy HE3 states that the Council will seek to ensure that the distinctive character of Conservation Areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within Conservation Areas will need to demonstrate that they will conserve or positively enhance the character of the Conservation Areas.

4.19 NPPF Paragraph 219 goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area. NPPF Paragraphs 203 and 210 require Local Planning Authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

4.20 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires, amongst other provisions, that proposals should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area as well as respecting the surrounding buildings, structures and environment. In a similar fashion, paragraph 135(c) of the NPPF states that developments should “sympathetic to local character and history, including the surrounding built environment and landscape setting...”

‘Significance’ of Heritage Assets

4.21 Elwick was established around 1100 as a deliberately planned medieval village. Its layout—with a central green, surrounding buildings, and deep plots (tofts)—reflects this origin. Evidence from St Peter’s Church suggests an earlier Anglo-Saxon settlement. The village’s development and character have been

shaped by agriculture, which remains a defining feature, as well as it being located between two streams, which make it largely hidden within the landscape. The village is elevated in positions (which is the case of this application site), offering views across Teesside and North Yorkshire. The area includes ecologically significant sites like ancient woodlands and medieval fishponds. Additionally, there are mature trees throughout the village that enhance its rural character and are protected under conservation regulations.

4.22 The area features architectural styles from the 12th to the 19th centuries in forms of listed buildings and non-listed buildings, but significant to the area. Many buildings retain traditional features like stone mullioned windows, sash windows, clay pantile roofs, and timber doors.

4.23 Historically isolated, Elwick developed as a sustainable agricultural village with its own services and trades. Public houses are named after livestock and local history rather than national figures, reflecting rural identity. Modern developments and alterations have introduced suburban elements that threaten the village's historic character

Assessment of the significance of Heritage Assets

4.24 Elwick Conservation Area is significant as a rare and well-preserved example of a medieval agricultural village that has retained its historic layout, architectural character, and ecological richness. Its isolation until the mid-20th century helped preserve its integrity, making it a valuable cultural and historical asset.

4.25 The proposal involves the existing wooden framed doors and single glazed windows to be replaced with white uPVC framed doors and double-glazed windows. It is acknowledged that the white uPVC windows would be a departure from the existing windows, however, it is noted that the host dwelling is a modern building which does not contribute to the significance of the conservation area.

4.26 It is considered that the proposed alterations are modest in scale, and as such, it is considered that the proposed development would not impact upon any heritage assets and would not detract from the area's historic layout, architectural integrity, or visual coherence. It is therefore considered that the proposed works would be acceptable.

4.27 Furthermore, the HBC Heritage and Open Spaces Manager has reviewed the application and concludes that the proposal would not adversely impact the character of the area of the host dwelling or the surrounding conservation area.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

4.28 In addition to the requirements of Policy HSG11, Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy.

These requirements are reiterated in the Council's adopted Residential Design SPD (2019).

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

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

4.30 The proposal would not introduce any additional windows nor extend the property or reduce the existing separation distances and relationships between the application property windows and distances/relationships to neighbouring properties, it is considered that the proposed replacement windows would not have a detrimental impact on the amenity or privacy of any neighbouring property in terms of overbearing impression, overshadowing, loss of outlook or overlooking. Furthermore, it is understood that the existing window openings and relationships would primarily continue to serve rooms of a similar nature.

CONCLUSION

4.31 The development as set out would not create any great harm to the impact upon the setting of the conservation area. In terms of impact upon amenity, it is considered the development is acceptable and it would not lead to any demonstrable loss of amenity and privacy impacts, with respect to neighbouring properties. The development accords with Local Plan Policies QP4, HE1, HE3, HE4 and HE7 of HLP (2018) and the provisions of the NPPF (2024).

EQUALITY DUTY

4.32 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

4.33 In this instance, there are no Section 17 implications.

REASON FOR DECISION

4.34 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 consideration by officers of any responses from the Rural Plan Working Group and subject to conditions

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be in accordance with the following plans and details; Site Location Plan (at Scale 1:1250) and Drawing number NC-003 Rev P1 (Proposed Window Details) received by the Local Planning Authority 16/03/2026; Drawing number NC-002 Rev P2 (Proposed Elevations) received by the Local Planning Authority 15/05/2026.
To define the permission.

3. The materials and finishes (and opening mechanisms) of the replacement windows hereby approved shall be in accordance with the materials (and colours) stipulated in the submitted the application form received by the Local Planning Authority on 16/03/2026 and as stated on plan Drawing number NC-003 Rev P1 (Proposed Window Details received by the Local Planning Authority 16/03/2026) and Drawing number NC-002 Rev P2 (Proposed Elevations received by the Local Planning Authority 15/05/2026).
To ensure a satisfactory form of development and in the interests of visual amenity.

BACKGROUND PAPERS

4.35 Background papers can be viewed by the ‘attachments’ on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=168670>

4.36 Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

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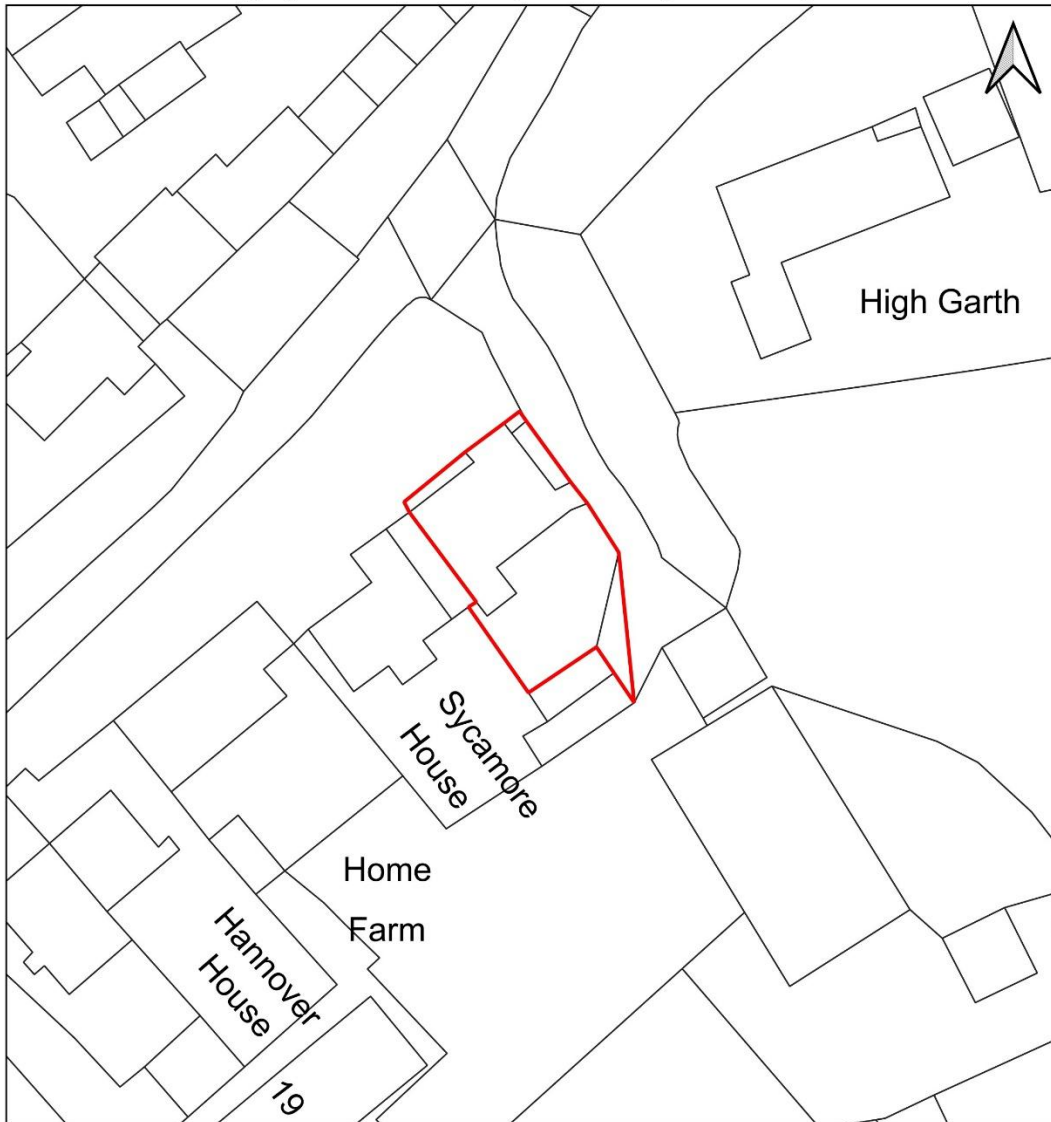
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 <p>Hartlepool Borough Council</p>	<p>DRAWN LH</p>	<p>DATE 22/05/2026</p>
	<p>Scale 1:500</p>	
<p>Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY</p>	<p>DWG.NO H/2026/0077</p>	<p>REV</p>

No: 5.
Number: H/2025/0379
Applicant: MR R NADEEM LEYBOURNE TERRACE STOCKTON
ON TEES TS18 1JP
Agent: STOVELL 5 BRETNALL CENTRE BRETNALL
STREET MIDDLESBROUGH TS1 5AP
Date valid: 10/12/2025
Development: Change of use from vacant shop (Use Class E) to mixed
use as restaurant (Use Class E) and takeaway (Use Class
Sui Generis), and installation of an extraction flue
Location: 130 OXFORD ROAD HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

5.2 No relevant planning history has been identified.

PROPOSAL

5.3 Planning permission is sought for the change of use from a vacant commercial property (understood to be a shop Use Class E although there is no known planning record) to a restaurant and hot food takeaway (Use Class Sui Generis), within the ground floor of the site (the upper floor to remain as a flat) and is proposed to feature a serving area, food preparation area, seating area, w/c, staff w/c and yard. The proposal also includes the installation of an extraction flue to the external rear elevation. There are no other external works proposed.

5.4 The proposed floor plans indicate the ancillary seating area to have 4 tables with 4 seats, and 1 table in a waiting area with 2 seats.

5.5 The submitted supporting information indicates that the use would intend to operate between the hours of 1100am and 2200pm daily.

5.6 The proposed flue would project from the flat roof of the existing single-storey rear extension and would project approximately 4.3 metres from the flat roof of the extension, to project approximately 1.8 metres above the eaves of the main building. The proposed elevations show the proposed flue to be covered by a chimney stack, constructed from a timber frame and cladding with brick slips to match the existing.

5.7 The application has been referred to the Planning Committee in line with the Council's scheme of delegation due to the number of objections received (3 or more).

SITE CONTEXT

5.8 The application site is a mid-terrace property located on 130 Oxford Road and is situated within the Oxford Road Local Centre. The host property was previously in use as a shop but is understood to be currently vacant, with a flat above (C3 Use Class). The street scene is mixed-use, comprising residential properties mainly on the first floor within the Local Centre and various commercial uses and ground floor; the wider area is predominantly residential. The adjoining property to the side (west) is no. 132 Oxford Road, which is a hot food takeaway, and to the other side, the application site is adjoined to no. 128 Oxford Road, which is a dry cleaner (E Use Class). To the front of the property (south) is the main public highway of Oxford Road, with no. 137 Oxford Road and no. 1 Peebles Avenue (residential properties) beyond.

PUBLICITY

5.9 The application has been advertised by way of 11 neighbour letters and a site notice. To date, there have been 11 responses, 1 in the form of support, and 10 in the form of objections.

5.10 Amended plans were received to address concerns regarding the ventilation and extraction of the flue. The proposed flue would project above the eaves approximately 500cm higher than the original plans. Due to the nature of this change, which is not considered to prejudice neighbours, no additional consultation was undertaken.

5.11 The objections can be summarised below:

- The area is primarily residential and not suited for additional commercial activity of this nature
- The area is already overrun with takeaways
- There are already three existing takeaways within 100 metres of the proposed site
- Adding another hot food takeaway will create an unnecessary concentration of similar businesses, which is contrary to balanced planning principles and does not serve the wider community needs
- The town has one of the worst health records in the UK
- Health and wellbeing concerns which conflict with local planning policies to promote healthier lifestyles
- Inadequate parking and traffic concerns
- The proposed location offers no dedicated parking, which will lead to increased illegal or inconsiderate parking on nearby streets.
- Lack of parking will result in obstruction for residents and emergency vehicles
- Heightened traffic congestion in an already constrained area
- Noise and disturbance

- Takeaways operate late into the evening which generate noise from customers and delivery drivers
- Noise from vehicle engine idling and door slamming
- The takeaway will negatively impact the residential character of the area and disturb local families
- Experience from existing takeaways shows a rise in food packaging litter on streets and green spaces which undermines efforts to maintain a clean and safe environment
- Increased burden on local waste collection services
- Concerns about cash only business model which raises concerns regarding tax compliance and potential for unrecorded transactions which is not in the public interest
- The owner doesn't live in the local community

5.12 The response in the form of support can be summarised below:

- The introduction of a new takeaway business will be a positive addition to the area
- Many businesses have struggled and new ventures will bring renewed footfall activity and economic benefit to the local community.
- A well-run business will support neighbouring shops, create employment opportunities and contribute to the vitality of Oxford Road
- This proposal will be beneficial to the surrounding businesses and residents

5.13 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167178>

5.14 The period for publicity has expired.

CONSULTATIONS

5.15 The following consultation replies have been received:

HBC Public Health Registrar: Thank you for notifying Public Health of planning application H/2025/0379 for the change of use of 130 Oxford Road from a vacant shop (Use Class E) to a mixed-use restaurant (E) and takeaway (Sui Generis), including installation of an extraction flue.

The proposal has been reviewed in the context of Hartlepool's Public Health challenges and potential health outcomes. With reference to Hartlepool's Local Plan (adopted May 2018) and related local policies, the following concerns should be considered as part of granting planning permission:

Mixed-use developments combining restaurant (Class E) and takeaway (sui generis) must clearly demonstrate their primary function. The National Planning Policy Framework (NPPF) (2024) places strong emphasis on creating healthy communities and supports refusal of hot-food takeaway proposals where they may undermine public health, particularly near schools or youth facilities, or where cumulative

impacts contribute to obesity, poor diet, and health inequalities. It emphasises that planning authorities should require clarity on which use (eat-in Class E or sui generis takeaway) will predominate. Therefore, the application for 130 Oxford Road should clearly demonstrate which use the proposed establishment will be chiefly operating as, as additional takeaway capacity could exacerbate poor diet, obesity, and health inequalities in the locality.

In Hartlepool, the Local Plan Policy[i] strictly controls new hot-food takeaways to protect residential amenity and community wellbeing. Evidence from previous decisions in the borough highlighted that additional takeaway capacity can exacerbate poor diet and obesity, which are significant local health challenges.

There is evidence of an obesogenic environment in Hartlepool and that excess weight is a challenge for both adults and children. The latest data shows that the proportion of adults (aged 18+) who are overweight or obese is estimated to be 77.2%ii placing Hartlepool as the worst in England. The most recent data from the National Child Measurement Programme indicates the percentage of Hartlepool children in Reception year who are overweight or obese is 32.1%. This rises to 40.1% for year 6 children. The figures for Reception are amongst the worst in England with year 6 being in the worst 20%. Children who are overweight or obese are likely to go on to become adults who are overweight or obese. This leads to a higher rate of morbidity, disability and premature mortality as adults. It is also associated with high care costs and wider socioeconomic costs for society. Therefore, the prevalence of obesity in Hartlepool is a clear public health concern.

The causes of excess weight in the population are complex and are influenced by a variety of different factors including the built environment and therefore Hartlepool has policies in place to address this. The purpose of these policies are to reduce availability of takeaway food and exposure to the population. Research has identified the risks associated with increased exposure to takeaways and that higher exposure to these establishments leads to people spending more on out of home foodiv. A recent systematic review has highlighted links between higher fast-food density and cardiovascular disease. Hartlepool has a high number of takeaway establishments posing a higher risk to population health.

The proposed establishment is within a high-density residential area vi with figures for this ward indicating a population density of 3,340.8 people per km² which is significantly higher than Hartlepool's borough-average @ 967 per km². This therefore, leads to the possibility of increased exposure to the risks due to a higher number of people living within the vicinity of the proposed establishment.

Public Health England 2020vii refers to NICE Public Health Guidelines on Cardiovascular disease prevention, which recommends action to encourage local planning authorities to restrict planning permission for takeaways and other food retail outlets in specific areas, for example, within walking distance of schools. There are 3 local schools and one nursery school within a 10-minute walking distance of the proposed premises, two of these establishments, one school and the nursery school, are only 5 minutes' walk away from the proposed establishment.

Hartlepool has a high number of takeaway and fast-food outlets. Whilst this number is reducing due to the successful implementation of the Hartlepool Local Plan which restricts hot food takeaways, information from Public Health England would indicate Hartlepool has 132 fast food outlets which is notably higher than the England average of 115.9viii. Hartlepool remains among the highest quintile for takeaway outlet density of local authorities and is ranked 37th in England. This information is supported by current data from Food Environment Assessment Toolix which indicates, as of December 2025 in the ward of the proposed premises, there are already 11 hot food takeaways: this is the fifth highest number of takeaways in any of the Hartlepool wards.

The NPPF (2024) places strong emphasis on creating healthy communities which the establishment of a new hot food takeaways could contravene. Meals eaten outside of the home tend to be associated with higher calories, and portion sizes tend to be bigger, which can make it more challenging to eat healthily. Public Health would therefore support refusal of planning permission for a new hot-food takeaway which may undermine the Local Authority's policies and public health strategies to tackle obesity within the borough where it is found that the proposed development will predominantly be a hot food takeaway.

Updated comments provided 13/05/2026:

The percentage of children in reception year classified as obese, including severe obesity is 14.8% in the Foggy Furze ward. The percentage of children in year 6 classified as obese, including severe obesity is 29.1% in the Foggy Furze ward.

HBC Environmental Protection: Environmental Protection raise no objection in principle to the proposed development, subject to the following conditions:

Extraction and Ventilation Details

Prior to installation, full details of the proposed extraction and ventilation system, including technical specifications, odour abatement measures and details of the flue termination point, shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be installed in full accordance with the agreed details prior to the commencement of use and shall thereafter be retained and maintained as such.

Noise from Plant and Equipment

Noise arising from any fixed plant, machinery or equipment (including the extraction system) shall not exceed the existing background sound level (LA90) at the nearest noise-sensitive premises, as measured or calculated in accordance with BS4142:2014+A1:2019 (or any subsequent revision).

Odour Control

The extraction/ventilation system shall be designed, installed and maintained so as to effectively control and minimise the emission of odours from the premises and prevent nuisance to nearby residential properties.

Operating Hours

Environmental Protection raise no objection to the proposed hours of operation, subject to a condition restricting the use of the premises to 11:00–22:00 Monday to Sunday (including Bank Holidays).

Subject to the above conditions being attached to any approval, Environmental Protection have no further comments.

Public Protection - Commerical Services: The Commercial Team has reviewed the planning application for the proposed hot food takeaway.

At this stage, we do not have any comments to make in relation to the planning aspects of the application. We understand that Environmental Protection have provided comments separately, including matters relating to flue extraction. From a regulatory perspective, should the application be approved, the business will be required to register as a food business with the Council's Food Safety Team at least 28 days prior to commencing trading, in accordance with food hygiene legislation.

