

PLANNING COMMITTEE

AGENDA



Wednesday 5 September 2018

at 10.00am

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

MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Barclay, Belcher, Brown, Buchan, Cook, Fleming, James, Loynes, Morris and Vacancy

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. ITEMS REQUIRING DECISION

3.1 Planning Applications – *Assistant Director, Economic Growth and Regeneration*

1. H/2018/0290 Manor House Farm, Stockton Road, Newton Bewley (page 1)
2. H/2018/0228 27 Scarborough Street, Hartlepool (page 13)
3. H/2018/0054 17 Queensland Road, Hartlepool (page 23)

4. ITEMS FOR INFORMATION

- 4.1 Appeal at 4 Hawkrig Close, Hartlepool – *Assistant Director, Economic Growth and Regeneration*
- 4.2 Update on Current Complaints – *Assistant Director, Economic Growth and Regeneration*
- 4.3 Church Street Revival Project Update – *Assistant Director, Economic Growth and Regeneration*

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT



6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006

EXEMPT ITEMS

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

7. ITEMS REQUIRING DECISION

7.1 Enforcement Action – *Director of Regeneration and Neighbourhoods (paras 5 and 6)*

8. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

9. FOR INFORMATION

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

Any site visits approved by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on Wednesday 3 October 2018.





No: 1
Number: H/2018/0290
Applicant: MR A MOUTREY STOCKTON ROAD NEWTON
 BEWLEY BILLINGHAM TS22 5PQ
Agent: MR A MOUNTREY MANOR HOUSE FARM
 STOCKTON ROAD NEWTON BEWLEY BILLINGHAM
 TS22 5PQ
Date valid: 27/07/2018
Development: Retrospective application for conversion and alterations to
 former barn to create a single two storey dwelling
Location: MANOR HOUSE FARM STOCKTON ROAD NEWTON
 BEWLEY BILLINGHAM

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 planning applications associated with the site are considered relevant to the current application:

1.3 H/2011/0372 – Outline planning application with some matters reserved for residential development comprising the conversion of farm buildings to three dwellinghouses and the erection of a dwellinghouse, approved 20/10/11.

1.4 H/2015/0275 – Conversion and alterations/extension to former barn and milking parlour to create a single dwelling (Plot 2), approved 21/09/15.

1.5 H/2017/0533 – Retrospective application for conversion and alterations to former barn to create a single two-storey dwelling, refused 04/07/18.

1.6 The current application is a revised application following refusal of the most recent planning application referenced above, at the Planning Committee meeting of 04/07/18 for the following reason:

The proposed development would result in the loss of public open space in the form of the Newton Bewley Village Green, which would be detrimental to the visual amenities of the area and the recreational amenity of residents, contrary to Hartlepool Local Plan 2018 policies LS1, QP4 and NE6, as well as the objectives of the Hartlepool Rural Neighbourhood Plan, and the provisions of the NPPF.

PROPOSAL

1.7 The principle change proposed as part of this application compared with the application previously refused is that the red line boundary of the site has been revised and no longer includes any of the land designated as Village Green. The revised scheme has also omitted a porch entrance on the north elevation and footpath that encroached onto the Village Green.

1.8 The former barns on the application site are single storey with roof lights in each roof plane, and window and door openings in the west and south elevation, which front the internal courtyard within the site. The north and east elevations had no window or door openings.

1.9 Retrospective planning permission is sought to increase the height of the buildings and introduce three dormer windows to the north elevation, two dormer windows to the west elevation and one dormer window to the south elevation in order to form an additional storey. It is proposed to introduce five windows to the north elevation. A primarily glazed porch and two large glazed openings are proposed to the ground floor of the west elevation to provide the main access to the property. An existing door opening is to be replaced in the south elevation, while a door and window are to be introduced in the ground floor of the east elevation and two windows are to be introduced in the first floor of the east elevation.

1.10 The existing barn is constructed of brickwork with a natural slate roof; the proposed works include rendering the completed building and introducing a clay pantile roof to match the previously converted buildings to the south of the site. The resultant dwelling would have three bedrooms at first floor with living accommodation at ground floor.

1.11 Externally it is proposed to form a courtyard garden with parking spaces at the rear of the proposed dwelling.

SITE CONTEXT

1.12 The application site is an area of land and former barn buildings to the north east of Manor House Farm on the south side of the A689 in Newton Bewley. The former agricultural buildings are located to the south of the site and have been in a state of disrepair for some time with works having commenced following a previous grant of planning permission to convert the building to a single storey dwelling not having been completed. Since the submission of the previous application for a two-storey dwelling on the site works were undertaken to the buildings without the benefit of planning permission. The applicant has since ceased work on the buildings pending the outcome of this revised application.

1.13 The area of land to the front of the site is within the ownership of the applicant; however it is designated as Village Green. This area of open space no longer forms part of the red line boundary of the proposed development.

PUBLICITY

1.14 The application has been advertised by way of 13 neighbour letters, site notice and a press notice. To date, three responses of no objection have been received from neighbouring land users and the Parish Meeting, subject to no works or storage of equipment on the Village Green. Whilst these comments are noted, this is not a planning matter.

1.15 The period for publicity expires 21/08/18.

1.16 Copy Letters **A**

CONSULTATIONS

1.17 The following consultation replies have been received:

HBC Traffic and Transport – No comments received at the time of writing, however no objections were made to the previous application.

HBC Public Protection – I would have no objections to this application subject to the following condition:

Demolition or construction works and deliveries or dispatches shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

HBC Heritage & Countryside – No comments received at the time of writing, however no objections were made to the previous application.

HBC Engineering Consultancy – No comments received at the time of writing, however no objections were made to the previous application.

HBC Ecologist – I have no ecology concerns or requirements

I undertook a site visit on 03/10/2017 and spoke with the applicant, who showed me the barn to be converted. I assessed that the structure had negligible bat roost potential and do not require any bat surveys.

HBC Landscape – no comments received.

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.

Tees Archaeology – Thank you for the consultation on this application. This building was subject to historic building recording in 2011 (HER Event 837) and no further work is required.

Northumbrian Water – No comments received at the time of writing, however no objections were made to the previous application.

Hartlepool Water – No comments received.