In addition, the operator will be expected to have an appropriate commercial waste contract in place for the lawful disposal of waste arising from the business. These comments are provided for advisory purposes only.

HBC Traffic and Transport: The site is located in an existing small commercial area and is served by a parking bay which can accommodate 4 vehicles. There's further on street parking available in the wider area, however this is limited and at times can be congested. A restaurant would normally require 1 space per 2 seats, there are 16 seats planned for the restaurant requiring 8 spaces. The takeaway business would also generate parking requirements. The combined use would potentially significantly increase parking demand in the area and would possibly extend into nearby residential streets.

Object to the restaurant element, no objection to the takeaway element.

HBC Waste Management: Business will require a trade waste agreement with an authorised waste carrier to ensure waste is disposed of correctly. For a quote please contact 01429 523333

Adequate refuse storage space must be provided either internally or within the site boundary to accommodate the above requirements. All waste must be stored within the property boundary and must only be placed out on the agreed collection day. Waste must not be stored on the highway, including in a back street.

All applications will need to demonstrate that suitable waste storage space can be provided in line with the above standards.

HBC Economic Development: We have reviewed the change of use application and have no objections from Economic Growth.

Cleveland Police: With regards to your recent planning application H/2025/0379 for a Restaurant & Take Away, 130, Oxford Rd. Hartlepool. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. Full information is available within the SBD Non-Residential Guide 2025 Guide at www.securedbydesign.com

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

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

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

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

Although not an SBD requirement, Hartlepool along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized.

In addition to the above. Some hot food take aways can attract anti-social behaviour, specifying opening times within the Planning Statement is made and it also suggests them being conditioned. I would recommend that this was in fact conditioned to no later than the proposed 22.00 hrs.

The area in question has been subject of additional funding recently under Operation Deterrence to reduce crime and anti-social behaviour, therefore this recommendation is reasonable and appropriate.

I would recommend doors, windows and any proposed roller shutters are to tested and certified LPS1175 A1 rating as a minimum (or equivalent). CCTV provision is also strongly recommended.

HBC Building Control Management: A Building Regulation application will be required for 'Change of use from vacant shop (Use Class E) to mixed use as

restaurant (Use Class E) and takeaway (Use Class Sui Generis) and installation of extraction flue - 130 OXFORD ROAD

HBC Community Safety and Engagement: No comments received

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan 2018

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

LS1: Locational Strategy

SUS1: The Presumption in Favour of Sustainable Development

HSG11: Extensions and alterations to existing dwellings

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development

QP5: Safety and Security

QP6: Technical Matters

RC16: Local Centres

RC18: Hot food takeaways

RC21: Commercial Uses in Residential Areas

National Planning Policy Framework (NPPF) (2024)

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

PARA001: Role of NPPF

PARA002: Determination of applications in accordance with development plan

PARA003: Utilisation of NPPF

PARA007: Achieving sustainable development
PARA008: Achieving sustainable development
PARA009: Achieving sustainable development
PARA010: Achieving sustainable development
PARA011: The presumption in favour of sustainable development
PARA012: The presumption in favour of sustainable development
PARA039: Decision making
PARA048: Determining applications
PARA056: Planning conditions and obligations
PARA057: Planning conditions and obligations
PARA085: Building a strong, competitive economy
PARA090: Ensuring the vitality of town centres
PARA096: Promoting healthy and safe communities
PARA097: Promoting healthy and safe communities
PARA116: Promoting sustainable transport
PARA125: Making effective use of land
PARA131: Achieving well-designed places
PARA135: Achieving well-designed places
PARA139: Achieving well-designed places
PARA196: Ground conditions and pollution
PARA231: Implementation

Supplementary Planning Document

Tees Valley Design Guide and Specification

5.19 **HBC Planning Policy comments:** Further to the consultation regarding H/2025/0379. The site is located within the Oxford Road Local Centre, as allocated under policy RC16, and permission is sought to change the use of the property from a shop to a hot food takeaway. Although RC16 indicates local centres would be a sequentially preferable location for hot food takeaway uses, the policy goes on to stipulate that any applications will be determined in accordance with Policy RC18, which sets out that hot food takeaway uses will be strictly controlled in order to protect vitality and viability, neighbour amenity and allow for healthy lifestyles for residents. The policy sets out thresholds for hot food takeaway uses for each designated retail area, including local centres. In the case of Oxford Road, the policy sets out that the amount of hot food takeaway floor space should not exceed 9%.

5.20 Based on 2025 land use survey data held by Land Use Policy, I can advise of the following:

- Total number of units in the local centre = 27 with a total floor space of 1,610.07m²
- Total number of hot food takeaways = 3 with a total floor space of 150.05m²
- Current percentage of hot food takeaway floor space in the local centre = 9.32%

5.21 If 130 Oxford Road (which has a floor space of approximately 40m²) were permitted to change its use to a hot food takeaway, there would be a total floor space in the local centre in hot food takeaway use of 190.93m² or 11.86%.

5.22 The current proportion of hot food takeaways already exceeds the threshold set out in policy RC18 and therefore Land Use Policy objects to the proposed change of use of 130 Oxford Road to a hot food takeaway.

5.23 Updated comments received 29/05/2025:

5.24 In principle, restaurant use would be in accordance with policy RC16 of the Local Plan as an appropriate use in a local centre and therefore LUP have no objections to that element of the application. It is also acknowledged that such a use could entail a small amount of ancillary hot food takeaway. Notwithstanding that, a restaurant is not what is being applied for and, as set out in our previous comments, the proposed hot food takeaway element of the application is not in accordance with policies RC16 and RC18 of the Local Plan and therefore LUP policy object to that part of the proposal.

5.25 Clearly, the applicant intends the proposed hot food takeaway element of the scheme to be more substantial than just an ancillary element, hence the application as put forward. If a combined use were to be granted, it would allow for the majority of the business operations to be hot food takeaway, either now or in the future, and that is not acceptable, as set out in the relevant policies.

5.26 I trust the above is helpful, along with the figures previously provided in terms of the proportions of hot food takeaway already in place in this local centre.

PLANNING CONSIDERATIONS

5.27 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular, the principle of the proposed use, public health, the design of the proposals and impact on the character and appearance of the area, the impact of the proposals on the amenity of neighbouring land users and highway safety.

PRINCIPLE OF DEVELOPMENT

5.28 The application is for the change of use from a vacant shop (Use Class E(a)) to a mixed use of restaurant and hot food takeaway. It is considered that from the submitted proposed floor plans, there is a seating area which comprises tables which can seat 18 people, and a waiting area. It is considered that the proposed use would be a mixed use as a hot food takeaway and restaurant (sui generis).

5.29 The application site is located within a designated local centre, as defined within the adopted policies map and through Hartlepool Local Plan (HLP) (2018) Policy RC16. Policy RC16 seeks to diversify, support and protect local centres and identifies Local Centres as the most sequentially preferable location for hot food takeaway uses and other uses. The application seeks planning permission for a mixed-use unit comprising a restaurant and hot food takeaway, which complies with the aims of Policy RC16. However, Policy RC16 is further supplemented by Policy RC18 Hot Food Takeaways, which identifies those locations deemed suitable and the proportion of floor space within those locations that are considered appropriate

for hot food takeaway uses. This policy expressly states that hot food takeaway uses will not be permitted outside of any designated retail or commercial centres.

5.30 The host property is located within the Oxford Road Local Centre. It is acknowledged that the policy refers to 'Oxford Street', which is an oversight. RC18 sets out thresholds for hot food takeaway uses, where the Oxford Road local centre is capped at a limit of 9% of this use. The preamble of Policy RC18 seeks to control hot food takeaway uses to prevent an overconcentration of hot food takeaways within the borough and attempt to reduce the levels of obesity and ill health within Hartlepool. Concerns regarding health and obesity will be discussed further within the Health and Wellbeing section below. It is acknowledged that the current figure, using the land use survey data from 2025, is 9.32%, which is already higher than the cap, and the Local Planning Authority is seeking to ensure that this is not increased further. When factoring in the proposed additional hot food takeaway use of floorspace at 130 Oxford Road, this would push the hot food takeaway use in the local centre up to 11.86%, which is deemed to be unacceptable and would be contrary to the policy.

Health and well-being

5.31 Policy RC18 recognises not only the need to protect the vitality and viability of retail centres, but also the need to consider the health impact on Hartlepool residents. The preamble to Policy RC18 advises that, in order to consider the health impact of development, one of the factors used to set the former A5 (Hot Food Takeaway) floorspace thresholds for particular local centres was ward-level obesity data for adults, childhood obesity data for schools within the Borough, and the proximity of each area to residential properties. It states that an unhealthy diet is a proven causal link for many illnesses.

5.32 The policy seeks to ensure that there is not a proliferation of hot food takeaways across the Borough, with the amount of permitted Hot Food Takeaway floorspace in each centre being controlled by virtue of the stated policy provisions, and is an approach consistent with paragraph 96(c) of the NPPF, which suggests planning policies and decisions should aim to achieve healthy lives and access to healthy food.

5.33 The Council's Public Health Team have objected to the application and raised concerns about the impact of the proposals in relation to health and obesity. Data from Public Health England indicates that Hartlepool has 132 fast food outlets, which is notably higher than the average of England of 115.9. Further, Public Health states that within the Foggy Furze ward, there are 11 hot food takeaways. The UK Government Foresight report (2007), 'Tackling obesities: future choices' demonstrates evidence that the consumption of takeaway and fast foods is a key determinant of excess weight gain.

5.34 The application site is within the Foggy Furze ward of Hartlepool. HBC Public Health have provided figures relating to the levels of childhood and adult obesity in the ward and the town as a whole, both of which are higher than the average for England (set out in the consultation comments above) and are linked to emergency hospital admissions and premature deaths.

5.35 HBC Public Health raise concern that a further hot food takeaway could contribute further to unhealthy diets and levels of obesity in the Foggy Furze ward. Such concerns and evidence-based information formed part of the development of the Hot Food Takeaway policy within the Local Plan and efforts to limit the number and location of such uses, which links to paragraph 96 of the NPPF in seeking to create healthy places.

5.36 In view of the above considerations including the substantial comments from the Director of Public Health which draws parallels between the levels of hot food takeaways in Hartlepool and the health metrics of residents of Hartlepool and the Foggy Furze ward in particular, the proposed development is considered to conflict with Local Plan policy requirements with respect to the principle of such a use in this location and is therefore considered to undermine efforts to promote healthy lifestyles and would have a negative impact on public health (and the health of local residents) if approved.

5.37 It is therefore considered that the proposal is contrary to Policy RC16 and Policy RC18 of the Local Plan, and guidance in the Framework and that this would warrant a second reason for the refusal of the application.

Vitality and Viability of the Local Centre

5.38 Policy RC16 aims to enhance the vitality and viability of Local Centres. The policy's preamble highlights concerns about the growing number of hot food takeaway premises being approved within these centres. It notes that where such uses become dominant, they can significantly limit the diversity of services available locally. This reduction in variety may weaken the centre's overall vitality and hinder the success of individual businesses, which often depend on a mix of different shop types to attract and retain customers.

5.39 Policy RC18 states the council will have regard to the length of time that a unit has been vacant and will seek to strike a balance between economic development, vitality, viability and residents' health. A concentration of such uses can also negatively impact the vitality and viability of retail and commercial centres.

5.40 The application site sits within a parade of 5 units (two of which serve the same use/company), although it forms part of the wider local centre. 132 Oxford Road adjoins the host site to the west and is a hot food takeaway. If the proposed mixed-use were to be permitted, it would adjoin an existing hot food takeaway use, resulting in 40% of the units that sit within the parade being hot food takeaway uses. It is considered that this would be an over-concentration of this use and would form a cluster within the Local Centre, contrary to the aims of Policy RC16 and RC18.

5.41 As mentioned, the application site is currently vacant. Vacant premises with closed shutters and an absence of signage are generally considered not to be as visually attractive as an occupied unit. It is noted that the unit would operate during daytime hours, and would bring an active frontage, while bringing a vacant unit back into use and is likely to contribute economically within the local centre. However, whilst it is acknowledged that the premises may be vacant, no details of how long the

property has been vacant or how the property has been marketed have been provided as part of the application. As set out, the policy seeks to provide a range of services and seeks to prevent hot food takeaway provision from dominating the local centre. The applicant has provided no substantial, convincing evidence to suggest that the proposal is the only viable use for the application site, and whilst it is acknowledged that the unit would be a restaurant/takeaway given the limited seating area, it is envisaged that this would operate mainly as a hot food takeaway. Policy RC16 and RC18 state that over-concentration of hot food takeaway provision significantly limits the diversity of services available locally and can weaken the centre's overall vitality and viability, which would likely occur should this use be permitted.

5.42 It is considered that vacancy alone would not be a strong enough reason to allow the loss of the existing unit within the centre, and in any event, it is not considered to generate significant economic benefits that would justify an approval of the application on this basis alone. The proposed development would lead to a harmful cluster and concentration of such uses within this local centre and within this section of the parade. The proposed development would impact upon the vitality of the local centre, character, and health of residents of Hartlepool, and the correct balance cannot be struck in this instance. In any event, an inappropriate use (as is considered to be the case with this application) would not be desirable over vacancy, and there are a number of acceptable alternative uses it could be put to. Given that the proposal exceeds the thresholds of Policy RC18 (Hot Food Takeaways floor space) within this local centre, together with current health statistics, it is considered unacceptable as a matter of principle, and this would warrant a reason for the refusal of the application.

5.43 Within the Hartlepool Borough, an Inspector shared this view (albeit this application sought permission for a hot food takeaway use only) and dismissed an appeal decision within the Borough for a hot food takeaway located within a designated retail centre on Easington Road (application reference: H/2019/0155, appeal reference APP/H0724/W/19/3234665, decision date 24/10/2020).

5.44 The proposed change of use of the property to a mixed-use restaurant and hot food takeaway is in direct conflict with the policy requirements of the HLP as set out within the report and is therefore unacceptable as a matter of principle. This would therefore warrant a reason for refusal of the application.

IMPACT ON CHARACTER AND APPEARANCE OF EXISTING BUILDING AND SURROUNDING AREA

5.45 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires, amongst other provisions, that proposals should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area as well as respecting the surrounding buildings, structures and environment. In a similar fashion, paragraph 135(c) of the NPPF states that developments should be “sympathetic to local character and history, including the surrounding built environment and landscape setting...”

5.46 Policy RC16 (The Local Centres) of the Local Plan states that hot food takeaway uses and food uses will only be permitted, providing that they do not adversely affect the character, appearance, or function of the surrounding area.

5.47 The application site forms a mid-terrace unit of a parade of five units, which vary in use from a hot food takeaway, café and retail uses (Sui Generis and E Class Uses). The units that form the parade feature frontages similar to the host property, including roller shutters. It is noted that there are no proposed alterations to the front elevation. Therefore, it is considered that the appearance of this unit is a characteristic of the street scene.

5.48 The proposal includes the erection of a flue which would project above the flat roof of the single-storey extension to the rear of the property. It is noted that side elevations were requested by the case officer, but no plans have been provided. It is considered that there is enough detail on the plans to assess the proposal.

5.49 It is considered that the proposed steel flue has an industrial appearance that would create an unsightly element on the rear of the property. Amended plans were received to show the proposed flue to be covered with a chimney stack. Although the proposed flue would not project above the highest part of the existing property and therefore the proposed flue would not be readily visible from the main front streets of Oxford Road, it is considered that the flue would be visible from the side (west) from the street scene of Marlborough Street and the residential properties to the rear of the side on Marlborough Street and Charterhouse Street beyond.

5.50 Consideration is given to the commercial nature of these terraces and the presence of other flues or external extraction equipment to the rear of these properties, including the neighbouring property 132 Oxford Road. In this context, the proposal would not introduce an incongruous and inappropriate feature and is therefore considered not to have an adverse impact on the character and appearance of the host property and surrounding area.

5.51 In light of this, on balance, it is considered that the proposed flue would not significantly detract from the appearance of the property overall, and if it were considered acceptable in all respects, a condition could be applied with regard to the vent and extraction.

5.52 On balance, the proposal is therefore considered acceptable in terms of the visual impact on the character and appearance of the existing building and the surrounding area and that the identified impacts are not considered to be so significant in this instance as to warrant a further reason for refusal of the application.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

5.53 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion, particularly relating to poor outlook, or by way of

overlooking and loss of privacy. These requirements are reiterated in the Council's adopted Residential Design SPD (2019).

- 5.54 The following minimum separation distances must therefore be adhered to:
- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
 - Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

5.55 Policy RC16 (The Local Centres) of the Local Plan states that hot food takeaway uses and food uses will only be permitted, providing that they do not adversely affect the amenity of the surrounding area.

5.56 Policy RC18 (Hot Food Takeaways) The Borough Council seeks to protect the vitality and viability of the network of retail and commercial centres within the Borough, along with seeking to protect the residential amenity of nearby residents.

5.57 It is acknowledged that objections have been received in relation to the application and the impact of the proposal in regard to increased litter and noise from an additional hot food takeaway in the area.

5.58 The application form indicates that the opening hours of the proposed restaurant/hot food takeaway would be between 1100am and 2200pm daily. Policy RC16 deems these times as set out to be acceptable within this local centre, in terms of not impacting upon residential amenity. Public Protection have commented on the proposal, requesting that the opening times as applied for are conditioned, however, Policy RC16 states businesses can operate between the hours of 0700am and 2330pm daily. There is no evidence to suggest that there would be significant harm on residential amenity in applying the policy hours. With regards to concerns relating to increased comings and goings for the proposed use (as well as the adjacent units), increased cars, door slamming and cars running, it is considered that this is an activity that would be typically associated with uses of such within a local centre and wouldn't warrant refusal on this basis.

5.59 It is therefore considered that this would be in line with the requirements of Policy RC16, and it is therefore considered that any impact on the amenity of neighbouring occupiers and surrounding properties is acceptable in respect of late-night opening and noise disturbance.

5.60 With respect to the proposed extraction system and flue, during the application amended plans were received, increasing the height of the proposed flue to allow for sufficient dispersal. Whilst the presence of another flue in close proximity is acknowledged (namely 132 Oxford Road), no comments or objections have been received from HBC Public Protection regarding concerns about an overconcentration of flues and the resulting fumes and noise. To ensure sufficient and adequate fume extraction, further details that accord with appropriate guidance on the control of odour and noise from commercial kitchen exhaust systems would need to have been secured by the appropriate planning condition had the application been deemed acceptable in all respects.

Waste Storage Provision & Litter

5.61 In terms of waste storage, based on the submission, a small, enclosed yard to the rear would remain (to which it appears that access is gained via the access road from Charterhouse Street). The proposed plans indicate bin storage is to be located in this area. HBC Waste Management were consulted on the application and has raised no comments or objections. Had the application been deemed acceptable in all respects, a planning condition could have secured the provision of waste storage. Ultimately, the user will need to ensure that it satisfies relevant waste storage requirements, and an informative directing them to seek advice from HBC Waste Management could have been secured by an informative.

5.62 In relation to the potential of littering, whilst the users of the premises could not be controlled by way of a condition of planning permission, it is understood that there are bins within the street scene, notably approximately 30 metres adjacent to the east outside no. 122 Oxford Road, and approximately 33 metres to the southwest, outside of no. 139A Oxford Road. During the consultation, no consultees raised concerns in this regard. It is likely that customers would utilise the bins within the street should they consume their food in proximity to the premises. It is therefore considered that the existing provision on Oxford Road would be acceptable and the development would not lead to any significant harm in this regard.

5.63 In view of the above and subject to the above conditions (had the application been considered acceptable in all respects), the application is considered, on balance, to be acceptable with respect to the impact on the amenity of neighbouring land users and in accordance with policy QP4, RC16 and RC18 of the adopted Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2024).

HIGHWAY SAFETY AND CAR PARKING

5.64 It is acknowledged that objections have been received from members of the public in respect of increased traffic and car parking.

5.65 Local Plan Policy QP3 (Location, Accessibility, Highway Safety, and Parking) requires that developments should be safe and accessible, including through the provision of adequate car and cycle parking. The Tees Valley Design Guide and Specification states that a restaurant would normally require 1 space per 2 seats.

5.66 The Council's Traffic and Transport team have been consulted on the proposal, advising that there are 16 seats planned for the restaurant, which would require 8 car parking spaces, as per the Design Guide and Specification. It is noted that the application site is located within an existing commercial area, which is currently served by a parking bay which can accommodate 4 vehicles.

5.67 HBC Traffic and Transport section has commented that the takeaway business would also generate parking requirements. It is noted that there is further on-street parking available in the wider area; this is limited and at times can be congested. The Council's Traffic and Transport section considers that the combined use would potentially significantly increase parking demand in the area and would

possibly extend into nearby residential streets, which raises concerns and therefore objects to the restaurant element of the proposal.

5.68 It is considered that even if the applicants were to amend the proposal to omit the ancillary restaurant/waiting area, the proposal would not be acceptable in principle (as set out in the section above). The objection forms another reason for refusal.

5.69 In view of the above, it is considered that the proposed development would have the potential to result in a significant unacceptable impact on highway safety and parking, contrary to the requirements of Policy QP3 of the Hartlepool Local Plan (2018) and paragraph 116 of the NPPF (2024), so significant as to warrant a reason to refuse the application in this instance.

OTHER PLANNING MATTERS

Crime and Fear and Crime

5.70 Section 17 of the Crime & Disorder Act (1998) requires the planning system to give consideration to implications for crime and anti-social behaviour. Policy QP5 of the Local Plan seeks to ensure that all developments are designed to be safe and secure.

5.71 It is noted that during the public consultation exercise, comments received detail that anti-social behaviour exists in the area, and concerns are raised that this would increase as a result of the proposed development. Comments have been received from Cleveland Police who have raised no objections to the proposed development and have advised that the applicant should consider integrating secure by design principles into the proposed. Such information can be relayed to the applicant by way of an informative, and this is recommended accordingly. In addition, the Council's Community Safety & Engagement team were also consulted and has confirmed no comments or objections in respect of the proposal.

5.72 Having regard to these considerations, including the comments and considerations of Cleveland Police, the proposed development is considered to be acceptable in respect to crime and safety-related matters.

OTHER MATTERS

5.73 Comments from the Council's Building Control team highlight that a Building Regulation application will be required. Had the proposal been found acceptable in other respects, this advice could be relayed to the applicant by a suitable informative.

Non-material considerations

5.74 With reference to an objection raised regarding concerns about a cash-only business model and concerns regarding tax compliance and potential for unrecorded transactions, which is not in the public interest, is not a material planning consideration.

5.75 In respect to an objection regarding the owner not living in the local community, it is considered that this is not a material planning consideration.

CONCLUSION

5.76 Whilst the application site is located within a in a designated local centre, the proposed use would exceed the threshold for hot food takeaways in the Oxford Road centre. As such the proposal does not comply with the requirements of the Local Plan and the principle of development is therefore not acceptable. This would warrant reason a reason for the refusal of the application.

5.77 The proposed development is also considered to conflict with Local Plan policy requirements with respect to undermining efforts to promote healthy lifestyles and would have a negative impact on public health (and the health of local residents). This would warrant a second reason for the refusal of the application.

5.78 In addition, it is considered that the proposal would have the potential to result in an insufficient car parking having regard to the proposed use. It is considered that this would warrant a third reason for the refusal of the application.

5.79 It is considered that there are no other material considerations of sufficient weight to indicate that a decision should be taken other than in accordance with the Local Plan. As a result, it is considered that the application site is not a suitable location for the development and would conflict with Policies QP3, RC16 and RC18 of the Local Plan, the provisions of the NPPF (2024) and the Tees Valley Design Guide and Specification.

5.80 The development is considered to be unacceptable and officer's recommendation is to refuse for the reasons outlined below.

EQUALITY DUTY

5.81 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

REASON FOR DECISION

5.82 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

RECOMMENDATION – REFUSE for the following reasons:

1. In the opinion of the Local Planning Authority the proposed development, by reason of the introduction of an additional hot food takeaway use, would result in an unacceptable concentration and cluster of hot food takeaway uses in Oxford Road Local Centre, which would be harmful to the vitality and viability of the Local Centre contrary to Policy RC16 and Policy RC18 of the Hartlepool Local Plan (2018).
2. In the opinion of the Local Planning Authority, the proposed hot food takeaway would be detrimental to the health of residents in an area identified as suffering higher than average rates of childhood obesity and undermine efforts to promote healthy lifestyles contrary to Policy RC18 (Hot Food Takeaway Policy) of the Hartlepool Local Plan (2018), paragraph 96(c) and paragraph 97(b) of the National Planning Policy Framework (2024).
3. In the opinion of the Local Planning Authority, the proposed development would constitute an unacceptable form of development by virtue of the lack of in curtilage car parking to serve the use, that would have the potential to exacerbate traffic and parking in the area to the detriment of highway and pedestrian safety, contrary to Policy QP3 of the Hartlepool Local Plan 2018 and paragraph 116 of the NPPF (2024).

BACKGROUND PAPERS

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

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167178>

5.84 Copies of the applications are available on-line:

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

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 <p>Hartlepool Borough Council</p>	<p>DRAWN LH</p>	<p>DATE 30/03/2026</p>
	<p>Scale 1:300</p>	
<p>Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY</p>	<p>DWG.NO H/2025/0379</p>	<p>REV</p>

No:	6
Number:	H/2026/0029
Applicant:	BELLWAY HOMES LIMITED
Agent:	LICHFIELDS MR JOSH WOOLLARD THE ST NICHOLAS BUILDING ST NICHOLAS STREET NEWCASTLE UPON TYNE NE1 1RF
Date valid:	16/04/2026
Development:	Approval of reserved matters (layout, scale, appearance and landscaping) on Area 5 for the erection of 179 dwellings with associated infrastructure pursuant to planning permission H/2025/0200 ((Section 73 application to vary the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to amend the trigger for implementation of the highway works to the A689 / Hanzard Drive / The Wynd junction to the 601st dwelling.)).
Location:	LAND NORTH OF A689 WYNYARD PARK ESTATE WYNYARD WOODS WYNYARD

PURPOSE OF REPORT

6.1 An application has been submitted for the development highlighted within this report and 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

6.2 The relevant history is as follows;

H/2022/0181 - Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. (Amended Description 02.02.23).
Approved subject to Section 106 agreement 26th February 2025

H/2025/0073 – Reserved matters approval for the appearance, landscaping, layout and scale for the erection of a Southern Spine Road in relation to outline permission
Pending consideration

H/2025/0106 - Engineering works associated with the construction of an attenuation pond and rising main, the erection of a foul water pumping station and the erection of a sub-station
Approved 5th December 2025

H/2025/0110 - Approval of all reserved matters for Area 5 except access for planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access)
 Approved 5th December 2025

H/2025/0200 - Section 73 application vary the wording of condition 30 pursuant to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access)
 Approved 21st January 2026

H/2025/0233 - Approval of outstanding reserved matters (layout, scale, appearance and landscaping) for the erection of 335no. dwellings with associated infrastructure pursuant to planning permission H/2022/0181 dated 26 February 2025 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access).
 Approved 10th December 2025

H/2025/0333 - Section 73 application to amend the wording of condition 31 of planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access)
 Approved 16th December 2025

D/2025/0034 - Discharge of condition 4 of planning permission H/2022/0181 Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. (Amended Description 02.02.23)
 Approved 25th November 2025

Surrounding the application site;

H/2019/0226 - Residential development comprising 243 houses including associated access, link road connection, infrastructure and open space.
 Approved 20th October 2021
 Sited to the south of the application site.

H/2021/0282 - Outline planning application with all matters reserved except for access for the erection of 25no. residential plots (use class C3) with associated access (Amended site location plan and reduction in the number of proposed dwellings from 29no. to 25no).
 Approved 18th January 2022
 Sited to the west of and separated from the application site by a parcel of land and to the immediate north of H/2022/0255.

H/2022/0255 - Full Planning permission for the erection of 97no. dwellinghouses (use class C3) with associated infrastructure, access and landscaping.
 Approved 19th November 2025
 Sited to the west of and separated from the application site by a parcel of land.

H/2025/0384 - Non material amendment to amend wording of conditions 3, 4, 9, 11 and 32 of planning permission H/2022/0255 (Full Planning permission for the erection of 97no. dwellinghouses (Class C3) with associated infrastructure, access and landscaping)

Approved 20th November 2025

Sited to the west of and separated from the application site by a parcel of land.

PROPOSAL

6.3 In its original forms, the application was a “drop-in” reserved matters application covering a significant proportion of roads and 6 parcels of land to provide 67 dwellings. This scheme would have seen the number of larger family houses previously approved reduced and replaced with a larger number of smaller houses than those they replaced.

6.4 Following discussions, the application has been amended so that the scheme being considered seeks reserved matters approval for 179 dwellings with the reserved matters being layout, scale, appearance and landscaping.

6.5 The 179 dwellings proposed has 9 more dwellings than the 170 previously approved under reference H/2025/0110. The number proposed in this application is still within the 1200 dwelling limit as approved on the original outline approval (H/2022/0181) to which the application relates.

6.6 In order to provide the additional 9 dwellings, a number of larger dwellings approved under H/2025/0110 have been removed to be replaced with smaller sized dwellings proposed with the additional 9 dwellings provided. The dwellings to be replaced and the additional 9 dwellings are sited in 6 separate areas within the larger reserved matters development proposed.

6.7 The application is brought before the Planning Committee due to the number of objections received.

SITE CONTEXT

6.8 The site is an off-set rectangular shape located to the north of the access road with projections covering half the depth of the site to its eastern (top half of the site) and western (bottom half of the site) sides.

6.9 The sites boundaries are bordered by vacant parcels of land which form part of the larger development while other developments to the south have been or are in the process of being implemented.

6.10 The red edge of the site plan extends to include the access road alongside a small section to the side of the access road where an electricity sub station is to be located.

6.11 There is an area of trees to the north which, in the form of a belt that extends in a southern direction at the sites eastern end beside but beyond the site boundary.

6.12 Vehicular access to the site is from the west with the section of highway to the front of the site, off which it is accessed, leading into a residential development to the south of and on the opposite side of the road to the site. The section of road continuing into the residential development to the south will in turn link to the roundabout that is situated within an east-west road running through the larger site.

6.13 There are no listed buildings or Article 4 directions on the site, with no conservation area being in place on part or all of the site. The site is not in flood zones 2 or 3.

PUBLICITY

6.14 The application has been advertised by way of neighbour letters, site notice and press notice. To date, there have been six letters of the objection - three to the original submission and three to the amended submission.

6.15 The concerns raised on the originally proposed development are:

- No amenities such as any healthcare or schools;
- Poor infrastructure for number of existing houses;
- No safe crossing;
- Pollution from HGV's and cars is already too much for road;
- Premature Development and Highway Safety as the proposal relies on the amended trigger for highway improvements at the A689 / Hanzard Drive / The Wynd junction, delaying works until the occupation of the 601st dwelling. This raises serious concerns about highway safety and capacity. Approving additional dwellings before the necessary infrastructure is delivered risks exacerbating congestion, increasing accident potential, and placing undue strain on an already pressured road network. This junction is a site of regular crashes and near misses and the roundabout furniture still remains damaged from the last accident. To approve an amendment to this trigger (again) alongside the amendment requested for the nearby Taylor Wimpey development would be a clear lack of consideration for the safety of all residents wanting to cross the A689;
- Overdevelopment and Density as the proposed layout appears to prioritise housing numbers over quality of design, resulting in a cramped form of development. The density does not reflect the character of surrounding areas and risks creating an overdeveloped environment with inadequate space for residents;
- Impact on Local Infrastructure and Services where the cumulative impact of the wider 1200-dwelling scheme is significant. Local services such as schools, healthcare, and public amenities are already under pressure. Delivering further housing without corresponding infrastructure in place will worsen these issues and reduce quality of life for both new and existing residents. A second first school is currently on the minded to cancel list and any future development should be held until this is resolved, currently they're are 2 spare first school places in the Hartlepool district and over 80 children from Wynyard have to travel for a first school place;
- Design, Scale, and Character where the scale and appearance of the proposed dwellings do not sufficiently reflect local character. There is a

lack of distinctiveness and insufficient evidence that the development will integrate well with its surroundings;

- Insufficient Landscaping and Green Space where the landscaping proposals appear limited and do not adequately compensate for the loss of open space. Meaningful green infrastructure is essential for biodiversity, drainage, and resident wellbeing, and this proposal does not go far enough;
- Cumulative Impact as while this application relates to 65 dwellings, it cannot be considered in isolation. The cumulative effects of the wider development must be properly addressed, particularly in relation to traffic, environment, and infrastructure provision;
- For the reasons outlined above, the application represents unsustainable development and should be refused. At the very least, no further development should be approved until critical highway improvements and supporting infrastructure are delivered.

6.16 The points of objection to the amended submission are as follows;

- Premature Development and Highway Safety;
- The proposal relies on the amended trigger for highway improvements at the A689 / Hanzard Drive / The Wynd junction, delaying works until the occupation of the 601st dwelling, raising serious concerns about highway safety and capacity.
- Approving additional dwellings before the necessary infrastructure is delivered risks exacerbating congestion, increasing accident potential, and placing undue strain on an already pressured road network.
- This junction is a site of regular crashes and near misses and the roundabout furniture still remains damaged from the last accident. To approve an amendment to this trigger (again) alongside the amendment requested for the nearby Taylor Wimpey development would be a clear lack of consideration for the safety of all residents wanting to cross the A689.
- Overdevelopment and Density.
- The proposed layout appears to prioritise housing numbers over quality of design, resulting in a cramped form of development.
- The density does not reflect the character of surrounding areas and risks creating an overdeveloped environment with inadequate space for residents.
- The cumulative impact of the wider 1200-dwelling scheme is significant with local services such as schools, healthcare, and public amenities are already under pressure.
- Delivering further housing without corresponding infrastructure in place will worsen these issues and reduce quality of life for both new and existing residents.
- A second first school is currently on the minded to cancel list and any future development should be held until this is resolved, currently they're are 2 spare first school places in the Hartlepool district and over 80 children from Wynyard have to travel for a first school place.
- The scale and appearance of the proposed dwellings do not sufficiently reflect local character.

- There is a lack of distinctiveness and insufficient evidence that the development will integrate well with its surroundings.
- Insufficient Landscaping and Green Space.
- The landscaping proposals appear limited and do not adequately compensate for the loss of open space.
- Meaningful green infrastructure is essential for biodiversity, drainage, and resident wellbeing, and this proposal does not go far enough.
- While this application relates to 65 dwellings, it cannot be considered in isolation where the cumulative effects of the wider development must be properly addressed, particularly in relation to traffic, environment, and infrastructure provision.
- For these reasons the application represents unsustainable development and should be refused.
- At the very least, no further development should be approved until critical highway improvements and supporting infrastructure are delivered;
- The roundabout at the A689 and Hanzard Drive junction is already an accident hotspot with it currently awaiting repair and up-grade so no further dwellings should be occupied / built until repairs and up-grades are completed.

6.17 Background papers can be viewed via the 'click to view attachments' link on the following public access page: [Documents for reference H/2026/0029: Public Access](#)

6.18 The period for publicity has expired.

CONSULTATIONS

6.19 The following consultation replies have been received:

HBC Arboriculture: The Arboricultural Method Statement dated January 2026 supersedes the earlier March 2025 submission. The updated document provides a more comprehensive assessment of arboricultural impacts, including additional consideration of works within the ancient woodland buffer and revised hedgerow impacts. The January 2026 AMS should therefore be regarded as the definitive document for conditioning purposes.

The submitted planting schedule demonstrates a good overall breadth of tree species. However, concerns remain regarding the numerical dominance of certain genera and families, particularly *Acer*, *Prunus*, and the wider *Rosaceae* family, when assessed against accepted best-practice diversity guidance such as the Santamour principles. This assessment excludes the *Acer campestre* and *Carpinus betulus* transplants specified for hedge planting purposes, which have not been included in the diversity analysis.

It is noted that the landscape strategy and the detailed landscape plans differ in terms of the tree species proposed. This is not considered problematic, as the detailed landscape plans would form the basis of any approved and conditioned planting scheme.

Santamour's guidance remains a widely used benchmark for assessing long-term resilience within urban tree populations, particularly in the context of increasing pressures from pests, diseases and climate change. While not policy-based, it provides a useful framework for evaluating over-reliance on closely related taxa.

The scheme would benefit from a more even distribution of trees across a broader range of genera and families, reducing dependence on a limited number of related species. To achieve this, it is recommended that a proportion of the currently dominant genera are substituted with alternative species that remain appropriate for the site context and a streetscape environment.

The following species are considered suitable substitutions for some of the Acer-, Prunus- and Rosaceae-heavy planting. All are well established in UK urban and streetscape settings and would materially improve both genus- and family-level diversity:

Non-Rosaceae / Non-Sapindaceae species

- *Ginkgo biloba* (male clone only)
- *Liquidambar styraciflua*
- *Liriodendron tulipifera*
- *Zelkova serrata*
- *Gymnocladus dioicus*

Alternative medium or smaller canopy species

- *Carpinus japonica*
- *Ostrya carpinifolia*
- *Celtis australis* or *Celtis occidentalis*
- *Koelreuteria paniculata*

The introduction of a modest number of these species in place of repetitive Acer or Prunus selections would significantly improve the overall resilience of the scheme without materially altering its intended character.

It is also noted that tree planting within site verges is dominated by a limited palette of species, with only four tree species repeatedly used in these locations. This results in extended sections of the development being characterised by the same species in close proximity, which reduces both visual interest and ecological resilience.

A broader and more varied range of verge tree species, interspersed throughout the site, would better reflect best practice and provide a more robust and attractive streetscape.

Further comments received 26th May 2026:

The revised scheme represents a significant and positive improvement in response to earlier concerns regarding species diversity and overall planting composition. In particular, the introduction of a broader range of genera and families has substantially improved the scheme's alignment with established best practice guidance for long-term resilience.

When assessed in accordance with commonly accepted diversity principles, including Santamour's 10–20–30 guideline, the proposed tree stock now demonstrates a satisfactory distribution across species, genus, and family levels. This provides confidence that the scheme is better placed to withstand future pressures associated with pests, diseases, and climate change.