PLANNING POLICY

National Planning Policy Framework (2018)

1.18 In July 2018 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 NPPF version. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. It defines the role of planning in achieving sustainable development under three topic heading – economic, social and environmental, each mutually dependent. There is a presumption in favour of sustainable development. It requires local planning authorities to approach development management decisions positively, utilising twelve ‘core principles’ that should underpin both plan-making and decision taking, these being; empowering local people to shape their surrounding, proactively drive and support economic development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being.

1.19 The following paragraphs in the NPPF are of relevance to this application:

Para	Subject
2	Introduction
7-10	Achieving Sustainable Development
11-12	The presumption in favour of sustainable development
38	Decision making
47	Determining applications
77-78	Rural housing
124	Achieving well-designed places
130	Achieving well-designed places
150	Planning for climate change
153	Planning for climate change

Hartlepool Local Plan 2018

1.20 The Council’s new Local Plan has now been adopted by full Council and has therefore replaced the former Local Plan 2006. The following policies are relevant to this application:

Policy	Subject
SUS1	Presumption in Favour of Sustainable Development
LS1	The Locational Strategy
QP1	Planning Obligations
QP3	Location, accessibility, highway safety and parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP6	Technical matters
NE6	Protection of Incidental Open Space
RUR1	Development in the Rural Area

HBC Planning Policy Comments

1.21 Planning Policy has no objections to the development as it is considered that it is in accordance with the relevant Local Plan policies. Consideration has also been given to the emerging Hartlepool Rural Neighbourhood Plan (RNP), particularly policies GEN1 and GEN2, and the development is considered to be in accordance with these too.

PLANNING CONSIDERATIONS

1.22 The main material planning considerations when considering this application are the principle of development, the impact on the amenity of neighbouring land users, the impact on the character and appearance of the area, the impact on the adjacent locally listed building, and the impact on highway safety and parking.

PRINCIPLE OF DEVELOPMENT

1.23 The application site is within the Development Limits of Newton Bewley and therefore the principle of an additional residential unit within the village is acceptable in relation to Local Plan Policies LS1 and RUR1. Following the revised red line boundary (to omit the adjacent Village Green), it is considered that the proposal would not adversely affect the character and function of the 'incidental open space' (in the form of Newton Bewley Village Green) as identified by Policy NE6. The proposal is also considered to be in general conformity with the emerging Hartlepool RNP. In addition, planning permission has previously been granted to convert the buildings to which this application relates to a single storey dwelling, as such the principle of a conversion has already been established as acceptable.

1.24 Local Plan Policy QP7 requires new development to ensure high level of energy efficiency. Given the proposals sought to make use of an existing former barn rather than an entirely new form of development, it would not be feasible to change the orientation of the building; rather the scheme's layout would be dictated by the existing site constraints. In addition, as the scheme is largely retrospective, it would be difficult to meet with the requirements of QP7 in this instance. Notwithstanding that, the scheme would need to comply with Building Regulations in terms of energy efficiency and although an enhancement on this is not possible, on balance the scheme would bring back into viable use a neglected building that has for a considerable period been detrimental to the visual amenities of the area, this in itself

would not outweigh the benefits of the scheme and is not therefore considered to warrant refusal of the application.

AMENITY OF NEIGHBOURING LAND USERS

1.25 The neighbouring properties to the north east of the application site are located approximately 17m away; this separation would mean there would not be a significantly detrimental impact in terms of loss of light as a result of the increase in height of the buildings. Manor House Farmhouse to the west is approximately 8m away from the proposed dwelling and has only secondary windows in its side elevation; accordingly it is not considered the increase in height of the building would be significantly detrimental in terms of loss of light.

1.26 The proposed development adjoins the building to the south that has been previously converted to a dwelling; however there would be a separation between the increased height of the building and principle windows in the neighbouring property of approximately 8m. This separation would be sufficient to avoid a significant loss of light to the neighbouring property as a result of the proposals.

1.27 The proposals include the introduction of two first floor windows within both the east and south elevations that would have the potential to overlook the neighbouring properties to the east and south. These windows each serve bedrooms; however they are secondary to additional windows in other elevations. The applicant has confirmed these windows would be opaque glazed and a condition to this effect is recommended to secure this and restrict the openings if the application were considered to be acceptable, to appropriately protect the privacy of those neighbours.

1.28 The proposals would see the introduction of windows along the west elevation serving principle rooms; these are opposite the side elevation of Manor House Farmhouse which contains secondary windows. The glazed entrance porch would be approximately 13m away, the dining room, kitchen and bedroom windows would be approximately 15m away. This separation is in excess of the minimum separation normally required between primary windows and a blank elevation in a neighbouring property of 10m, while the neighbouring property's side elevation is not blank the windows it contains do not serve primary habitable rooms and therefore it is not considered privacy would be so detrimentally affected to warrant refusal of the application.

1.29 Notwithstanding the above, a previous approval to convert the building to a dwelling could still be implemented as part of those works was commenced and therefore this arrangement could be achieved in any event. It is also considered the conversion of the buildings offer the opportunity for a sustainable reuse of an otherwise vacant building and this ought to be attributed weight in decision making.

1.30 The neighbouring properties opposite the site to the north are in excess of 50m away; accordingly the proposed development would not have any impact on the amenity of occupants in terms of loss of light or privacy.

1.31 Although the design proposals are considered acceptable in terms of their potential impact on the amenity of neighbouring occupiers, given the confined nature of the site it would be considered necessary to impose conditions on any approval to restrict permitted development rights for external alterations and boundary enclosures to ensure changes could not be made in future without the Local Planning Authority assessing their potential to affect amenity.

1.32 In addition to the design considerations above, the Council's Public Protection team have confirmed they have no objections to the proposed development subject to a standard condition regarding hours of construction, which could be duly imposed should the application be considered acceptable in other respects.

CHARACTER AND APPEARANCE OF AREA

1.33 The alterations proposed to the building to form a two storey dwelling are considered to be sympathetic in terms of design, scale and use of materials to the host building itself as well as the character and appearance of the wider street scene. In principle therefore, the physical alterations proposed to the building as part of the development are considered to be acceptable.