The inclusion of additional non-Rosaceae and non-Sapindaceae species, such as *Liquidambar styraciflua*, *Liriodendron tulipifera*, *Zelkova serrata*, and *Carpinus japonica*, is particularly welcomed and materially strengthens the overall diversity and resilience of the proposed tree population.

It is also noted that the detailed landscape plans and planting schedule provide a sufficiently robust framework to inform any conditioned landscaping scheme, and it is accepted that these detailed plans should form the basis of implementation.

While some clustering of commonly used streetscape species remains evident, this is not uncommon in developments of this type and scale, and is not considered to materially undermine the overall acceptability of the scheme. The extent of species repetition has been reduced to a level that is now considered proportionate and acceptable in the context of delivering a cohesive scheme.

Overall, the revised proposals are considered to have adequately addressed the previous arboricultural concerns, and the planting scheme is now regarded as acceptable from an arboricultural perspective, subject to standard landscape implementation and maintenance conditions.

HBC Building Control: A building control application will be required.

HBC Countryside Access: No comments received.

HBC Ecology: No comments received.

HBC Engineering Consultancy: No comments received.

HBC Landscape Architect: Landscape details have been provided that are considered acceptable.

HBC Public Protection: No comments received.

HBC Traffic and Transport: Although there is a small increase in the number of properties proposed, this still sits within the overall 1,200 approved as part of the H/2022/0181 application, meaning the increase will be netted off from a future application across the wider Wynyard site.

As a reserved matters application this does also not unpick the previous commitment to have the southern spine road open to traffic by October 2027, or the connections to the northern spine road and the Barratts Highgrove site to the south.

The start of the raised carriageway area at the entrance to the site should be moved around 2m further back, to reduce the likelihood of any issues for larger vehicles when turning.

All properties have the requisite number of parking spaces provided, and all driveways should be 6m in length.

In summary, no objections to the application.

HBC Waste Management: No comments received.

Cleveland Police: With regards to your recent planning application H/2026/0029 for a Development, Wynyard, Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of [Crime Prevention Through Environmental Design](#) (CPTED).

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

I recommend applicant actively seek Secured by Design accreditation, full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com

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

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

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

1. The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
2. The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
3. Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime

and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

4. Another material consideration is Section 17 of The Crime and Disorder Act 1998.

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

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

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

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

All doors and windows are recommended to be tested and certified PAS24:2022+A1:2024 standards (or equivalent). This includes garage doors. Where applicable, the doors must be jointly certified for security, fire and smoke.

Dusk till dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves.

ALL roadways and pathways, adopted or otherwise, are strongly recommended to be illuminated to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates.

Excessive permeability should be eliminated.

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

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

Defensive planting to external façade of boundary treatments backing onto open space should be considered also.

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

All horizontal support rails should be on the private side of the fence and it is highly recommended to be wired internally also.

Boundary treatments between rear gardens are recommended to be 1.8m in height. Often these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it.

Where sheds are provided for bicycle parking, they shall be certified to Sold Secure SS301 Bronze, or above and securely fixed to a suitable substrate foundation in accordance with the manufacturers' recommendations.

Blank gable ends should be avoided.

Defensible space to each plot is an important consideration.

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

Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators.

Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.

Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary.

Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.

The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court.

Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.

In relation to the last point, I would recommend parking area/garages serving Plots 1, 39 & 171 be relocated as they are afforded minimal informal surveillance as they are secreted behind properties.

Environment Agency: We have no objections to the proposed development as submitted. However, we request in accordance with the planning practice guidance (determining a planning application, paragraph 019), that you please notify us by

email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Fire Brigade: Cleveland Fire Brigade offers the following representations regarding the development as proposed.

There are several rows of plots which have 'private drive' access that exceed the dead-end road condition as described in ADB V1 Para 13.4 and therefore should be provided with turning facilities as shown in Diagram 13.1. Due to not all dwellings meeting the 45m rule (ADB V1 Para 13.1), it is inevitable that appliances will access these areas to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures. It would therefore be prudent to ensure that these roads meet the requirements of ADB V1 Table 13.1.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Stockton Borough Council: No comments to make on the application.

Tees Archaeology: Thank you for the consultation on this application. This application encompasses the same red line boundary as approved application H/2025/0110, seeking a redesign of the layout and an increase in dwellings. As such, our previous comments on H/2025/0110 are applicable to this application, and we repeat them below:

Part of the previously approved Spine Road development (H/2022/0281) is located within the red line boundary for the site. The spine road application was subject to an archaeological condition, as the road not only borders the archaeological exclusion zone (AEZ) but also runs through an Iron Age settlement site; consequently, features dating to both the prehistoric and medieval periods are expected to be extant on site. The archaeological work should be carried out, whether it be part of the approved spine road application or this reserved matter application. To ensure that the work is carried out and that this application does not supersede the requirements of H/2022/0281, we recommend that this secured by a condition upon the development.

The proposed development site borders the AEZ, and we request that fencing is erected around the AEZ during works on site to prevent any undue damage. This can also be secured by a condition upon the development.

We set out the proposed wording of the suggested conditions below:

Preservation of heritage assets during construction

No development shall commence until fencing has been erected around the Archaeological Exclusion Zone (AEZ) to a design approved by the Local Planning Authority in writing, and notices prohibiting works within the fenced off area are attached to the fencing. No works, including vehicle movement, material storage, or other construction related activities, shall take place within the area inside that fencing unless approved in writing by the Local Planning Authority.

Recording of a heritage asset through a programme of archaeological works

No demolition/development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

The programme and methodology of site investigation and recording

The programme for post investigation assessment

Provision to be made for analysis of the site investigation and recording

Provision to be made for publication and dissemination of the analysis and records of the site investigation

Provision to be made for archive deposition of the analysis and records of the site investigation

Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured

This condition is derived from a model recommended to the Planning Inspectorate by the Association of Local Government Archaeology Officers

Wynyard Parish Council: Whilst the Parish Council have no objections providing the works on the A19/A689 have commenced and that thresholds are not being broken prior to the road improvement works commencing.

PLANNING POLICY

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

Hartlepool Local Plan

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

- Policy SUS1 – The presumption in favour of sustainable development
- Policy LS1 – Locational strategy
- Policy CC1 – Minimising and adapting to climate change
- Policy CC2 – Reducing and mitigating flood risk
- Policy QP3 – Location, accessibility, highway safety and parking
- Policy QP4 – Layout and design of development
- Policy QP5 – Security and safety
- Policy QP6 – Technical matters
- Policy QP7 – Energy efficiency
- Policy HSG1 – New housing provision
- Policy HSG2 – Overall housing mix
- Policy HSG6 – Wynyard housing developments
- Policy HE2 – Archaeology

Any Relevant SPDs/Masterplans

- Planning Obligations SPD
- Residential Design SPD
- Residential Design Code and Guidance Draft SPD
- Wynyard Masterplan

National Planning Policy Framework (NPPF)(2024)

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

- PARA001 Policies for England
- PARA002 Determination in accordance with the development plan
- PARA003 Status of NPPF
- PARA007 Meaning of Sustainable Development
- PARA008 Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
- PARA009 Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)

PARA010	The presumption in favour of sustainable development
PARA011	The presumption in favour of sustainable development
PARA012	The presumption in favour of sustainable development (presumption does not change statutory status of the development plan as the starting point for decision making)
PARA039	Decision making
PARA048	Determining planning applications
PARA056	Use of conditions or planning obligations
PARA057	Planning conditions should be kept to a minimum
PARA061	Significantly boost the supply of homes
PARA066	Major development and affordable housing
PARA074	Planning for larger scale development
PARA078	Five year supply of deliverable housing sites
PARA082	Housing in rural areas
PARA096	Promoting healthy and safe communities
PARA098	Social, recreational and cultural facilities to meet
PARA103	Access to a network of high quality open spaces and opportunities for sport and physical activities
PARA109	Considering transport issues from an early stage
PARA115	Promoting sustainable transport
PARA116	Highway safety
PARA117	New developments and movements
PARA129	Achieving appropriate densities
PARA130	Efficient use of land
PARA131	Achieving well designed and beautiful places
PARA135	Achieving well designed and beautiful places
PARA136	Tree lined streets
PARA137	Design quality through evolution of proposals
PARA139	Permission should be refused for development of poor design
PARA164	New development addressing climate change
PARA166	New development and energy efficiency
PARA172	Ensuring flood risk does not occur elsewhere
PARA182	Major development should incorporate SUDS
PARA187	Contribute to and enhance the natural environment
PARA193	Determining applications and biodiversity

PLANNING CONSIDERATIONS

6.23 The main issues for consideration in this instance relate to the reserved matters for which permission is sought – namely layout, scale, appearance and landscaping – alongside highways inc. parking, drainage, flooding and amenities.

PRINCIPLE OF DEVELOPMENT

6.24 The provisions of local plan policies SUS1 and LS1 are relevant alongside paragraphs 007, 008, 009, 010, 011 and 012 of the NPPF are relevant.

6.25 Collectively, the relevant paragraphs of the NPPF seek to ensure that development is sited in appropriate locations that support sustainable development through the three overarching objectives – Economic, Social and Environmental.

6.26 Local plan policy SUS1 sets out that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Further, and amongst other things, it will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

6.27 The provisions of policy LS1 sets out the strategic locational provisions for new development, making specific reference to new housing and employment areas within the Wynyard area to help ensure that identified housing needs are met through well considered and appropriately located sites. Such an approach contributes to the strategic delivery of housing in a manner that contribute towards sustainable development across the Council area.

6.28 Local plan policy HSG1 sets out that the Council will seek to ensure new housing provision is delivered in an appropriate manner and location with Wynyard Park North identified for approx. 400 dwellings.

6.29 Wynyard Housing Developments are covered specifically through the provisions of local plan policy HSG6, which sets out the dwelling numbers as being approx. 400 on Wynyard Park North, 100 on North Pentagon and 232 at Wynyard Park South. Specific provisions are made for each of the 3 parcels with the Wynyard Park North requiring no more than 20.2ha of land will be developed for a full range of house types, developed to a high standard of design to reflect its rural location. These are amongst other features such as buffer zones and landscaping.

6.30 The application site is a parcel of land within the red edge boundary of the approved outline planning approval under reference H/2022/0181 for 1200 houses with associated infrastructure. Furthermore, the application is a reserved matter application to that outline approval approved in February 2025 subject to conditions and a section 106 legal agreement.

6.31 By virtue of the development proposed through this reserved matter scheme being an application linked to the outline approval, it can be seen that the principle of development has already been established through the outline approval.

6.32 As such the proposal complies with the requirements of Hartlepool Local Plan (HLP) Policies SUS1, LS1, HSG1 and HSG6 as well as the provisions of the NPPF.

LAYOUT, SCALE, APPEARANCE AND LANDSCAPING

6.33 The provisions of local plan policies QP3 (location, accessibility, highway safety and parking), QP4 (layout and design of development) and QP5 (security and safety) are relevant to the application alongside the provisions of the NPPF.

6.34 Local plan Policy QP3 relates to the location, accessibility, highway safety and parking in association with developments requiring that they, amongst other

things, ensure residents and visitors can move with ease and safety, servicing arrangements and highway safety provisions are in line with local guidance, parking standards are met and that parking areas are laid using permeable surfaces.

6.35 Policy QP4 relates specifically to the layout and design of development, indicating that the Council seeks to ensure that all developments are designed to a high quality and positively enhancing their location and setting. It continues in setting out a number of ways in which this is to be achieved including through appropriate separation distances, being of an appropriate layout, scale and form while also having adequate open spaces and being aesthetically pleasing.

6.36 Within Policy QP5, relating to safety and security, it is established that the Council will seek to ensure that all developments are designed to be safe and secure while developers will be expected to have regard to the a number of different matters where necessary, including adhering to national safety and security standards as set out by central Government and being developed in a way that minimises crime and the fear of crime.

6.37 The Residential Design SPD contains guidance and best practice relating to several aspects of design including density, local distinctiveness, accessibility, safety and energy efficiency. The development should, where possible, respond positively to the guidance set out in the SPD.

6.38 As indicated above, access was approved as part of the outline approval from which this submission is made and that the layout has been amended, with other amended plans having been provided.

6.39 The proposed road layout for this section of the site, from which the dwellings and other elements are arranged, sees the road enter / exit the application site at a singular point central in the sites width and off which a number of internal roads are arranged with the majority of the internal roads being to an adoptable standard but with a small number of private roads.

6.40 This road layout is the same as that previously approved and found, after consideration, to be acceptable. The continued use of this road layout is still acceptable and appropriate to the development and wider area.

6.41 The dwellings adjacent to the road off which access to the site is achieved all front this main road while those adjacent to where the SuDs feature is will front onto it and a small number on the sites western boundary which are arranged so as to face west looking outside of the site. Beyond these, the dwellings front onto the internal roads with a small number also having flank walls fronting on to adjacent roads.

6.42 As a result of the road and dwelling layouts as proposed, the development will ensure not only an outward looking development providing appropriate streetscene in the immediate and wider development, but also ensure that the development has a good level of natural surveillance in a manner that does not result in any over-looking of other private amenity space (i.e. rear gardens). Furthermore, the layout has also been orchestrated in a manner whereby the

dwellings are positioned in a manner that does not result in any undue or unacceptable overbearing impact on neighbouring and surrounding plots such that it would reduce light levels to neighbouring plots detrimental to their enjoyment by future occupiers.

6.43 Parking spaces for the majority of the dwellings proposed have been provided to the front and or side of the dwellings with their being located either side by side or in tandem. In a number however, the spaces are split between the front of the plot and detached garaging rear which provides an appropriate alternative that reduces slightly the amount of parking visible from the streetscene while ensuring parking standards are met.

6.44 A gap between the plots and the sites western boundary has been provided by ways of a separation strip and private road while the rear gardens of the plots running parallel to the northern boundary also has the effect of creating a gap. Visually these create a break between the application site and areas beyond it, which is considered to contribute to the character, appearance and setting of the development in a positive manner.

6.45 A suite of plans showing the internal floor plans and elevations of the dwellings have been provided along with details of materials to be used for each dwelling type. Within the context of the road layout, the dwellings are positioned so that they face onto the roads of which they are accessed. Parking is provided to either the front or side of each dwelling with areas of soft landscaping also provided to the front of each dwelling. A number of the dwellings also have garages proposed. The proposed provision of soft landscaped open space to the front of the dwellings helps ensure expanses of hard standing for parking purposes within the streetscene is kept to a minimum while also contributing to creating an attractive character, appearance and streetscene.

6.46 The dwellings proposed comprise a mix of detached, semi-detached and terraced dwellings which are a mix of bungalows and two-storey dwellings with dual pitched roofs above. The scale of the dwellings proposed is in keeping with the development proposed as well as developments in the immediate area which will contribute to the development respectful of and in-keeping with the area as well as the character and appearance of the locality. In terms of the appearance and proportions of the dwellings, they have been designed in a manner that affords a level of variation in the dwellings proposed. These variations create differences in the dwellings that will provide variation in the development that are respectful and relate to the remainder of the development whilst also fitting in with the wider area. No adverse or detrimental impacts will result from the scale, appearance and proportions of the dwellings proposed.

6.47 Looking specifically at the dwellings replacing those previously approved, they provide a variety of dwellings of the same design, appearance, scale, massing and proportions as others approved in the previously approved reserved matters application.

6.48 Parking spaces have been provided for the dwellings replacing those previously approved. These spaces are, as with the others on the remainder of the

proposed scheme which are as previously approved, to the front and or side of the dwellings at levels which accord with adopted standards. There are sections to the front of some of the dwellings within the overall proposal where there are a number of tandem parking spaces adjacent to each other creating a ribbon of hardstanding to the front of adjacent dwellings. However, they are limited within the development taking account of the changes being made in this application from the previously approved reserved matters application. It is considered, in this instance, that the sections of adjacent hard standing do not have a detrimental impact on the character, design, appearance and layout of the development as proposed.

6.49 As part of the submission, soft landscaping details were provided alongside a landscape strategy, surface treatment plan, boundary treatment plan and materials plan. Collectively these documents provide details of the hard and soft landscaping of the development.

6.50 Following comments received from HBC Arboriculture regarding the type and makeup of trees on the development, amended soft landscaping plans were received that addressed the concerns raised in initially and are acceptable to the Arboricultural Officer.

6.51 Specifically, the Arboricultural Officer commented that the revised scheme represents a significant and positive improvement in response to earlier concerns regarding species diversity and overall planting composition. In particular, the introduction of a broader range of genera and families has substantially improved the scheme's alignment with established best practice guidance for long-term resilience. They further commented that when assessed in accordance with commonly accepted diversity principles, including Santamour's 10–20–30 guideline, the proposed tree stock now demonstrates a satisfactory distribution across species, genus, and family levels. This provides confidence that the scheme is better placed to withstand future pressures associated with pests, diseases, and climate change.

6.52 These changes have had a significant positive effect on soft landscaping within the development that will enhance its character and setting in the immediate and wider area.

6.53 Overall therefore the proposal is acceptable and complies with the provisions of the local plan policies as well as the NPPF.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

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

6.55 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Council seeks to ensure adequate space is provided between houses and sets out minimum separation distances. These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

1. Provide and maintain separation distances of at least 20m from habitable room to habitable room.
2. Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

6.56 A distance separation plan was submitted as part of the application and details all of the dwellings proposed comprising those that were previously approved under the previous permission and the "new" dwellings proposed in lieu of the dwellings removed from the previous reserved matters approval.

6.57 The submitted plans enable an assessment of the 20m and 10m separation distances. Based on the assessment of the plans provided, the required separation distances have been met. The compliance serves to ensure that amenities of adjacent dwellings as well as the occupiers of the dwellings is protected from detrimental impacts upon amenity.

6.58 Within the development the dwellings have been sited in a manner that not only complies with separation distance but also has them arranged so as not to be overbearing or domineering on proposed dwellings as a result of their scale and height.

6.59 It is of note that at present there are no existing residential dwellings on plots immediately adjacent to the application site. While there are parcels of land to the south where new dwellings are to be brought forward at a future point, there are none there at present, the existing dwellings are in excess of 500m to the south west at the Duke of Wellington Gardens which are of a sizable distance from the site. Resultantly, it is considered that there are no impacts upon the amenities of existing built dwellings or dwellings for which planning approval has been issued but no works commenced.

6.60 It can be seen from these points that the development will not result in any adverse or detrimental impacts upon amenities of existing or proposed dwellings from the development proposed.

6.61 As such the proposal complies with the provisions of local plan policy QP4, the Council's Residential Design Guide (2019) and provisions of the NPPF.

HIGHWAY SAFETY AND CAR PARKING

6.62 Policy QP3 of the Local Plan as well as paragraphs 109, 115 116, 117 and 118 of the NPPF are relevant to the consideration of highways and parking elements of the application.

6.63 The provisions of Policy QP3 (Location, accessibility, highway safety and parking) relate to the location, accessibility, highway safety and parking in

association with developments requiring that they, amongst other things, ensure residents and visitors can move with ease and safety, servicing arrangements and highway safety provisions are in line with local guidance, parking standards are met and that parking areas are laid using permeable surfaces.

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

6.65 Comments have been received from HBC Traffic and Transport on the proposal in its current full reserved matters form. They comment that although there is a small increase in the number of properties proposed, this still sits within the overall 1,200 approved as part of the H/2022/0181 application, meaning the increase will be netted off from a future application across the wider Wynyard site.

6.66 Further, they set out that as a reserved matters application this does also not unpick the previous commitment to have the southern spine road open to traffic by October 2027, or the connections to the northern spine road and the Barratts Highgrove site to the south. It is highlighted that the start of the raised carriageway area at the entrance to the site should be moved around 2m further back, to reduce the likelihood of any issues for larger vehicles when turning.

6.67 All properties have the requisite number of parking spaces provided, and all driveways should be 6m in length.

6.68 In summary, they have no objections to the application.

6.69 The access and internal road layout is as approved under the previous reserved matters application that was approved. As such they continue to be acceptable given that they have previously been approved, even taking account of the slightly increased number of dwellings within this development that they serve.

6.70 Looking at parking provision, the parking spaces provided for each dwelling are in accordance with the standards set out in the Tees Valley Highway Design Guide. The spaces are, as previously highlighted, mixed in their locations to the front, side and rear of the dwellings with some being situated in garage buildings and others in the open.

6.71 There will be a need to ensure that these spaces are provided prior to the first occupation of the dwellings and retained thereafter, with the garages being available for use for parking purposes only.

6.72 From these it can be seen that the proposal results in no adverse or detrimental impact upon highway or pedestrian safety. It can also be seen that an acceptable level of parking spaces are proposed in association with the dwellings proposed.

6.73 As such the proposal complies with the requirements of local plan policy QP3 and the provisions of the NPPF.

FLOOD RISK AND DRAINAGE

6.74 The provisions of Local Plan Policy CC2 (Reducing and mitigating flood risk) is relevant alongside the provisions of paragraphs 172 and 182 of the NPPF when considering matters of drainage.

6.75 Policy CC2 sets out that all new developments will be required to show how they will minimise flood risk to people, property and infrastructure by meeting the requirements of 9 points in the policy including by avoiding inappropriate development in areas of risk at flooding, provision of site specific flood risk assessments and requiring all developments include provision for the full separation of foul and surface water flows.

6.76 Paragraph 172 of the NPPF sets out that plans should take a sequential, risk based approach to the location of development so as to avoid where possible flood risk to people and property. It continues that this is to be done applying the sequential test and then, where applicable, the exceptions test.

6.77 Within paragraph 182 of the NPPF, it details that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

6.78 A number of plans and documents relating to the drainage of the site and the Sustainable Urban Drainage (SuDs) feature were provided as part of the application and on which JBA were consulted as the relevant technical consultee. The various drawings and documents provided are up-dated versions of those considered on the previously approved reserved matters, ref H/2025/0110.

6.79 At the time of writing no consultee comments have been received.

6.80 Notwithstanding the fact that no comments having been received, the submitted details indicate and set out that the approved Sustainable Urban Drainage (SuDs) feature on the site (and also forming part of this application) and that approved adjacent to the application site under reference H/2025/0106 will both be constructed to ensure the appropriate drainage of this site and others in the wider area. It is of note that in the consideration and determination of the previous reserved matters approval (H/2025/0110) it was established that the SuDs feature was of a size and capacity level that could accommodate the drainage of a number of dwellers greater than that proposed at the time and as proposed in this submission.

6.81 Furthermore, the drainage arrangements as show on the submitted drawings follow the lines of those previously submitted, considered, found to be acceptable and subsequently approved.

6.82 Given these factors, officers therefore consider that the increase in the number of dwellings on the site by 9 from that previously approved would not result in undue or unacceptable impacts on both flooding and drainage. Subject to the imposition of conditions inline with the previous approval, it is considered the proposal complies with the aim, requirements and provisions of both local plan policies and the NPPF.

OTHER PLANNING MATTERS

Archaeology;

6.83 Consideration was given to archaeological potential of the site at the outline stage as well as during the consideration of the previous approval and to this end, Tees Archaeology were consulted for their continued input into the development proposed in this application.

6.84 Their response, set out in detailed above, indicates that in-line with their comments on the previous reserved matters application which was approved, they have no objections to the scheme being considered in this application, subject to a condition being attached to any approval. They are satisfied that subject to the condition being attached, the proposal will not pose any unacceptable impacts.

6.85 As such the proposal complies with adopted local plan policy and the provisions of the NPPF.

Ecology;

6.86 A suite of ecological reports and Biodiversity Net Gain (BNG) documents were submitted as part of the development with HBC Ecology consulted for their comments on the amended, full reserved matters scheme as presented in this report.

6.87 No comments have been received at the time of the report being written.

6.88 In the absence of any formal comments, it is of note that the changes proposed between this application being determined and the previously approved reserved matters scheme relate to the number of dwellings comprising the scheme alongside the extension of a couple of private drives. No changes are proposed to be made to the ecological side of the development which is reflected in the submitted documents.

6.89 The comments made by HBC Ecology on the previous reserved matters application set out that the proposal, albeit for 9 fewer dwellings, would result in a biodiversity net gain habitat loss but that this was to be mitigated through other works and payments. Furthermore, it was detailed that from a Habitat Regulation Assessment perspective due to the development discharging to Billingham WwTW

foul discharge and alongside a Hartlepool Coastal Mitigation Scheme (HCMS) contribution, the scheme could be screened out for likely significant effects under Reg. 63, and no Appropriate Assessment is required. They recommended a number of conditions be attached to any approval relating to the provision of a Construction Environment Management Plan (CEMP), Lighting Strategy and Built-In Bio-diversity bricks.

6.90 In terms of the conditions requested, the following 4 paragraphs respond to the conditions that were sought on the previous approval.

6.91 In respect of the CEMP condition, while provision is made on the outline approval, it does not relate to environmental ecology and is more generic. The imposition of the condition sought would meet the necessary tests and is acceptable.

6.92 Similar to the construction management plan point set out above, there is a condition on the outline approval relating to the provision of a lighting scheme but it is a generic condition. The imposition of an extra condition to deal with the specific lighting with ecological matters at its heart would be acceptable and appropriate.

6.93 The condition sought regarding the provision of boxes and bricks for protected species is covered by condition 26 of the outline approval which requires the submission, prior to the development of each phase commencing, of a scheme to provide bat mitigation features to provide long term roost sites for the local bat population within that phase including details of the features and a timetable for their provision and to cover 10% of buildings with the selection of buildings facing onto the larger open spaces.

6.94 On the basis of the submitted information and its assessment by the HBC Ecologist, it can be seen that based on the information provided alongside the outline approval, the proposal will not result in any unacceptable detrimental impacts on ecology, nutrient neutrality or the habitat regulations.

6.95 Officers consider that while the number of dwelling proposed on the site has increased by 9, the level is still within the 1200 permitted on the outline approval and that there is no undue impact beyond that previously considered in the previous reserved matters approval.

6.96 Therefore, officers consider that the proposal continues to comply with the requirements of local plan policy NE1.

Fire Brigade;

6.97 The Fire Brigade were consulted as part of the application, commenting that there are several rows of plots which have 'private drive' access that exceed the dead-end road condition as described in ADB V1 Para 13.4 and therefore should be provided with turning facilities as shown in Diagram 13.1 it also notes that due to not all dwellings meeting the 45m rule (ADB V1 Para 13.1), it is inevitable that appliances will access these areas to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures.

6.98 The same points were raised in the previously approved reserved matters application on which the layout of the scheme was altered to address the concerns that were raised.

6.99 An assessment of the currently proposed site layout plan against that previously approved (under ref H/2025/0110) shows that there are 2 sections where the length of the private road has been increased. It should be noted however, that the number and location of the dwellings on these private drives remains the same as previously approved.

6.100 The submitted plans and delegated report on the previous reserved matters application indicated “In response to the comments made [by the Fire Brigade], the amended plans provided alongside an highway statement were such that the issues raised, while also being covered by Building Regulation requirements, were reflected on the plans to ensure compliance.”

6.101 In the consideration of this application, the private road is accessed off a main road to be adopted and the agent has confirmed in writing that all of the private drives will conform to the standards as set out in Building Regulations Approved Document B which, from a planning perspective, is considered sufficient for the purposes of this report.

6.102 As such it is considered that the issues raised are not an issue as they are covered by separate legislation and subject to an informative being attached to any approval.

Police;

6.103 As part of the consultation process, Cleveland Police were consulted.

6.104 Their response set out their advocacy for the development to be undertaken in a manner that fits within the Designing Out Crime scheme and identifies a number of areas where the suggested actions would serve to minimise the opportunity for crime in association with the development.

6.105 While these are noted, they are not able to be dealt with by way of a planning condition. They are able to be highlighted to the applicant by way of an informative which will enable the applicant to be aware of the points made and afford them the opportunity to make an informed decision.

Trees;

6.106 As set out above in regards to the landscaping element of the proposal, full soft landscaping details have been provided as part of the application being considered.

6.107 HBC Arboriculture commented on the initial drawings submitted detailing that concerns existing regarding the species mix resulting in amended landscaping plans being submitted to address the concerns raised.

6.108 In response to the amended plans, the HBC Arborist commented

CONCLUSION

6.109 The principle of the development is acceptable by virtue of the outline approval granted under reference H/2022/0181 subject to conditions and a legal agreement as well as the previous approval. The proposed layout and house types are acceptable and are unlikely to have a detrimental impact upon the amenity of neighbouring residents. Overall, the scheme is of high quality and will provide a desirable living environment.

EQUALITY DUTY

6.110 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act (2010). Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

6.111 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

REASON FOR DECISION

6.112 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; the application is therefore recommended for approval subject to conditions and informatives.

CONDITIONS

1. The development shall be carried out in accordance with the following;

- 1856-BEL-100G - Site Layout Plan
- 1856-BEL-100G - Site Layout Plan (Affordable)
- 1856-BEL-101G - Adoption Plan
- 1856-BEL-102G - Boundary Plan
- 1856-BEL-103G - Surface Treatment Plan

1856-BEL-105G - Privacy Distances Plan
1856-BEL-200 Context Plan
1856-BEL-902A Fire Tender Access Plan
1856 – BEL - Housetypes

All received by the Local Planning Authority 31st March 2026

24020 - 01 - C4 - Proposed Finished Levels - Sheet 1 of 4
24020 - 02 - C2 - Proposed Finished Levels - Sheet 2 of 4
24020 - 03 - C2 - Proposed Finished Levels - Sheet 3 of 4
24020 - 04 - C4 - Proposed Finished Levels - Sheet 4 of 4
24020 - 11 - C3 - Proposed Drainage Layout - Sheet 1 of 4
24020 - 12 - C2 - Proposed Drainage Layout - Sheet 2 of 4
24020 - 13 - C2 - Proposed Drainage Layout - Sheet 3 of 4
24020 - 14 - C3 - Proposed Drainage Layout - Sheet 4 of 4
24020 - 15 - Proposed Foul Water Drainage Route
24020 - 161 - C1 - Surface Water Management Plan

All received by the Local Planning Authority 31st March 2026

1856-BEL-104H - Elevational Treatment Plan
1856-BEL-901B – Materials Plan

All received by the Local Planning Authority 13th May 2026

1556-100 Rev G Landscape Strategy
1556-200 Detailed Softworks (Sheet 1) Rev A
1556-201 Detailed Softworks (Sheet 2) Rev A
1556-202 Detailed Softworks (Sheet 3) Rev A
1556-203 Detailed Softworks (Sheet 4) Rev A
1556-204 Detailed Softworks (Sheet 5) Rev A
1556-205 Detailed Softworks (Sheet 6) Rev A

All received by the Local Planning Authority 18th May 2026

To define the development.

2. Prior to first occupation of the dwellings hereby approved, the off-site drainage works approved via planning application H/2025/0106 shall be implemented and operational.

To ensure the development is served by adequate drainage infrastructure.

3. Notwithstanding the requirements of condition 6 of the outline planning permission (H/2022/0181), the external finishing materials of the dwellings shall be completed in accordance with the following drawings:

1856-BEL-104H - Elevational Treatment Plan
1856-BEL-901B – Materials Plan

All received by the Local Planning Authority 13th May 2026

unless an alternative, similar scheme is submitted to and approved in writing with the Local Planning Authority.

For the avoidance of doubt and to ensure the development is constructed of the materials considered as part of the submission and found to be acceptable in accordance with local plan Policy QP4.

4. Prior to the first occupation of the dwellings hereby approved, full layout and elevational drawings of the 'Development Entrance / Name Feature Wall' shall be submitted along with materials details and a timetable for implementation to the Local Planning Authority for approval. The 'Development Entrance / Name Feature Wall' shall then be implemented in accordance with the approved details and timetable.

In the interests of the visual amenity of the development and wider area.

5. No development/demolition shall commence until a detailed fencing scheme setting out how the Archaeological Exclusion Zone (AEZ) will be protected, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the commencement of development the scheme should as a minimum, set out how many will be and that no works, including vehicle movement, material storage, or other construction related activities, shall take place within the area inside that fencing unless approved in writing by the Local Planning Authority.

To ensure the satisfactory protection of heritage assets for the duration of the development being implemented.

6. No demolition/development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site Investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved and the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

To ensure the investigation and recording of heritage assets.

7. Prior to works pertaining to soft landscaping commencing, a scheme for the provision, long term maintenance and management of all landscaping and tree and shrub planting within the site, as shown on the following approved plans:

- 1556-100 Rev G Landscape Strategy
- 1556-200 Detailed Softworks (Sheet 1) Rev A
- 1556-201 Detailed Softworks (Sheet 2) Rev A
- 1556-202 Detailed Softworks (Sheet 3) Rev A
- 1556-203 Detailed Softworks (Sheet 4) Rev A
- 1556-204 Detailed Softworks (Sheet 5) Rev A
- 1556-205 Detailed Softworks (Sheet 6) Rev A

all received by the Local Planning Authority 18th May 2026

shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures.

All soft landscaping including planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following completion or prior to first occupation of individual dwellings (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including areas of open space within the site shall be carried out in the first planting season following the occupation of the dwellings or completion of the development, whichever is the sooner. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme, for the lifetime of the development hereby approved. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

To ensure the delivery and subsequent long term management and maintenance of the approved landscaping.

8. Notwithstanding the submitted details, as set out in approved document 1856-BEL-103G - Surface Treatment Plan (or any requirements of condition 6 of the outline permission (H/2022/0181) and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. Thereafter and following the written approval of the Local Planning Authority, the agreed scheme shall be implemented prior to the occupation of the dwellings and/or the site being open to the public or completion of the development hereby approved (whichever is sooner) unless an alternative, similar scheme (and timetable) is submitted to and approved in writing with the Local Planning Authority.

In the interests of visual amenity and to accord with the provisions of the NPPF in terms of satisfying matters of flood risk and surface water management.

9. All tree works as detailed in the 'Arboricultural Method Statement including impact assessment' report ref ARB/CP/3514, dated July 2025, received by the Local Planning Authority on 31st March 2026 shall be undertaken and comply with BS 3998:2010 'Tree work - Recommendations', paying particular regard to section 7 'Pruning and related work'.

In the interests of the health and appearance of the existing site trees.

10. Notwithstanding the submitted details, no development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features; e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented in accordance with the agreed details and timetable and throughout the construction period strictly in accordance with the approved details.

To ensure suitable provision of ecological mitigation measures.

11. Prior to damp proof course of development, details of integral biodiversity features shall be submitted to and approved in writing by the LPA and shall be implemented thereafter. Integral biodiversity features shall include swift bricks on at least 10% of dwellings, bat roost features on at least 20%, and bird bricks (house sparrow/starling) on at least 20%, with positions shown on elevation drawings (heights/aspects) and product specifications.

To ensure biodiversity features are installed in appropriate locations across the site and that wildlife is accommodated for in accordance local plan policy NE1.

12. Notwithstanding the requirements of condition 10 of the associated outline planning permission (H/2022/0181) as well as the provisions of Schedule 2, Part 4, Class A the Town and Country Planning (General Permitted Development) Order 2015, and prior to the commencement of development, full details of any temporary

construction access/egress and temporary construction compound(s), shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all temporary buildings (including elevations), areas of temporary hardstanding, any temporary enclosures to be erected, and a timetable for the installation and thereafter removal of the temporary construction access/egress, hardstanding and compound (including any installed/erected structures). Such works (including removal) shall be in accordance with the approved timetable and not later than 1 month after the completing of the development.

In the interests of visual amenity and neighbour amenity.

13. Notwithstanding the provisions of Classes AA and B of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwellinghouses hereby approved shall not be extended in any manner without the written approval of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the visual amenities of the area and the amenities of future occupiers.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any principal wall/elevation of that dwellinghouse or that which fronts onto a road or footpath, without the prior written consent of the Local Planning Authority with the exception of those enclosures approved as part the partial discharge of condition 18 of the outline planning permission (H/2022/0181).

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and the appearance of the wider area.

15. Prior to any works above Damp Proof Course (DPC) commencing, an up-dated site layout plan showing the raised carriageway at the site entrance set back by a distance of 2m shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved plan.

In the interests of highway safety.

INFORMATIVES

1.0 Statement of Proactive Engagement

The Local Planning Authority in arriving at its decision to support this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development

to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

2.0 Building Regulations

The Council's Building Control section has confirmed that an application is required for this proposal.

For further advice please contact Carolyn Jackson (HBC Building Control Technician) on 01429 523289 or e-mail Carolyn.Jackson@Hartlepool.gov.uk

3.0 Fire Brigade

The applicant is made aware that the Fire Brigade have identified that there are several rows of plots which have 'private drive' access that exceed the dead-end road condition as described in ADB V1 Para 13.4 and therefore should be provided with turning facilities as shown in Diagram 13.1. Due to not all dwellings meeting the 45m rule (ADB V1 Para 13.1), it is inevitable that appliances will access these areas to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures. It would therefore be prudent to ensure that these roads meet the requirements of ADB V1 Table 13.1.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

4.0 Designing Out Crime

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

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

I recommend applicant actively seek Secured by Design accreditation, full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com

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

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

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure.

Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

Another material consideration is Section 17 of The Crime and Disorder Act 1998.

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

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

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

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

All doors and windows are recommended to be tested and certified PAS24:2022+A1:2024 standards (or equivalent). This includes garage doors.

Where applicable, the doors must be jointly certified for security, fire and smoke.

Dusk til dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves.

ALL roadways and pathways, adopted or otherwise, are strongly recommended to be illuminated to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates.

Excessive permeability should be eliminated.

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

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

Defensive planting to external façade of boundary treatments backing onto open space should be considered also.

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

All horizontal support rails should be on the private side of the fence and it is highly recommended to be wired internally also.

Boundary treatments between rear gardens are recommended to be 1.8m in height. Often these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it.

Where sheds are provided for bicycle parking, they shall be certified to Sold Secure SS301 Bronze, or above and securely fixed to a suitable substrate foundation in accordance with the manufacturers' recommendations.

Blank gable ends should be avoided.

Defensible space to each plot is an important consideration.

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

Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators.

Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.

Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary.

Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.

The word ‘active’ in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court.

Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.

In relation to the last point, I would recommend parking area/garages serving Plots 1, 39 & 171 be relocated as they are afforded minimal informal surveillance as they are secreted behind properties.

5.0 Bats

If bats or signs of bats are found during works, work must stop and advice be sought (National Bat Helpline: 0345 1300 228).