1.34 The Hartlepool Rural Neighbourhood Plan identifies that development should demonstrate "how the design helps to reinforce the existing streetscape or green public spaces by facing onto them". While the proposed dwelling abuts the Village Green to the front, and includes window openings looking out onto the open space, the main entrance is to the rear within the internal courtyard rather than to the front. This is to prevent any encroachment onto the Village Green and given the original farm building would have presented a blank elevation to the green, it is not considered this approach goes against the aims of the Rural Neighbourhood Plan and is an appropriate design in that context.

1.35 Overall, it is considered that the scheme would not be detrimental to the character and appearance of the area.

LOCALLY LISTED BUILDING

1.36 The farmhouse at Manor House Farm is locally listed and therefore a recognised heritage asset, accordingly the proposed development has the potential to impact the setting of the locally listed building. The farmhouse has historically been accompanied by agricultural buildings, the proposed alterations to the former barn would see it increase in height and introduce some domestic features to the building, such as dormer windows.

1.37 Notwithstanding the changes to the building proposed, the overall character of the group of buildings is not considered to be detrimentally altered. The farmhouse would retain its appearance as the more substantial building within a group of associated ancillary buildings. It is therefore considered that the setting of the heritage asset will not be significantly affected. At the time of writing comments have not been received from the Council's Heritage and Countryside Manager, however no objections were received in relation to the previous application with regards to the impact on the locally listed building and the design of the alterations necessary to

allow conversion are broadly similar to those proposed previously. The proposals are therefore considered acceptable in this respect.

HIGHWAY SAFETY & PARKING

1.38 The application site takes access from the A689, which runs through the centre of the village. The Council's Traffic and Transport team have indicated previously that they would not wish to see an intensification of the use of access points to the A689 in line with Local Plan policy QP3, however as the site has previously been used for agriculture they do not consider the dwelling proposed to be an intensification. Accordingly, the principle of using the existing access arrangements for the dwelling proposed is considered acceptable.

1.39 The proposals include two parking spaces within the curtilage of the dwelling, as such adequate parking provision is considered to have been made. The proposal is therefore acceptable in this respect.

OTHER PLANNING MATTERS + RESIDUAL MATTERS

1.40 There have been no objections raised by technical consultees with respect to drainage, public rights of way and archaeology, as such the proposals are considered acceptable in those terms. With respect to the comments from the parish meeting and neighbouring property regarding the village green, as set out above, the village green no longer forms part of the application red line boundary and any other matters such as storage of equipment or damage to the village green are not planning matters.

CONCLUSION

1.41 The proposed development would see the creation of a dwelling within the development limits of Newton Bewley, making sustainable re-use of a dilapidated former agricultural building. The use of the building as a dwelling would not detract from the amenity of neighbouring land users and would not be detrimental to highway safety.

1.42 The application is considered to be acceptable with respect to the above mentioned relevant material planning considerations and is considered to be in accordance with the adopted Hartlepool Local Plan 2018 and relevant paragraphs of the NPPF. The development is therefore recommended for approval subject to the relevant planning conditions set out below.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.43 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.44 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.

1.45 There are no Section 17 implications.

REASON FOR DECISION

1.46 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 planning conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following plans: drawing number 170901-03e (Proposed Ground Floor Plan), drawing number 170901-04d (Proposed First Floor Plan), drawing number 170901-05d (Proposed Roof Plan & Location Plan), drawing number 170901-06d (Proposed Elevations & Section) and drawing number 170901-07b (Proposed Block Plan), all received by the Local Planning Authority 26/07/18. For the avoidance of doubt.
3. Notwithstanding the submitted information and prior to the occupation of development, the 2no. windows to be installed within the first floor east elevation (serving 'Bedroom 2') and the 1no. dormer window (serving Bedroom 3'), 1no. first floor window (serving 'Bedroom 1') and 1no. roof light (serving the 'landing area') to be installed within the south elevation detailed on drawing numbers 170901-06d (Proposed Elevations & Section) and 170901-04d (Proposed First Floor Plan), received by the Local Planning Authority 26th July 2018 shall be obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale and shall be non-opening, and shall remain as such for lifetime of the development hereby approved unless an alternative scheme to protect the privacy of neighbouring occupiers is submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details and thereafter retained for the lifetime of the development.
In the interests of the privacy of neighbouring occupiers.
4. The external materials used for this development shall match those of the adjoining building to the south unless otherwise agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
5. Demolition or construction works and deliveries or dispatches shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of neighbouring occupiers.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
7. 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 outbuildings shall be erected without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
8. The residential curtilage of the dwelling hereby approved shall be limited to the area bounded in red on the submitted on Proposed Block Plan (drawing number 170901-07b), received by the Local Planning Authority 26/07/18.
For the avoidance of doubt.