6.0 Nesting birds.

Vegetation clearance, hedge works or building works that could affect nesting birds should avoid March–August inclusive; if works are unavoidable in this period, an ecologist should check and confirm absence of active nests immediately prior to works.

7.0 Mammal safety

Any excavations left open overnight should include a fixed plank/ramps (≥30 cm wide, ≤45°) to allow egress of hedgehog and other mammals.

BACKGROUND PAPERS

6.113 Background papers can be viewed by the ‘attachments’ on the following public access page: [Documents for reference H/2026/0029: Public Access](#)

6.114 Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

CONTACT OFFICER

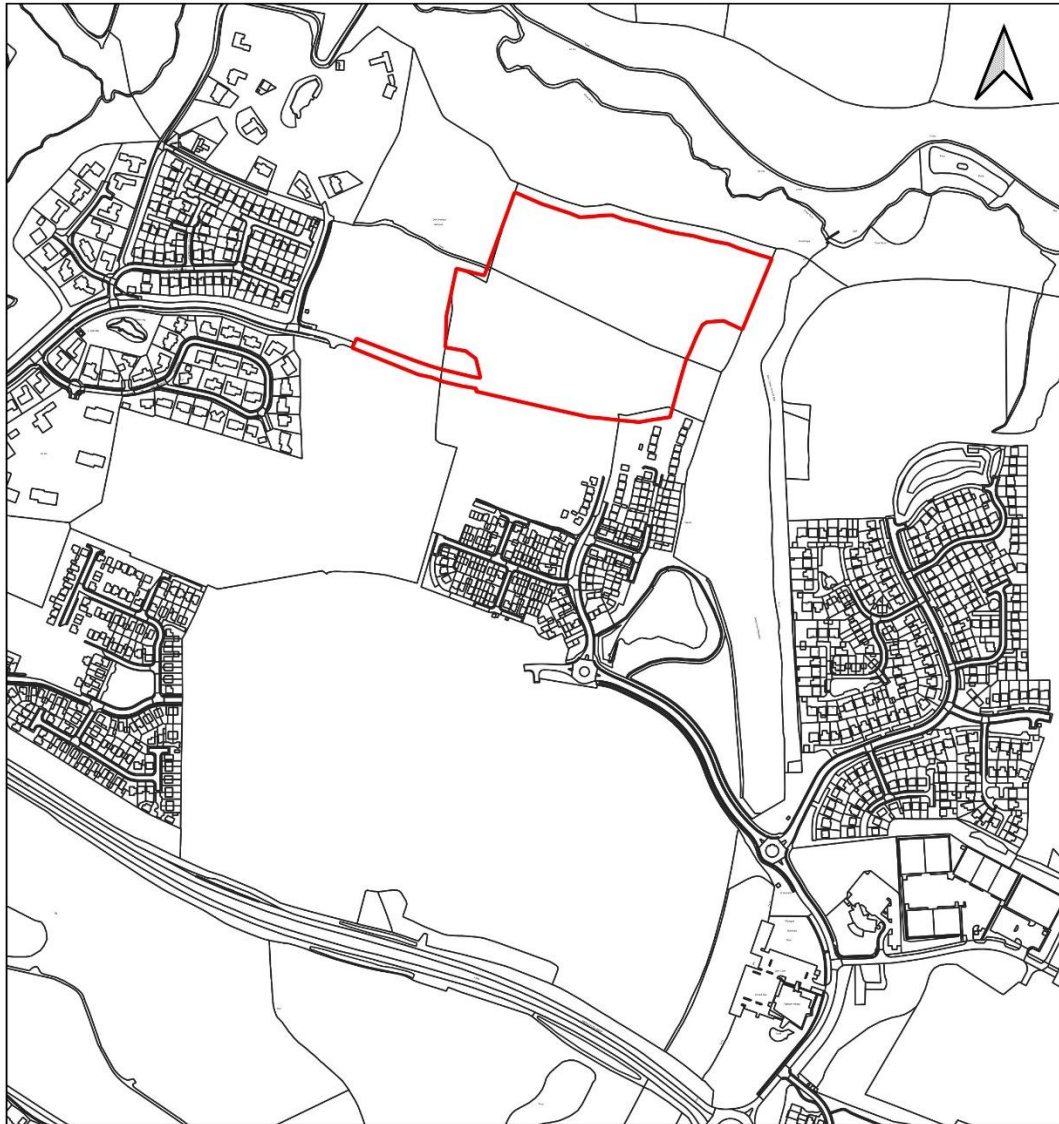
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Land North of A689 Wynyard, Hartlepool



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THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

 Hartlepool Borough Council	DRAWN LH	DATE 22/05/2026
	Scale 1:7000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2026/0029	REV

No:	7
Number:	H/2025/0360
Applicant:	RESICARE ALLIANCE PEMBROKE HOUSE 15 PEMBROKE ROAD BRISTOL, BS8 3BA
Agent:	ALDER KING PLANNING CONSULTANTS PEMBROKE HOUSE 15 PEMBROKE ROAD, BRISTOL BS8 3BA
Date valid:	06/11/2025
Development:	Change of use from guest house (Class C1) to residential care home (Class C2) and provision of freestanding cycle store in rear garden
Location:	19 THE GREEN SEATON CAREW HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

H/1976/0625 - Change of use from dwelling house to guest house.
Approved 26 February 1976.

HFUL/1995/0419 - Erection of new rear double garage and alterations and extension to provide additional six bedrooms.
Approved 01 November 1995.

PROPOSAL

7.2 The application seeks planning permission for the change of use of 19 The Green, Seaton Care from a guest house (Use Class C1) to a residential care home (Use Class C2) to include the provision of a freestanding cycle store at the rear of the property. No internal or external works are proposed to the main buildings, although a freestanding cycle store structure is proposed within the grounds to the rear.

7.3 The submitted Planning Statement details that the proposed use would care for up to eight young persons between the ages of 7-17 years of age. The young persons would be cared for by staff operating on a shift basis, where staffing levels at the property would typically be up to eight care staff during the day. There would also be short periods of time when the Registered Manager would be present. The applicant's submitted Planning Statement details that the property would be regulated by Ofsted.

7.4 The proposed cycle store will be located to the rear of the property on an area of existing hardstanding and would be of a timber construction measuring

approximately 2 metres in width by approximately 2.3 in depth by an approximate height of 1.5 metres.

7.5 The item has been referred to planning committee, owing to the number of objections received, in line with the Council's scheme of delegation.

SITE CONTEXT

7.6 The application site is 19 The Green, Seaton Carew, which comprises a main building fronting The Green and a detached annex to the rear. The application property is a two storey, terraced building. Attached to the side (west) is 18 The Green, and at the opposite side (east) is 21 The Green. Vehicular access to the application site is achieved from Victoria Street (south-west), where a shared access leads to the rear garden and parking associated with the host property. The application site is located on the south side of The Green. The main building is Grade II listed and the application site is also located within the Seaton Carew Conservation Area. The application site is understood to have last been used as a 14-bed guest house (Class C1), being a family run business that had operated since the 1970s until its closure.

PUBLICITY

7.7 The application has been advertised by way of neighbour letters (13) a site notice and a press advert. To date, there have been objection comments received from four residential properties and five letters of objection from individuals of no known address.

7.8 The concerns raised are:

- Noise and disturbance issues;
- Negative impact on the character of the area;
- Negative impact on Listed Building;
- Negative impact on local community;
- Proposal would exacerbate existing parking and highway issues in the area;
- The area is not suitable for children with complex behavioural issues
- Impact on police resource and the ability for emergency services to access the site.
- A lack of infrastructure to support the development;
- Concerns over the level of publicity of the planning application;
- Concerns over waste management.

7.9 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166948>

7.10 At the time of writing, the period for publicity is ongoing, with the expiration of the site notice due on 22.06.2026. Any additional representations received at the time of committee meeting, will be tabled.

CONSULTATIONS

7.11 The following consultation replies have been received:

HBC Children’s and Joint Commissioning Services: - Having reviewed the application, and based on my knowledge of the area, and demand for local good quality care provision for Hartlepool children, I am not opposed to this application.

It is to be noted that I have no knowledge of this company or quality of any other homes they may provide. Additionally, I would advise that there is consideration to reducing the number of children to reside there to ensure it is homely and child focused.

HBC Traffic and Transport: - The site benefits from having a car park for 7 vehicles. It is anticipated that there will be no more than 8 staff on duty at any time. Although the Tees Valley design guide does not have a specific parking ratio for this type of use, similar uses require a maximum of 1 space per each member. The proposed provision of 7 spaces is therefore close to the maximum provision. The car park also allows vehicles to enter and leave in a forward gear. The surrounding streets are controlled by residents parking, and it may be possible to provide permits to park in the relevant parking zone. There are also nearby pay and display parking bays. Given the above facilities, the impact on the surrounding highway would be minimal and I would have no objections. No planning conditions required, no objections.

HBC Public Protection: - Environmental Protection has considered the application for the change of use from a 14-bedroom guest house (Use Class C1) to a residential children's care home (Use Class C2) in respect of potential impacts on residential amenity.

It is noted that the lawful fallback position is the use of the property as a 14-bedroom guest house. Whilst this represents a material consideration, the proposed development must be assessed on its own merits. It is also recognised that the proposed children's home would accommodate up to eight children together with staffing levels that are greater than would normally be expected within a conventional dwellinghouse. As such, the nature and intensity of occupation differs from that of a typical residential property and consideration should be given to ensuring that neighbouring residential amenity is adequately protected. No construction works are proposed and therefore no concerns are raised in relation to construction noise or disturbance.

The principal amenity considerations relate to operational noise and disturbance associated with staff movements, external lighting and the use of the rear garden. Whilst the applicant has indicated that the site will operate in accordance with a Good Neighbour Policy and that staff shift changes will occur within defined hours, it is considered appropriate that these measures are secured through planning conditions.

Environmental Protection therefore raises no objection to the proposal subject to the following conditions:

Prior to the installation of any external lighting, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be installed and retained in accordance with the approved details.

Staff shift changeovers shall only take place between the hours of 08:00–21:00 unless otherwise agreed in writing by the Local Planning Authority.

The rear garden and other external amenity areas shall not be used by residents, visitors or staff between the hours of 21:00 and 08:00, except in the case of emergency.

Subject to the above conditions, Environmental Protection has no objection to the proposal on amenity grounds.

Further comments received 01/06/2026

Following our discussion, Environmental Protection considered the restriction on external garden use after 21:00 to be a proportionate measure to help minimise the potential for noise and disturbance to neighbouring residents, given the proposed intensity of occupation and staffing levels associated with the use.

However, having considered the concerns raised by Planning regarding enforceability, Environmental Protection accepts that the condition may not meet the relevant planning tests and therefore does not wish to pursue it further.

Accordingly, Environmental Protection's response should be amended to remove the recommended condition relating to restrictions on external garden use. No further comments to add.

Notwithstanding this, Environmental Protection would encourage the operator to manage external activities in a manner that minimises disturbance to neighbouring occupiers.

Cleveland Police: - With regards to your recent planning application H/2025/0360 for a Residential Childs Care Home, 19, The Green, Seaton Carew. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of [Crime Prevention Through Environmental Design \(CPTED\)](#).

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

Full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that

are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience". Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured by design initiative can be found on www.securedbydesign.com

In addition to the above I would also add the following. For facilities such as this, should permission be granted, good management policies and systems are essential for the most effective running of the premises.

Full compliance with Ofsted Registering for a facility such as this must be adhered to. The applicant should also take into consideration crime statistics available for the locality of the proposed premises. Once the care home is up and running, owners must email mfhcoord@cleveland.police.uk to add them to the care manager meeting invite list.

HBC Heritage and Open Spaces: - The application site is a grade II listed building located in Seaton Carew Conservation Area. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

In considering applications for listed buildings the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the significance of a designated heritage asset and give, 'great weight' to the asset's conservation (para 212 and 213, NPPF).

Policy HE4 of the local plan states the Borough Council will seek to 'conserve or enhance the town's listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration.'

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 NPPF goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 219, 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. 203 & 210, NPPF).

Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, ‘seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.’

The special character of Seaton Carew Conservation Area can be separated into distinct areas. To the north of Station Lane, the buildings are predominantly residential with a mixture of the first phase of development stemming from fishing and agriculture in the 18th century and large villas dating from the 19th century. To the south of Station Lane is the commercial centre of the area.

The proposal is the change of use from guest house (Class C1) to residential care home (Class C2) and provision of freestanding cycle store in rear garden.

The works would not require any internal or external works to the listed building. The only addition being a freestanding cycle store to the rear of the property.

It is considered that the proposal could offer a sustainable use for this listed building which would not impact on the significance of the building itself, nor the wider conservation area. No objections.

Tees Archaeology: - Thank you for the consultation on this application. There are no archaeological concerns, and we defer to any comments made by Heritage and Open Spaces.

HBC Ecology: - The application is for the change of use of an existing 14-bed guest house from to a residential care home for up to eight young persons, together with the provision of a small freestanding timber cycle shelter to the rear.

No works are proposed to the main building or rear annex, and that the cycle shelter would be located on existing hardstanding within the rear garden. The existing grassed area would be retained.

No Objection
Natural England to be consulted on Appropriate Assessment
BNG Exempt

HBC Ecology agrees that the proposal is exempt from mandatory Biodiversity Net Gain under the de minimis exemption. The statutory biodiversity gain condition should not apply.

A HRA Stage 2 Appropriate Assessment has been prepared below. Natural England must be consulted.

BNG

The applicant has submitted a Biodiversity Net Gain Exemption Statement, dated 23 October 2025, claiming exemption under the de minimis threshold.

The submitted plans show that the only physical ecological impact arising from the development would be the installation of a small cycle shelter on existing hardstanding. No onsite habitat with a biodiversity value greater than zero would be impacted, and there would be no impact on priority habitat or linear habitat.

HBC Ecology agrees with the applicant’s conclusion that the development is exempt from mandatory BNG.

SSSI IRZ

The proposal has been checked against the Natural England SSSI Impact Risk Zone consultation criteria.

The site is within an existing urban area. The development is not one the types identified in the IRZ criteria.

Natural England consultation is therefore not required under the SSSI IRZ criteria. This is separate from the Habitats Regulations requirement to consult Natural England on the Appropriate Assessment.

General Ecology

There is no reasonable likelihood of protected or priority species or habitats being adversely affected by the proposal.

No ecological surveys or ecology conditions are required.

HRA:

The application site lies within the relevant zone of influence for European sites affected by coastal recreational disturbance.

Nutrient neutrality can be screened out at stage 1. Foul drainage will continue to connect to Seaton Carew Wastewater Treatment Works via the existing public sewer as an embedded component of the project design. There is no material increase in built footprint or impermeable area, and the proposed cycle shelter is to be located on existing hardstanding. On that basis, nutrient neutrality can be screened out.

However, the proposal is a windfall change of use to residential institution accommodation, Use Class C2, and it cannot be screened out for recreational disturbance. A stage 2 Appropriate Assessment is therefore required.

Habitats Regulations Assessment stage 1 screening

Revision history

Version	Date	Revision	Prepared by
1	02/06/2026	A	Max Cummins

Stage 1 (screening) findings

Nutrient neutrality

Is sewage disposed of via the public sewer systems of either Seaton Carew or Billingham WwTW?	Yes	Connection to the Seaton Carew WwTW is in the project design and is an embedded features so is considered at the screening stage.
Will surface water runoff occur?	No material change	The development is within an urban context, meaning there will be no significant change to the surface water regime.
Conclusion		Nutrient Neutrality is screened out.

Recreational disturbance

Is Recreational disturbance accounted for by the Hartlepool local Plan Coastal Mitigation Scheme?	No	HRA Appropriate Assessment is required.
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Habitats Regulations Assessment stage 2 Appropriate Assessment

Revision history

Version	Date	Revision	Prepared by
1	02/06/2026	A	Max Cummins

Introduction

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

HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment

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

- Teesmouth and Cleveland Coast SPA and Ramsar
- Northumberland Coast SPA and Ramsar
- Durham Coast SAC

That HRA stage 1 screening screened in the following LSE:
Increased recreational disturbance.

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

Adverse Effect on Integrity findings

Recreational disturbance is identified as an LSE, potentially harming populations of SPA/ Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is a consequence of housebuilding. The Hartlepool Local Plan identified an average increase of 2.3 people per new dwelling and 24% of new households owning one or more dogs.

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

Mitigation measures

Measures to avoid and mitigate Adverse Effects on Integrity

The Hartlepool Local Plan (adopted May 2018), policy 'HSG1 New Housing Provision', provides allocated sites for major residential development (ten or more dwellings). These were collectively HRA assessed as part of the Local Plan HRA, and their mitigation is dealt with by the Hartlepool Coastal Mitigation Scheme.

All major, non-allocated housing developments, and all small-scale housing developments (nine or fewer dwellings) are not covered by the Hartlepool Coastal Mitigation Scheme and must be Appropriately Assessed in their own right.

However, provision to mitigate windfall housing developments is indirectly built into the Hartlepool Coastal Mitigation Scheme.

The Hartlepool Coastal Mitigation Scheme was designed so that:

A windfall housing development greater than nine dwellings can use the same funding formula (to provide a financial contribution to the Scheme) to meet its HRA AA mitigation requirements.

Developments of nine or fewer dwellings, or rooms for residential institutions such as care homes (Including change of use applications) are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings.

The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments of nine or fewer new dwellings are mitigated by the combined Local Plan 'HSG1 New Housing Provision' allocated developments, which fund it. The Hartlepool Local Plan aspiration is for 6,150 new houses and the value of the Hartlepool Coastal Mitigation Scheme is set at £424,000.

This sum was used to calculate the 'per house' financial contribution formula and

includes a contingency portion to cover the housing applications for nine or fewer dwellings.

Conclusion

This application, involving a change of use from a guest house, C1 use, to a children's residential care home, C2 use, providing up to eight residential rooms, is classified as a windfall project. It is mitigated by the built-in contingency measures provided by allocated housing developments within the Hartlepool Coastal Mitigation Scheme.

This contribution is indirectly funded by the collective contingency provisions of allocated housing schemes in Hartlepool. Therefore, increased recreational disturbance will not cause an Adverse Effect on Integrity (AEOI) to any European Site. This project is compliant with the Habitats Regulations.

Natural England must be consulted on the HRA Appropriate Assessment.

HBC Economic Development: - We have reviewed the application for the change of use and have no representation for the proposal. Whilst we would like to see the building retained for visitor economy uses the lack of apparent interest in this use has been reflected in not finding a suitable buyer for the business.

HBC Building Control Manager: - A Building Regulation application will be required for the change of use application.

Cleveland Fire Brigade: - Cleveland Fire Brigade offers the following representations regarding the development as proposed. To meet the requirements of AD B Volume 2 Section B5 para 15.1 fire appliances would require access to the rear road via Victoria Street. It should therefore be confirmed that this road meets the requirements of AD B Vol 2 Section B5 Table 15.2 taking into consideration the measurements below in line with Note 1. Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 2 Section B5 Table 15.2.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

HBC Engineering Consultancy: - No comments received.

HBC Housing Policy & Welfare Services: - No comments received.

HBC Waste Management: - No comments received.

HBC Community Safety & Engagement: - No comments received.

Civic Society: - No comments received.

Joint Committee of the National Amenity Societies: - No comments received.