BACKGROUND PAPERS

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

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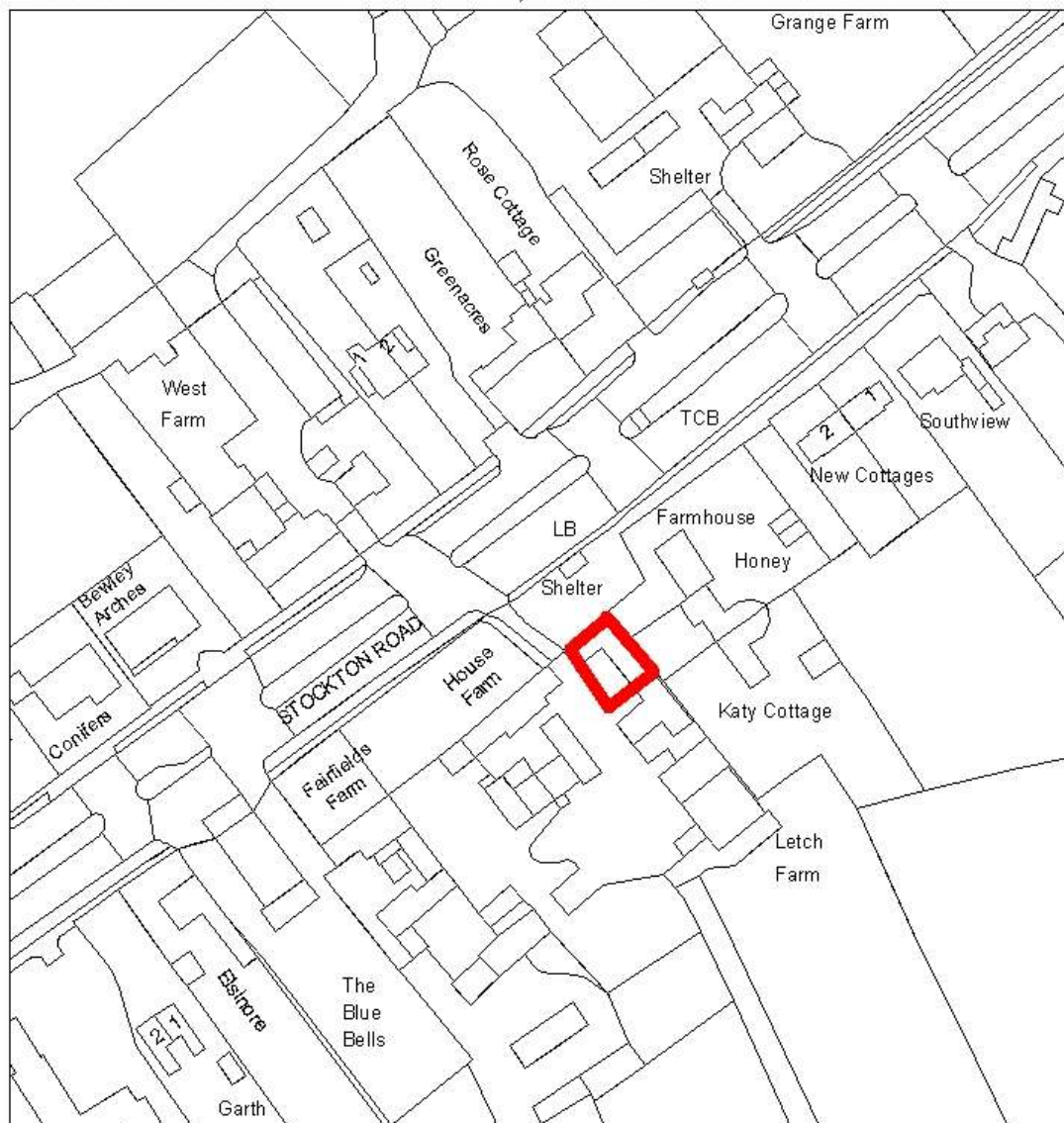
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MANOR HOUSE FARM, NEWTON BEWLEY



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 22/08/18
	SCALE 1:1250	
Regeneration and Neighbourhoods Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2018/0290	REV

No: 2
Number: H/2018/0228
Applicant: MR D DOBSON
Agent:
Date valid: 28/06/2018
Development: Retrospective application for installation of replacement door
Location: 27 SCARBOROUGH STREET, HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 There are no relevant planning applications associated with the site.

PROPOSAL

2.3 The application seeks retrospective permission for the installation of a replacement door to the front of the property. The former timber door to the property has been replaced with a composite door of a dark blue colour with white uPVC frame, the window above the door has been replaced with white uPVC cladding and timber boarding has been affixed to the side of the door frame. A decorative corbel detail alongside the doorway has also been removed.

2.4 The application has been brought to the planning committee in line with the Council's scheme of delegation having regard to the recommendation and the retrospective nature of the application.

SITE CONTEXT

2.5 The application site occupies a corner plot position to the north east of the junction between Scarborough Street and Exeter Street. The property is a two-storey end of terrace building currently in use as offices. The site is within the Church Street Conservation Area, the building to the west of the application site is locally listed.

PUBLICITY

2.6 The application has been advertised by way of four neighbour letters, site notice and a press notice. To date, no objections have been received from neighbouring land users.

2.7 The period for publicity expired 18/08/18.

CONSULTATIONS

2.8 The following consultation responses have been received:

HBC Heritage & Countryside (Conservation) – The application site is located in Church Street Conservation Area, a designated heritage asset.

Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (NPPF) goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 200, 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. 185 & 192, 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.'

Church Street Conservation Area comprises the former historic and commercial area of West Hartlepool. The buildings are generally of Victorian origin, though a number of buildings have had late Victorian or Edwardian alterations, particularly to the front elevations. The properties are usually three storey, though a handful are more, some buildings having additional attic accommodation with traditional gabled roof dormers for light and ventilation.

The building form and materials consist of pitched slate roofs, with chimney stacks and pots. The emphasis to the building is vertical given the traditional sliding sash windows and the shop fronts at street level. Elevations are brick finished or rendered and painted. Some later alterations particularly in the Edwardian period have added decorative features in the form of stucco render. Bay windows of the Victorian canted and the Edwardian square type have been added above shop fronts at the first floor, often replacing earlier sash windows.

The significance of the conservation area lies in the following values;

- * Aesthetic value derived from the architectural detailing within the area.
- * Historic value of the development of the Church Street area as one of the principal roads in the development of West Hartlepool, and

* Communal in the value provided by the meaning it has to residents of Hartlepool as the central area for industrial development in Hartlepool's heyday.

The conservation area is considered to be 'at risk' under the criteria used by Historic England to assess heritage at risk. This is due to the high number of vacant properties in the area and the loss of architectural detailing such as replacement, windows, doors and shop fronts.

Policy HE7 of the Local Plan sets out that the retention, protection and enhancement of heritage assets classified as 'at risk' is a priority for the Borough Council. Development of heritage assets which will positively conserve and enhance these assets removing them from being classified as at risk and addressing issues of neglect, decay or other threat will be supported.

The application is for a composite door to the property and the boarding over of a fanlight with sections of UPVC.

It is considered that the composite door has a smoother more regular surface finish and colour, and the ageing process differs significantly between composite material and painted timber. The former retains its regularity of form, colour and reflectivity with little change over time. Newly painted timber is likely to go through a wider range of change and appearance over time. A composite door differs significantly in appearance both at the outset and critically as it ages from one constructed in wood. For this reason the doors are not considered to be appropriate for use within the conservation area.

Further to this the use of UPVC cladding panels to block up the fanlight to the door. This crude solution has resulted in the loss of this feature which links the proportions of the door to the windows on either side.

It is considered that the proposal will cause less than substantial harm to the designated heritage asset. No information has been provided to demonstrate that this harm will be outweighed by the public benefits of the proposal.

Hartlepool Civic Society – The Society has studied the plans and we object to this application:

* The property is in a Conservation Area and the replacement should reflect the original – which is a wooden door with window above. This has now been substituted with a composite door and uPVC boarding in place of the window.

* The Heritage Statement shows that the applicant has no appreciation of the meaning of a Conservation Area - suggesting further plastic should be used because by default, another retrospective application had used plastic so this one should be 'in sync' with that.

* Furthermore, the Society is getting increasingly concerned with the number of retrospective applications, particularly in Conservation Areas which are being approved by the Planning Committee, despite not complying with the Conventions of applying to Conservation Areas and often against advice from the Council's own

officers. It seems applicants are ‘cottoning on’ to this and having work done and applying later (if discovered) – then citing examples of other poor planning decisions to condone their own poor quality works.

This is an enormous betrayal of those, recognising among other things the economic benefits heritage offers, are investing in their historic properties including the Borough Council (e.g. the Old General Post Office) which is in sight of this application.

The Council needs to tighten up adherence to the guidelines, or we are going to be left with a mish mash of a town.

PLANNING POLICY

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

National Planning Policy Framework (NPPF)

2.10 In July 2018 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 NPPF version. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. It defines the role of planning in achieving sustainable development under three topic heading – economic, social and environmental, each mutually dependent. There is a presumption in favour of sustainable development. It requires local planning authorities to approach development management decisions positively, utilising twelve ‘core principles’ that should underpin both plan-making and decision taking, these being; empowering local people to shape their surrounding, proactively drive and support economic development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being.

2.11 The following paragraphs in the NPPF are of relevance to this application:

Para	Subject
2	Primacy of the Development Plan
6	Contribution to the achievement of sustainable development
7	Three dimensions to sustainable development
9	Pursuing sustainable development
11	Planning law and development plan
12	Status of the development plan
13	The National Planning Policy Framework constitutes guidance
14	Presumption in favour of sustainable development
17	Role of the planning system

124	Well-designed places
130	Refusal of poor design
185	Positive strategy for the historic environment
196	Less than substantial harm

Hartlepool Local Plan 2018

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

Policy	Subject
SUS1	Presumption in Favour of Sustainable Development
LS1	The Locational Strategy
QP3	Location, accessibility, highway safety and parking
QP4	Layout and Design of Development
QP6	Technical matters
HE1	Heritage assets
HE3	Conservation areas

Planning Policy Comments (Summarised):

2.13 The development falls within a Conservation area, protected under policy HE3 which states that the distinctive character of the conservation area within the Borough will be conserved or enhanced. It is trusted that the Heritage and Countryside Manager will provide further information in relation to the heritage aspect of this application.

PLANNING CONSIDERATIONS

2.14 The main material planning considerations when considering this application are the impact on the character and appearance of the building and surrounding conservation area and the impact on the amenity of neighbouring land users.

IMPACT ON CHARACTER OF THE CONSERVATION AREA

2.15 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. 200). 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. 185 & 192).

2.16 Further to this, at a local level, 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.

2.17 As identified in the comments received from the Council's Heritage and Countryside Manager above, the Church Street Conservation Area derives its significance in part from the architectural detailing of buildings from the Victorian period and that the area is considered 'at risk' due to the loss of such details and their replacement with inappropriate modern alternatives.

2.18 Contrary to the suggestion of the applicant that the building offers no historic value, the applicant property occupies a prominent corner plot position with its principal entrance being located on the south west corner of the building and therefore highly visible from both Scarborough Street itself and Exeter Street to the south. The majority of the original timber shop front at ground floor level remains intact; however the works carried out in replacing the door includes the removal of a highly ornate decorative corbel detail, which is significant to the character of the building. There is also a Victorian cantered bay window at first floor level on the front (Scarborough Street) elevation of the building.

2.19 The centrally positioned door with window above reflected the proportions of the windows and other detailing to the building. By contrast, the door now in place with cladding above does not reflect the original proportions, creating a somewhat squat appearance to the door. The composite door and uPVC cladding are not materials that are in keeping with the character of the area or appearance of the building, being much more reflective than painted timber would be. The timber boarding that has been secured to the right hand side of the doorway is conspicuous due to the lack of finish to the material. If painted black to better reflect the appearance of the building, its harm could be reduced. This is not the case for the use of the white uPVC cladding.

2.20 The NPPF requires works that would result in less than substantial harm is supported by justification in terms of the public benefit that would outweigh that harm. The Council's Heritage and Countryside Manager has identified these works as being less than substantial harm. The supporting documentation provided as part of the application indicates that the door was replaced out of necessity in the interests of security, due to being damaged by a third party. This is noted, however there is no detail provided to indicate the level of damage caused, whether repair was possible and why a replacement timber door would not have been appropriate.

2.21 The loss of one of the decorative corbel details is regrettable as these are a notable feature of the building and no justification for the need for its removal or what public benefit there could be to justify these works has been provided by the applicant. This identified 'harm' would therefore warrant a refusal of the application.

AMENITY OF NEIGHBOURING OCCUPIERS

2.22 It is not considered that the works carried out have a significant negative impact on the privacy or light of neighbouring occupiers; however the works substantially detract from the visual amenities of the surrounding area to the detriment of the quality of place in the vicinity.

CONCLUSION

2.23 Whilst the circumstances surrounding the reason the door to the property has been replaced are noted, it is considered that the doorway, associated cladding and loss of the corbel detail cause less than substantial harm to the significance of the conservation area by virtue of the design, detailing and use of materials. Furthermore, insufficient information has been provided to demonstrate that this harm is outweighed by any public benefits. It is therefore considered the development detracts from the character and appearance of the Church Street Conservation Area, contrary to policies HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 124, 130, 185, 190, 192 and 200 of the National Planning Policy Framework 2018.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.24 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

2.26 There are no Section 17 implications.

REASON FOR DECISION

2.27 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, it is considered that the replacement door, uPVC cladding and timber boarding to front cause less than substantial harm to the designated heritage asset (Church Street Conservation Area) by virtue of the design, detailing and use of materials. It is considered that the works detract from the character and appearance of the designated heritage asset. It is further considered that there is insufficient information to suggest that this harm would be outweighed by any public benefits of the development. As such it is considered to be contrary to policies HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 124, 130, 185, 190, 192 and 200 of the National Planning Policy Framework 2018.