HBC Estates: - No comments received.

PLANNING POLICY

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

Hartlepool Local Plan

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

LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development

QP5: Safety and Security

QP6: Technical Matters

QP7: Energy Efficiency

RC21: Commercial Uses In Residential Areas

SUS1: The Presumption in Favour of Sustainable Development

NE1: Natural Environment

LT1: Leisure & Tourism

HE1: Heritage Assets

HE3: Conservation Areas

HE4: Listed Buildings and Structures

Supplementary Planning Guidance & Documents

HBC Residential Design Guide Supplementary Planning Document (2019).

Seaton Carew Supplementary Planning Document (2015).

National Planning Policy Framework (NPPF) (2024)

7.14 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of

sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA001: Role of NPPF

PARA002: Determination of applications in accordance with development plan

PARA003: Utilisation of NPPF

PARA007: Achieving sustainable development

PARA008: Achieving sustainable development

PARA009: Achieving sustainable development

PARA010: Achieving sustainable development

PARA011: The presumption in favour of sustainable development

PARA012: The presumption in favour of sustainable development

PARA039: Decision making

PARA048: Determining applications

PARA057: Planning conditions and obligations

PARA061: Delivering a sufficient supply of homes

PARA063: Housing needs for different groups in the community

PARA092: Promoting healthy and safe communities

PARA116: Considering development proposals

PARA129: Achieving appropriate densities

PARA131: Achieving well-designed places

PARA135: Achieving well-designed places

PARA187: Conserving and enhancing the natural environment

PARA192: Habitats and biodiversity

PARA193: Habitats and biodiversity

PARA198: Ground conditions and pollution

PARA203: Conserving & Enhancing Historic Environment

PARA210: Proposals affecting a heritage asset

PARA212: Considering potential impacts

PARA213: Considering potential impacts

PARA231: Implementation

7.15 HBC Land Use Policy comments: - Further to the consultation regarding 19 The Green, change of use from guest house to care home. Given the existing lawful use of the property and the nature of the area, Land Use Policy are of the view the proposals would not result in an intensification of the use of the property that would be detrimental to the character of the area and as such, a residential use of this kind proposed would be acceptable, in principle.

PLANNING CONSIDERATIONS

7.16 The main considerations of the application are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan (HLP). In particular, the main material considerations are the principle of development, the character and appearance of the host property and surrounding

area, impact on heritage assets, amenity of neighbouring properties, highway and pedestrian safety, car parking, ecology and any other planning matters arising. These and any other matters are set out below.

PRINCIPLE OF DEVELOPMENT

7.17 The application seeks planning permission for the change of use of the property from a Guest House (C1 use) to a Care Home facility for up to 8 children (C2 use). With respect to the existing lawful use, it is acknowledged that the application site is located within an area allocated for Leisure & Tourism, under policy LT1 of the adopted Hartlepool Local Plan. Policy LT1 states that *'The Council will work with key partner organisations to continue to develop and protect leisure and tourism facilities including high quality accommodation.'* The applicant's submitted Planning Statement details that the Guest House has been operational since the 1970's, although it became economically unviable, with strong competition within the surrounding area. The submitted Planning Statement claims that the property was marketed for a 12-month period, although there is no appetite for the use by any potential purchasers. The Council's Land Use Policy section have had regard to the planning application and raise no objections to the loss of the holiday accommodation use. It is notable that the surrounding area contains an offer of a number of holiday accommodation uses and it is considered in light of the comments of the Land Use Policy section, the proposed loss of this single unit in isolation, would not undermine the policy or result in a significant harmful impact on the leisure offer of the Seaton Carew area to warrant the refusal of the planning application on such grounds. Consequently, there are no significant issues raised in respect to the loss of the Guest House use in this instance.

7.18 With respect to the proposed C2 use, paragraph 63 of the National Planning Policy Framework (NPPF, 2024) highlights the importance of identifying and addressing the housing needs of various community groups through planning policies. This includes considering the specific requirements of looked-after children, among others.

7.19 Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive, and safe places which promote social integration through mixed-use developments and that planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

7.20 Paragraph 135 of the NPPF emphasises that developments should be designed to function effectively and contribute positively to the quality of the area, not just in the short term, but throughout their lifespan. It advocates for the creation of safe, inclusive, and accessible environments that support health and well-being, offer a high standard of amenity for both current and future users, and do not compromise community cohesion or quality of life due to crime or the fear of crime.

7.21 Whilst the Hartlepool Local Plan (HLP) does not contain policies that specifically address the conversion of properties into residential children's homes, the preamble of HLP Policy under 'Housing' outlines the Council's commitment to providing a mix of housing to cater for the overall housing need.

7.22 The Council's Children's and Joint Commissioning Services section have been consulted and the comments received acknowledge the demand in the borough for local, good quality care provision, and raise no concerns or objections to the proposed change of use. In addition, the Council's Land Use Policy section consider the proposed residential use to be acceptable.

7.23 Notwithstanding the above comments and considerations, it is acknowledged that the number of children proposed to be cared for would be a greater number than what might normally be expected within a typical residential property, where the proposed use can be considered to represent a residential/commercial use. It is considered that given the scale and nature of the proposed use, the application is assessed against policy RC21 (Commercial Uses In Residential Areas) of the adopted Hartlepool Local Plan.

7.24 Policy RC21 seeks to ensure that proposals for industrial, business, leisure, retail and other commercial development, or their expansion, are not permitted within predominantly residential areas outside defined retail and commercial centres unless the criteria below are satisfied.

- *There is no significant detrimental effect on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and*
- *The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and*
- *Appropriate servicing and parking provision can be made.*

7.25 It is therefore considered that the principle of development for the proposed change of use would only be acceptable for the use of the property for a children's care home, subject to satisfying the three identified criterion of HLP Policy RC21, which are considered in greater detail further within the report.

IMPACT ON THE CHARACTER OF THE SURROUNDING AREA

7.26 HLP Policy QP4 (Layout and Design of Development), amongst other requirements, requires that development should be designed to a high quality (layout, form, and scale) that positively enhances its location and setting whilst having regard to the distinctive character and history of the local area and respects the surrounding built environment. HLP Policy RC21 seeks to protect residential amenity by ensuring the scale and impact of commercial uses are compatible with the character of the area. The preamble to HLP Policy RC21 sets out that commercial uses, where there is an intensification of commercial uses, may cause difficulties of parking/servicing, which may harm residential amenity. The NPPF places a strong degree of importance on ensuring development is of a high quality, maintains a strong sense of place, functions well and should improve the quality of the area while not preventing or discouraging appropriate innovation or change.

7.27 The application seeks to change the use from a 14 bed Guest House to a Care Home for up to 8 children with up to 8 staff members, who would live/work from the property on a shift basis. It is detailed that shift patterns would rotate night staff arriving at 21:00 and leaving at about 08:00 the following day.

7.28 There are no external alterations proposed to the property to facilitate the proposed change of use, with the exception of a bicycle store proposed on an area of hardstanding at the rear of the property. Given the small-scale nature of the timber bicycle store, it is considered that the proposed structure would not lead to any significant impacts on the character and appearance of the application site or surrounding area.

7.29 Notwithstanding the above, it is well established that character is not purely visual; character also occurs from the way buildings, spaces, layout and landscapes are combined and how people experience them and engage with all the senses. A local character with a strong identity aids in creating and sustaining communities and neighbourhoods. In terms of impact upon character, it is acknowledged that the number of children minded would not be typical of a usual residential household. Notwithstanding this, consideration is given to the base line of the existing lawful use of the application site, where up to 14 unrelated holiday makers could, at any time, occupy the property including associated comings and goings. Whilst both the existing and proposed uses are a form of residential use, both contain commercial elements, where in such instances, it is accepted that a degree of activity could take place at the property. With respect to the proposed use, based upon the submitted information, the care facility would operate on a ratio, where the combination of staff and cared for children would closely reflect the possible numbers to reside for the existing lawful use.

7.30 With respect to considerations of HLP Policy RC21, the policy seeks to ensure appropriate servicing and parking provision can be made. Whilst this is primarily considered under the Highway Safety section of the report, the site is proposing to utilise the same level of in-curtilage vehicular parking (seven spaces) within the rear area of the property via an existing access point. Given the intended use and operation of the care home (as detailed within the above proposal section) including the parking provision and anticipated servicing of the property (including waste collection), on balance, it is considered that the scale of the operations associated with the use, would not result in any significant impacts is acceptable in this instance and in respect to the character and appearance of the area.

7.31 Having regard to the above considerations, whilst it is accepted that the proposed use would have differences from the existing lawful residential/commercial use, it is considered that the scale of the use (as intended) would not result in demonstrably greater impacts beyond that of the existing use and as such, it is considered that the proposed use would be of a scale and impact that is compatible with the character and amenity of the application site and the surrounding area. The proposal is therefore considered to accord with the HLP Policies QP4, RC21 (criterion 2) and the general provisions of the NPPF.

IMPACT ON HERITAGE ASSETS

7.32 The application site is a grade II listed building located within Seaton Carew Conservation Area. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. In considering applications for listed buildings the 1990 Act requires a Local Planning

Authority to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 212 and 213 of the NPPF requires Local Planning Authorities to take account of the significance of a designated heritage asset and give, 'great weight' to the asset's conservation.

7.33 Policy HE4 of the local plan states the Borough Council will seek to 'conserve or enhance the town's listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration.'

7.34 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. Paragraph 219 of the NPPF goes further, in seeking positive enhancement in conservation areas to better reveal the significance of an area. In addition, paragraphs 203 & 210 of the NPPF also require for Local Planning Authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

7.35 Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, 'seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.'

7.36 The proposal is the change of use from guest house (Class C1) to residential care home (Class C2) and provision of freestanding cycle store in rear garden. The proposed development would not require any internal or external works to the listed building and the only addition would be a freestanding, timber cycle store to the rear of the property.

7.37 The Council's Heritage and Open Spaces officer has considered the proposed development and has commented that the proposed use would offer a '*sustainable use for this listed building which would not impact on the significance of the building itself, nor the wider conservation area.*' Consequently, no objections have been received to the proposed development. With respect to archaeology, Tees Archaeology have confirmed that there are no archaeological concerns to the proposed development.

7.38 Having regard to the comments and considerations of the key heritage consultees, the proposed development raises no concerns in respect of impact on the heritage assets and the proposed development is therefore considered to be acceptable in this respect.

IMPACT ON THE AMENITY OF THE SURROUNDING PROPERTIES

7.39 HLP Policy QP4 states that development should not negatively impact the relationship with existing and proposed neighbouring land uses or significantly

impact the amenity of adjoining occupiers or nearby properties by way of overlooking, overshadowing, or poor outlook. Furthermore, development should not impact the amenity of nearby occupiers by way of general disturbance. Proposals should also ensure that the provision of private amenity space is commensurate with the size of the development. Moreover, HLP Policy RC21 (criterion 1) seeks to ensure that development does not result in any significant detrimental effects on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation. The ethos of this requirement is also reiterated within HLP Policy QP6.

7.40 At a national level, paragraph 135 of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Paragraph 198 of the NPPF sets out that planning decisions should ensure new development is appropriate for its location by considering pollution impacts on health, living conditions, and the environment, accounting for site sensitivity and cumulative effects, and by minimising noise to avoid significant harm to health and quality of life.

Amenity and Privacy

7.41 No internal or external alterations are proposed to the building as part of the proposed change of use and based on the existing and proposed floor plans, where the use of such rooms and the windows served by them would be similar in nature (i.e. habitable rooms would remain habitable rooms), and therefore, owing to the established relationship of the host property relative to surrounding properties, it is considered that there would be no significant or demonstrable adverse impacts on the amenity and privacy of neighbouring properties above and beyond the function of the existing use, in terms of overlooking, overshadowing or loss of outlook.

7.42 A bicycle store is proposed on an area of hardstanding at the rear of the property. Given the small-scale nature of the timber bicycle store, it is considered that the proposed structure would not lead to any significant loss of amenity and privacy for any surrounding neighbouring residential occupiers.

Noise and Disturbance

7.43 It is acknowledged that neighbour objections have been received, raising concerns that the proposed use as a children's care home is not suitable for a residential area, and that it would impact on neighbour amenity, particularly in respect of noise and disturbance due to an intensification of use and proximity to a care home of this nature within the area.

7.44 As previously set out in the HLP Policy, QP4, QP6 and RC21 have particular regard to amenity and noise and disturbance that may be generated from development. The application seeks to change the use from a 14 bed Guest House to a Care Home for up to 8 children with up to 8 staff members, who would live/work from the property on a shift basis. It is detailed that shift patterns would rotate night staff arriving at 21:00 and leaving at about 08:00 the following day. Whilst assessed against policy RC21, it is recognised that given the continuous nature of the proposed residential use, the hours of operation as set out within

RC21 would not be appropriate in this instance. As well as considering the nature of the proposed use, in line with policy RC21 of the adopted Local Plan, consideration is also given to the nature of comings and goings.

7.45 With respect to the scale and nature of the proposed use, it is acknowledged that given the number of children that are proposed to be cared for, the use would not be typical of a usual residential household. Notwithstanding this, consideration is given to the base line of the existing lawful use of the application site, where up to 14 unrelated holiday makers could, at any time, occupy the property. In such instances, it is accepted that a degree of activity could take place at a similar scale at the property. With respect to the proposed use, based upon the submitted information, the care facility would operate on a ratio, where the combination of staff and cared for children would closely reflect the possible numbers to reside for the existing lawful use. Furthermore, given the nature of the proposed use, it is envisaged that any issues of noise and disturbance could be suitably managed by the carers/management operating at the site. In addition to the above, the Council's Public Protection section have considered the scale and nature of the proposed use and raise no concerns or objections to the proposed development, subject to a planning condition controlling the number of children and carers, as has been sought through the application proposal. In the event that noise and disturbance related matters were to occur, the Council's Public Protection section could utilise statutory nuisance powers to manage such instances, outside of the planning regime. Having regard to the above considerations, including the comments and considerations of the Council's Public Protection section, subject to the recommended planning condition, the proposed change of use is considered not to lead to any significant loss of amenity in terms of noise and disturbance related matters.

7.46 Having regard to the above considerations, the proposed development is considered to broadly accord with HLP Policies QP4, RC21 (criterion 1) and the provisions of the NPPF.

HIGHWAY SAFETY & VEHICULAR PARKING RELATED MATTERS

7.47 Paragraph 116 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

7.48 HLP Policy QP3 requires that proposed development is safe (as does HLP Policy QP5) and accessible, and that residents and visitors can move safely, that parking is safe, adequate and conveniently located and that servicing arrangements and highway safety provisions are in line with the relevant local guidance (the Tees Valley Design Guide & Specification). Vehicular parking and servicing requirements are also a consideration of HLP Policy RC21 (criterion 3).

7.49 Objection comments have been received through the public consultation exercise in respect to the lack of vehicular parking and traffic issues within the surrounding area, where residents have raised concerns that the proposed use would exacerbate the existing situation in respect to parking and traffic related

matters. The application has been submitted together with a Transport Statement, which concludes that the proposed development would not result in a significant impact on the highway network and vehicular parking provision.

7.50 Vehicular access to and from the application site would be achieved from Victoria Street onto a service lane into the rear garden area and parking area serving the site. The submitted plans illustrate the provision of 7 vehicular parking spaces to serve the site (3 of which are indicated to provide EV charge). The application also proposes the provision of a bicycle store.

7.51 The Council's Traffic & Transport section have considered the application and the number of staff on duty at any one time and notes the available parking provision, which is considered to be sufficient for the proposed use. The Council's Traffic & Transport section also note that the site provides for the ability for vehicles to manoeuvre from the site in a forward gear.

7.52 The Council's Traffic & Transport section also note that the surrounding streets are controlled through resident parking permits, where such issues in respect to any impacts on the wider area can be controlled through separate highways legislation. The Council's Traffic & Transport section consider that having regard to the above circumstances, the proposed development would not result in any significant impacts on the application site and wider surrounding area in respect to highway safety and vehicular parking related matters and the proposed development is therefore considered to be acceptable in this respect.

CRIME, SAFETY & SECURITY (including Fear and Crime)

7.53 Policy QP5 of the HLP seeks to ensure that developments are designed to be safe and secure and requires that developments are developed in a way which minimises crime and the fear of crime. Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

7.54 Under Section 17 of the Crime and Disorder Act 1998, the Local Planning Authority is required to consider the potential impact of its decisions on crime and disorder and to take reasonable steps to prevent such issues. Concerns have been raised through the public consultation exercise regarding the appropriateness of the area for the cared-for children in terms of existing drug and crime related activity within the area, and it is not an appropriate location for homing children and the safety of existing residents based on the children behaviour.

7.55 Whilst fear of crime can be a material planning consideration, it must be based on objective evidence rather than perception alone. Objections have been received raising concerns about crime and anti-social behaviour already occurring within the area, and the potential for further such issues arising from the proposed use, the impact upon the community as a result of the children being cared for.

7.56 The Local Planning Authority is required to have regard to all relevant material planning considerations and to determine the application in accordance with

the overall planning balance. Whilst concerns have been raised by local residents regarding existing levels of crime in the area, and it is acknowledged that any new use has the potential to contribute to such concerns, there is no substantive evidence to demonstrate that the occupation of the property would, in itself, result in an increased perception or fear of crime. In response to the contrary, it is considered that the managed nature of the proposed use would provide a level of continuous surveillance and level of awareness of such matters that is considered to represent an appropriate use in respect.

7.57 During the course of the planning application, Cleveland Police were consulted on the proposal and no objections or concerns were received, although they have provided security-related advice and emphasised the importance of Ofsted registration and robust management arrangements. They also requested that the applicant engage with the police once the use is operational. These matters can be appropriately addressed through the inclusion of a recommended informative on the decision notice. With regard to Ofsted registration, the supporting information confirms the applicant's intention to obtain registration; however, it is recognised that this is not a planning matter and falls outside the scope of the planning system to enforce. In addition, HBC Community Safety team were consulted, although no comments/ concerns have been received. Cleveland Police recommend Secure By Design initiatives, good management policies, full compliance with Ofsted, which can similarly be relayed to the applicant through an informative.

7.58 Should any concerns arise in relation to crime or behaviour, officers consider that these could be addressed through other regulatory frameworks, including oversight by Ofsted under the Children's Homes Regulations, intervention by the Police, and appropriate management by the operator. These mechanisms fall outside the scope of planning control but provide robust safeguards. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

ECOLOGY & NATURE CONSERVATION

7.59 The application does not propose any physical alterations to the property, other than the addition of a timber cycle store within the rear garden area. Notwithstanding the considerations in respect to operational development, due consideration is given to any considered impacts from the proposed change of use with respect to the matters of nutrient enrichment and recreational disturbance. These and any other matters are considered as follows.

Nutrient Neutrality

7.60 The Council's Ecologist has reviewed the application and raises no objections to the proposed development. A Stage 1 Habitat Regulations Assessment (HRA) has been completed to evaluate any Likely Significant Effects (LSE) on the Teesmouth & Cleveland Coast Special Protection Area (SPA) and Ramsar site, particularly in relation to nitrate enrichment and increased recreational disturbance. HBC Ecology has advised that any LSE can be screened

out at Stage 1 of the HRA. Natural England have been consulted and at the time of writing, the response is outstanding.