BACKGROUND PAPERS

2.28 Background papers used in the compilation of reports relating to planning items are available for inspection in Civic Centre, Victoria Road, Hartlepool during working

hours. Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet> except for such documents that contain exempt or confidential information and a paper copy of responses received through publicity are also available in the Members library.

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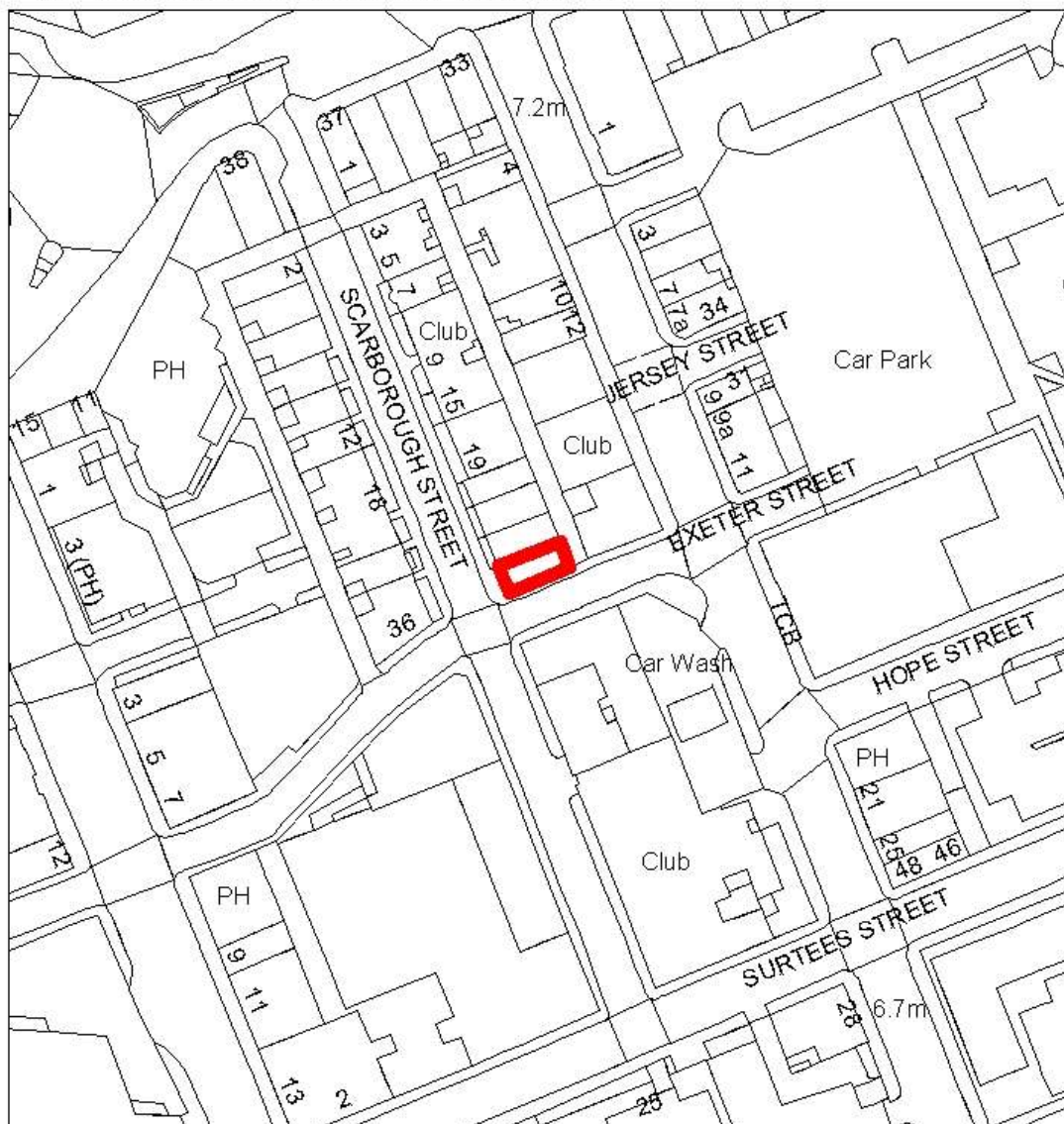
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27 SCARBOROUGH STREET



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

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HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 22/08/18
	SCALE 1:1000	
Regeneration and Neighbourhoods Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2018/0228	REV

No: 3
Number: H/2018/0054
Applicant: MRS D ROBINSON QUEENSLAND ROAD
HARTLEPOOL TS25 1NA
Agent: MRS D ROBINSON 17 QUEENSLAND ROAD
HARTLEPOOL TS25 1NA
Date valid: 27/04/2018
Development: Erection of boundary fence and pillars (retrospective application)
Location: 17 QUEENSLAND ROAD HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

3.2 The following planning history is considered to be relevant to the current application site;

3.3 H/2015/0539 – A planning application for the erection of a two storey extension at the side, a single storey extension at the rear and canopy to front elevation was withdrawn on 3rd February 2016.

3.4 H/2016/0059 – Planning permission was granted on 14th April 2016 for the erection of a two storey extension to the side, single storey extension to the front and single storey extension to the rear.

PROPOSAL

3.5 Retrospective planning permission is sought for the erection of a boundary fence and pillars. The boundary fence sits atop an existing low level boundary wall (approx. 0.73 metres high) and has a maximum height of approximately 1.93 metres from ground level. The fencing panels are interspersed by approx. 1.93 metre high brick pillars at approx. 2-3 metre intervals. The boundary fence encloses the private side and rear garden areas of the property and runs along the boundary with the adopted highway at Queensland Road to the south.

3.6 The fence currently extends eastward to sit flush with the front elevation of the existing extended dwellinghouse. However, following concerns raised by the Council's Highways, Traffic and Transport section with respect to the impact on visibility and highway safety and concerns raised by the case officer with respect to the visual impact of the fencing, the applicant has submitted amended plans for

approval to set the fence back from the front elevation of the dwellinghouse by approximately 4.3 metres.

3.7 The application has been referred to Planning Committee as more than 2 objections have been received.

SITE CONTEXT

3.8 The application site comprises an east facing, two storey dwellinghouse in a residential street at 17 Queensland Road. The property occupies a prominent corner plot at a bend in the road, opposite the junction with Ross Grove. The dwellinghouse originally formed part of a row of 4 semi-detached dwellings, however, as a result of two storey side extensions to 19 and 21 Queensland Road, the two blocks of semi detached houses have now joined and the row is now a terraced street in effect. To the north, the dwellinghouse is adjoined to 19 Queensland Road. To the west the property is bounded by a detached row of garages with 15 Queensland Road beyond. To the south and east of the property lies adopted highway with 1 Ross Grove and a playground/amenity open space beyond, respectively.

PUBLICITY

3.9 The application has been advertised by way of neighbour letters (2). To date, the following representations have been received;

3.10 4 objections with the following comments (summarised);

- Poor visibility around corner
- Detrimental impact on highway and pedestrian safety

3.11 3 letters of support with the following comments (summarised);

- No objection to fence
- Council should introduce speed bumps to road

3.12 1 letter of do not object has been received.

3.13 Copy Letters **B**

3.14 The period for publicity has expired.

CONSULTATIONS

3.15 The following consultation replies have been received:

HBC Traffic & Transport – The maximum boundary height should be no higher than 1.05m when it is located within a sight line, therefore the fence in its current form would need to be removed.

The fence restricts the sight lines coming out of the driveway of No.19 Queensland Road. From a position 2.4 metres back of the kerb the driver exiting the driveway should be able to see 43 metres to the left and right, this distance is based upon the values for stopping sight distance for a 30 mph speed limit. With the fence line in

position this distance is restricted to approximately 27 metres, well under the recommended minimum provision.

The forward visibility of traffic heading eastwards is also restricted, which can cause difficulties for vehicles turning into No.19's drive and also there would be visibility issues for pedestrians crossing the road.

I have already received several complaints about alleged near misses due to the restricted visibility.

Unfortunately I am unable to support this application and object on the grounds of highway safety.

UPDATE 20/08/18: I can confirm that I am happy with the proposed fence line.

A similar sight line is available when exiting the garages, traffic would also be on the opposite side of the road when approaching the garage access from around the bend, thus allowing a driver to edge out and leave the access safely.

HBC Property Services - 17 Queensland Road is Ex HBC.

PLANNING POLICY

3.16 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

3.17 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

HSG11: Extensions and alternations to Existing Dwellings

SUS1: The Presumption in Favour of Sustainable Development

National Policy

3.18 In July 2018 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 NPPF version. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. It defines the role of planning in achieving sustainable development under three topic heading – economic, social and environmental, each mutually dependent. There is a presumption in favour of sustainable development. It requires local

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

PARA002: Determine application in accordance with development plan
 PARA007-010: Achieving Sustainable Development
 PARA011-012: The Presumption in Favour of Sustainable Development
 PARA038: Decision Making
 PARA047: Determine applications in accordance with development plan
 PARA054-055: Planning conditions and obligations
 PARA109: Considering development proposals that impact highway safety
 PARA124 & 127: Achieving well-designed places
 PARA130: Refusal of poor design

PLANNING CONSIDERATIONS

3.19 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 visual amenity of the application site and the character and appearance of the surrounding area, the impact on the amenity and privacy of neighbouring land users and the impact on highway and pedestrian safety. These and all other planning and residual matters are considered in detail below.

PRINCIPLE OF DEVELOPMENT

3.20 The boundary enclosure to which this application relates has been erected for domestic purposes to enclose a private garden area within the curtilage of an existing residential dwellinghouse located in an established residential area. The principle of development is therefore considered to be acceptable subject to the provisions of policy HSG11 (Extensions and alterations to Existing Dwellings) of the Hartlepool Local Plan 2018.

3.21 Policy HSG11 stipulates that the Borough Council supports opportunities for homeowners to improve their homes provided the development is of a size, design and materials sympathetic to the existing dwelling, does not adversely affect the character of the surrounding area, does not significantly affect the amenities of the occupiers of adjacent or nearby properties and does not prejudice road safety, among other requirements. These provisions and all other planning and residual matters are considered in detail below.

VISUAL AMENITY OF THE APPLICATION SITE AND THE CHARACTER AND APPEARANCE OF THE SURROUNDING AREA

3.22 The property occupies a prominent corner plot on Queensland Road. The fencing to which this application relates sits atop an existing low boundary wall that encloses the site to the south, east and west and bounds the adopted highway along its southern boundary. The immediate area is characterised by mid-20th century semi-detached properties with low boundary walls and hedges to front and side garden areas. To the east, on the opposite side of the abovementioned amenity open space are the rear garden areas of the properties along Jutland Road, which are enclosed by approximately 1.8 metre high closed boarded fencing. It is also noted that the property on the opposite side of Queensland Road to the south at 1 Ross Grove features a higher than typical front/side boundary/wall fence comprising timber panels and a decorative trellis up to a height of approximately 1.6 metres.

3.23 The case officer has raised concerns with the applicant with respect to the visual impact of the boundary enclosure on the character of the surrounding area given the abovementioned low boundary front/side garden walls found at most properties in the immediate vicinity. The applicant has since proposed to pull the fence back from the front elevation of the existing dwellinghouse, primarily in response to highway safety concerns, which will remove part of the fence from above the low boundary wall and leave a portion of the side garden area unenclosed (save for the low boundary wall).

3.24 Whilst the case officer has initially requested that the fence be set in from the rear of the footpath along Queensland Road to reduce the visual impact and maintain the low boundary wall to the side, it is considered on balance, in view of the proposed amendments to the fence and taking into other high fences visible in the surrounding area, that the proposed amended fencing would not have a significant detrimental impact on the visual amenity of the application site or the character and appearance of the surrounding area, subject to the fence being stained a suitable colour to reduce its visual prominence. A planning condition is therefore recommended to ensure the extent of the fencing is reduced as above and the fence is stained a dark oak colour within an appropriate timescale, given the retrospective nature of the works.