Recreational impacts on designated sites

7.61 Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment has been triggered. As the competent Authority, Hartlepool Borough Council has a legal duty to safeguard European Sites. Increased recreational disturbance (including dog walking) is linked to an increase in new residents, which is a consequence of new and increased forms of residential development.

7.62 The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments could be suitably mitigated. As the proposal is for a residential institution, it would be captured and covered by the wider mitigation scheme, which has factored such minor developments into the overall consideration.

7.63 The Council's Ecologist has appropriately assessed the application through Stage 1 and 2 (Appropriate Assessment) and considers that, in this instance, the increased recreational disturbance is mitigated by the Hartlepool Coastal Mitigation Scheme and there would be no Adverse Effect on the Integrity of any European Site. As detailed above, Natural England have been consulted and at the time of writing, the response is outstanding.

7.64 Subject to confirmation by Natural England, as set out above, the development would not create any likely significant effects on designated sites, as it would be mitigated through the Coastal Mitigation Scheme that the Council has adopted.

Biodiversity Net Gain

7.65 The application was submitted together with a Biodiversity Net Gain Exemption Statement, dated 23 October 2025, claiming exemption under the de minimis threshold. The submitted plans illustrate that the only physical ecological impact arising from the development would be the installation of a small cycle shelter on existing hardstanding. No onsite habitat with a biodiversity value greater than zero would therefore be impacted, and there would be no impact on priority habitat or linear habitat. The Council's Ecologist agrees with the applicant's conclusion that the development is exempt from mandatory BNG and there are therefore no requirements of the application in this respect.

Ecology summary

7.66 Having regard to the above assessment, and subject to the comments of Natural England, the proposed development is considered to be acceptable with regard to ecological related matters.

OTHER PLANNING MATTERS

C2 Use Considerations

7.67 It is recognised that the application description, as submitted is for a C2 care home use, where the application has been considered based upon the written description. Whilst the application recommendation for such a C2 care home use has been considered, the impacts from other C2 uses have not been assessed and therefore it is considered appropriate to restrict the use to that for which has been applied for and assessed against as a C2 care home. In addition, the staffing and cared for individuals are also recommended to be conditioned at the numbers as considered, in order to exercise controls over the scale and nature of development. The condition is recommended accordingly.

7.68 In addition to the above, it is noted that following the comments of no objection from Children's and Joint Commissioning Services, comments detailed consideration should be given to reducing the number of children to reside to ensure it is homely and child focused. Whilst noting the comments, such matters as child welfare are for the regulator OFSTED to manage/control and it is considered not appropriate to control through the planning regime.

Waste Services

7.69 A comment has been received during the public consultation exercise with concerns regarding waste management collection. The Council's Waste Services were consulted, although no comments were received. The applicant has confirmed that the waste would be collected by a private contractor, which is considered common practice and does not raise any significant concerns.

Emergency Services

7.70 A comment was received during the consultation exercise with concerns about the ability of emergency vehicles from accessing the application site. As detailed within the above Highways section, the Council's Traffic & Transport section raise no concerns in this respect and both Cleveland Police and Cleveland Fire Brigade raise no such issues. With respect to comments received by Cleveland Fire brigade in relation to Automatic Fire Suppression Systems (AFSS) and access to water, such matters are considerations of the necessary Building Regulations process, where it has been confirmed that Building Regulations are required. Nonetheless, respective informatives can be relayed to the applicant to remind them of their responsibilities outside of the planning regime, should the application be approved.

CONCLUSION

7.71 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to a children's care home (C2 Use Class) is acceptable in this instance and that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety or any other planning matter, including safety and security to warrant the refusal of the planning application on such grounds. It is therefore

considered that the development accords with the relevant policies of the HLP and relevant provisions of the NPPF.

EQUALITY DUTY

7.72 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

7.73 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

REASON FOR DECISION

7.74 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 consideration by officers of any additional comments received from the public consultation exercise and the comments of Natural England in respect of a consultation outstanding at the time of writing, and subject to the following recommended planning conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby approved shall be carried out in accordance with the plans: TG.19.TS25 (Location Plan), TG.19.PR.01 (Proposed Main Building Floor Plans), TG.19.PR.02 (Proposed Annexe Floor Plans), all received 24.10.2025 by the Local Planning Authority and;

TG.19.PR.SP (Proposed Site Plan) and TG.19.TS25.PR.BP (Proposed Block Plan), both received 06.11.2025 by the Local Planning Authority.
To define the planning permission.
3. Notwithstanding the provisions of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision

equivalent to that class in any statutory instrument revoking or re-enacting that Order (with or without modification), the use of the planning unit (19 The Green, Seaton Carew) shall be restricted to a residential care home (Class C2 residential institution) only and for no other purpose, including any other use within Class C2 or any other use class of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any order revoking or re enacting that Order.

The use hereby approved shall accommodate no more than eight (8) cared for people at any one time and shall be staffed by no more than eight (8) caregivers on site at any one time. Staff shift changeovers associated with the use hereby approved shall not take place between the hours of 21:00 and 08:00, and no staff arrivals or departures associated with shift changes shall occur during this period.

To adequately control the use of the site, and to ensure the use remains compatible with the character of the area and to protect the amenities of nearby occupiers in accordance with HLP Policy QP4 and RC21.

4. Prior to the development hereby approved being brought into use, the proposed cycle store, (as illustrated on plan TG.19.PR.SP (Proposed Site Plan), received 06.11.2025 by the Local Planning Authority) shall be constructed in accordance with the submitted details and thereafter retained for the lifetime of the development.
In the interests of sustainable development.
5. Prior to the development hereby approved being brought into use, the proposed electric vehicle charging apparatus to serve the site, shall be installed as illustrated on plan TG.19.PR.SP (Proposed Site Plan) and thereafter shall be maintained and retained for the lifetime of the development.
In the interests of sustainable development in line with the provisions of Local Plan Policy CC1.
6. Notwithstanding the submitted details and prior to the installation of any fixed or permanent external lighting to serve the development hereby approved, full details of the method of fixed or external lighting, including siting, angle of alignment, light colour, and luminance of external areas of the site, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the agreed lighting shall be implemented in accordance with the agreed scheme.
In the interests of residential amenity and to ensure a satisfactory form of development.

BACKGROUND PAPERS

7.75 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166948>

7.76 Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

CONTACT OFFICER

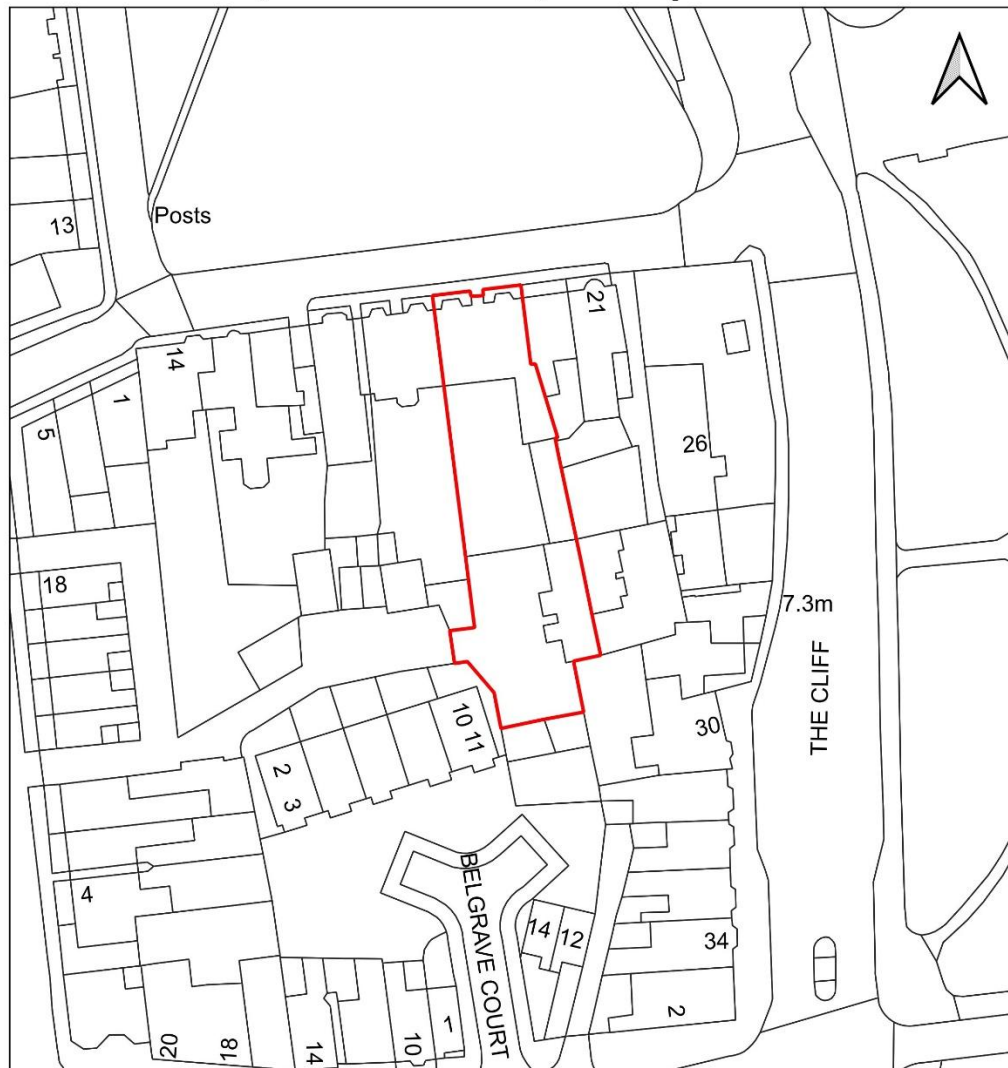
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19 The Green, Seaton Carew, Hartlepool



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 <p>Hartlepool Borough Council</p>	<p>DRAWN LH</p>	<p>DATE 22/05/2026</p>
	<p>Scale 1:700</p>	
<p>Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY</p>	<p>DWG.NO H/2025/0360</p>	<p>REV</p>

POLICY NOTE

The following details a precis of the overarching policy documents referred to in the main agenda. For the full policies please refer to the relevant document, which can be viewed on the web links below;

HARTLEPOOL LOCAL PLAN 2018

<https://www.hartlepool.gov.uk/localplan>

HARTLEPOOL RURAL NEIGHBOURHOOD PLAN 2018

[https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made version - december 2018](https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018)

MINERALS & WASTE DPD 2011

https://www.hartlepool.gov.uk/info/20209/local_plan/317/tees_valley_minerals_and_waste_development_plan_documents_for_the_tees_valley

REVISED NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2024

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

ILLUSTRATIVE EXAMPLES OF MATERIAL PLANNING CONSIDERATIONS

Material Planning Considerations	Non Material Considerations
<i>Can be taken into account in making a planning decision</i>	<i>To be ignored when making a decision on a planning application.</i>
<ul style="list-style-type: none"> • Local and National planning policy 	<ul style="list-style-type: none"> • Political opinion or moral issues
<ul style="list-style-type: none"> • Visual impact 	<ul style="list-style-type: none"> • Impact on property value
<ul style="list-style-type: none"> • Loss of privacy 	<ul style="list-style-type: none"> • Hypothetical alternative proposals/sites
<ul style="list-style-type: none"> • Loss of daylight / sunlight 	<ul style="list-style-type: none"> • Building Regs (fire safety, etc.)
<ul style="list-style-type: none"> • Noise, dust, smells, vibrations 	<ul style="list-style-type: none"> • Land ownership / restrictive covenants
<ul style="list-style-type: none"> • Pollution and contaminated land 	<ul style="list-style-type: none"> • Private access disputes
<ul style="list-style-type: none"> • Highway safety, access, traffic and parking 	<ul style="list-style-type: none"> • Land ownership / restrictive covenants
<ul style="list-style-type: none"> • Flood risk (coastal and fluvial) 	<ul style="list-style-type: none"> • Private issues between neighbours
<ul style="list-style-type: none"> • Health and Safety 	<ul style="list-style-type: none"> • Applicants personal circumstances (unless exceptional case)
<ul style="list-style-type: none"> • Heritage and Archaeology 	<ul style="list-style-type: none"> • Loss of trade / business competition (unless exceptional case)
<ul style="list-style-type: none"> • Biodiversity and Geodiversity 	<ul style="list-style-type: none"> • Applicants personal circumstances (unless exceptional case)
<ul style="list-style-type: none"> • Crime and the fear of crime 	
<ul style="list-style-type: none"> • Planning history or previous decisions made 	

(NB: These lists are not exhaustive and there may be cases where exceptional circumstances require a different approach)



Hartlepool
Borough Council

Planning Committee

17th June 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: UPDATE ON ENFORCEMENT ACTIONS

1. Purpose of Report

1.1 To update members with regard to enforcement actions that have been taken.

1.2 The following enforcement actions have been taken within this reporting period:

1. An Enforcement Notice has been served in respect of alteration to the shopfront at a commercial premises at The Front, Seaton Carew.

2. Recommendations

2.1 That Members note this report.

3. Contact Officer

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Planning Committee

17th June 2026

Report of: Assistant Director for Neighbourhood Services

Subject: PLANNING APPEAL AT 14 ELM GROVE
HARTLEPOOL TS26 8LZ

APPEAL REF: 6008410.

Change of use from residential dwelling (c3 use class) to supported living residential accommodation (c2 use class) for up to 5 children with learning difficulties and complex care needs, including garage conversion, car parking, single storey in-fill extension and canopy
H/2025/0256

1. Purpose of Report

1.1 To advise members of a planning appeal that has been submitted against Members' decision to refuse a planning application for the Change of use from residential dwelling (c3 use class) to supported living residential accommodation (c2 use class) for up to 5 children with learning difficulties and complex care needs, including garage conversion, car parking, single storey in-fill extension and canopy (H/2025/0256).

1.2 The planning application was refused on 18th February 2026 in the planning committee meeting of that date for the following reason:

1. In the opinion of the Local Planning Authority, the application site is not considered to be an appropriate or compatible location for the proposed use (as a supported living residential unit for 5 children and up to 12 day time staff and 5 night time staff) as the proposal would have the

potential to result in a significant detrimental impact on both the character of the surrounding area and neighbour amenity as a result of the proposed layout (including provision of a car park) and increase in activity and associated noise disturbance, in conflict with Policies QP4 and Policy RC21 of the Hartlepool Local Plan (2018) and paragraphs 135(f) and 198(a) of the NPPF (2024).

2. Recommendations

2.1 That Members note this report.

3. Contact Officers

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Planning Committee

17th June 2026

Report of: Assistant Director for Neighbourhood Services

Subject: PLANNING APPEAL AT 43 KILDALE GROVE,
HARTLEPOOL, TS25 2AG

APPEAL REF: 6003791.

Erection of a single storey roof structure outbuilding (retrospective).

H/2025/0359

1. Purpose of Report

- 1.1 To advise members of a planning appeal that has been determined in respect to the Local Planning Authority's decision to refuse a retrospective planning application for the erection of a single storey roof structure outbuilding (retrospective). (H/2025/0359).
- 1.2 The planning application was refused on 22nd December 2025 under delegated powers for the following reason:
In the opinion of the Local Planning Authority, the erected single storey structure to the front results in a visually intrusive and highly incongruous feature, to the detriment of the host dwelling and application site and the surrounding wider street scene of Kildale Grove, by virtue of its prominent siting, design, and scale. It is therefore considered that the development is contrary to Policy QP4 of the Hartlepool Local Plan (2018) and paragraphs 131, 135 and 139 of the NPPF (2024).
- 1.3 A copy of the Appeal Decision is appended at **Appendix 1**.

2. Recommendations

2.1. That Members note this report.

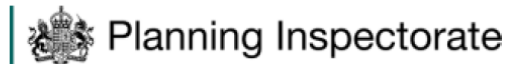
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Appendix 1.



Appeal Decision

Site visit made on 17 March 2026 by J Reed MPlan

Decision by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2026

Appeal Ref: 6003791

43 Kildale Grove, Seaton Carew, Hartlepool, Durham TS25 2AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Carl Jeffries against the decision of Hartlepool Borough Council.
- The application Ref is H/2025/0359.
- The development proposed is a single storey open sided roof structure outbuilding supported by Douglas fir timber posts, to provide shelter for vehicles.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. During my site visit, I observed a development which appeared the same as that shown on the application plans. I have therefore determined the appeal on the basis that planning permission is sought to retain the development that has been constructed.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and area.

Reasons for the Recommendation

5. The appeal dwelling is a two storey semi-detached property set within a wider residential housing estate of other residential dwellings. The area possesses a varied architectural character with properties of various heights and designs. The area does however possess a pleasant consistency of open frontages which contributes positively to the areas character and appearance.
6. The carport is situated to the front of the appeal dwelling and occupies a large portion of the frontage through both its depth and width. Whilst the carport is subservient in height to the main dwelling this does not mitigate its level of visibility due to its siting in its prominent front garden location. Overall, the carport represents a highly visible addition which disrupts the existing pattern and rhythm of the area where carports in front gardens are not part of the area's character.

<https://www.gov.uk/planning-inspectorate>

Appeal Decision 6003791

7. I acknowledge the appellant stating that its open sides make the structure more visually permeable as well as their choice of timber and use of artificial shrubbery to match the surrounding boundary treatments. However, regardless of this the materials do not match those of the appeal dwelling that the structure directly relates to which increases its prominence. I also note the appellant's reasoning that carports and pergolas are typical domestic structures and whilst this can be the case in certain settings there is nothing before me to demonstrate how this is the case for the surrounding area of the appeal site and in the absence of this precedent I do not consider carports to be a characteristic of the area. In any event even if this were the case as outlined above the carports materials, height and land take is harmful to the character and appearance of the host dwelling and the area.
8. I therefore conclude that due to its overall footprint, design and massing, the development causes significant harm to the character and appearance of the area and host dwelling. Thus, conflicting with Policy QP4 of the Hartlepool Local Plan (2018) and the National Planning Policy Framework. These both seeks amongst other things for development to be of an appropriate scale, design and appearance and respect the character of the surrounding area.

Other Matters

9. The appellant has outlined some benefits of the appeal proposal including but not limited to providing covered parking for their vehicle and allowing the appellant to stay dry whilst getting possessions out of their vehicle. However, these are personal benefits which do not outweigh the harm I have identified in regard to the main issue.
10. I note the appellant's case that the carport could provide an additional means of escape in the event of a fire. I am not aware of an existing problem in terms of fire safety at the appeal site, or of any requirements that the development should be permitted for this reason. Furthermore, I am not persuaded that this could not be achieved by means that do not harm the character and appearance of the host dwelling and area.
11. I have also had regard to the appellant's submission that there are no objections to the proposal. However, the absence of objections is a neutral factor in the balance and does not preclude a full and proper assessment of the planning merits of the case.

Conclusion and Recommendation

12. I have found that there would be significant harm to the character and appearance of the area and the host dwelling. The proposed development would therefore conflict with the development plan and there are no identified other considerations, including the National Planning Policy Framework, that outweigh this conflict.
13. For the reasons set out above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

<https://www.gov.uk/planning-inspectorate>

2

Appeal Decision 6003791

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Elaine Moulton

INSPECTOR

<https://www.gov.uk/planning-inspectorate>

3