3.25 It is therefore considered on balance that the development is acceptable with respect to the impact on the visual amenity of the application site and the character and appearance of the surrounding area, subject to the abovementioned planning condition, and in accordance with paragraphs 54, 124 and 127 of the NPPF (2018) and policies QP4 and HSG11 of the adopted Hartlepool Local Plan (2018).

AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

3.26 The boundary enclosure to which this application relates is located in a prominent location and as such is visible from neighbouring properties. However, the fence and pillars are located at a satisfactory minimum distance of approximately 13 metres from the nearest residential dwellings at 15 and 19 Queensland Road and as such, in view of the modest domestic size of the fencing and pillars, it is considered that there would be no appreciable impact on the amenity or privacy of neighbouring land users.

3.27 It is considered that the development is acceptable with respect to the impact on the amenity and privacy of neighbouring land users and in accordance with paragraph 127 of the NPPF (2018) and policies QP4 and HSG11 of the adopted Hartlepool Local Plan (2018).

HIGHWAY AND PEDESTRIAN SAFETY

3.28 The Council's Highways, Traffic and Transport section has been consulted on the application and had initially objected to the application, raising concerns with respect to the impact of the fencing and pillars on highway and pedestrian safety.

3.29 The fencing and pillars in its current form restricts the sight lines coming out of the driveway of 19 Queensland Road. The driver exiting the driveway should be able to see 43 metres to the left and right (this distance is based upon the values for stopping sight distance for a 30 mph speed limit). With the fence line in its current position, this distance is restricted to approximately 27 metres, well under the recommended minimum provision. Furthermore, the forward visibility of traffic heading eastwards is also restricted, which can cause difficulties for vehicles turning into the driveway at 19 Queensland Road, and there are also visibility issues for pedestrians crossing the road.

3.30 The Council's Highways, Traffic and Transport section has confirmed that several complaints have been received about alleged near misses due to the restricted visibility.

3.31 In view of this objection, the applicant has since submitted amended plans proposing that the easternmost south-facing timber fencing panel be removed, the pillar to the east of this be reduced to 1.07metres in height (in line with the existing low pillars to the front of the property) and the front (east) facing fence be set back 4.3 metres from the front of the existing dwellinghouse.

3.32 The Council's Highways, Traffic and Transport section has been re-consulted on the amended plans and has confirmed that the amended proposals are now acceptable with respect to the impact on highway and pedestrian safety. The application is therefore now considered to be acceptable in this respect, subject to a planning condition requiring that the works to the fence are carried out within 2 months of the decision being issued, which is recommended accordingly given the retrospective nature of the works.

RESIDUAL MATTERS

3.33 A letter of support has been received with comments suggesting that the Council should introduce speed bumps to the road. The Council's Highways, Traffic and Transport section is satisfied that the proposal as amended is now satisfactory with respect to the impact on highway and pedestrian safety and any traffic calming measures to Queensland Road are a separate matter for the Council's Highways, Traffic and Transport section's consideration, beyond the remit of the Local Planning Authority.

3.34 The Council's Property Services section has advised that the property is an ex-Council property and as such an informative note is recommended to be appended to the decision notice to make the applicant aware of this and to advise that they should contact the Council's Property Services section to determine whether any further consent is required, in addition to planning permission.

PLANNING BALANCE AND OVERALL CONCLUSION

3.35 The application is considered to be acceptable with respect to the abovementioned relevant material planning considerations and is considered to be in accordance with the relevant policies of the adopted Hartlepool Local Plan 2018 and the relevant paragraphs of the NPPF. The development is recommended for approval subject to the planning conditions set out below.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.36 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

3.37 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.

3.38 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION – APPROVE subject to the following conditions;

1. The development hereby approved shall be carried out in accordance with the following approved plan(s) and details; 'UK Planning Maps' plan (Scale 1:1250) received 12th April 2018 by the Local Planning Authority, and amended plans; 'Drawing 1 of 1' (proposed elevations) and 'UK Planning Maps' plan (Scale 1:500) received 9th August 2018 by the Local Planning Authority.
For the avoidance of doubt.
2. Notwithstanding the submitted details, and within two months from the date of the decision notice, the existing 1.93 metre high fence shall be set back a minimum of 4.3 metres from the front elevation of the dwellinghouse and the brick pillar situated in line with the front of the dwellinghouse shall be reduced to 1.07 metres in height, in accordance with the amended plan 'Drawing 1 of 1' (proposed elevations) received 9th August 2018 by the Local Planning Authority, and the fence and gate shall be stained a dark oak colour. The works shall be carried out to the satisfaction of the Local Planning Authority.

In the interests of visual amenity and to ensure a satisfactory form of development

BACKGROUND PAPERS

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

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17 QUEENSLAND ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 22/08/18
	SCALE 1:1000	
Regeneration and Neighbourhoods Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2018/0054	REV

POLICY NOTE

The following details a precis of the overarching policy documents (including relevant policies) 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 POLICIES

<https://www.hartlepool.gov.uk/localplan>

[https://www.hartlepool.gov.uk/downloads/file/4295/ex_hbc_156 -
_final local plan for adoption - may 2018](https://www.hartlepool.gov.uk/downloads/file/4295/ex_hbc_156_-_final_local_plan_for_adoption_-_may_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](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) 2018

[https://www.gov.uk/government/publications/national-planning-policy-
framework--2](https://www.gov.uk/government/publications/national-planning-policy-framework--2)

PLANNING COMMITTEE

5th September 2018



Report of: Assistant Director Economic Growth & Regeneration

Subject: APPEAL AT 4 HAWKRIDGE CLOSE, HARTLEPOOL,
TS26 8SA
APPEAL REF: APP/H0724/D/18/3201294
Erection of a single storey extension at the rear
(H/2018/0073)

1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been determined in respect of the decision of the Council to refuse planning permission for the erection of a single storey extension to the rear of 4 Hawkridge Close, Hartlepool.
- 1.2 The appeal decision was dismissed. A copy of the Inspector's decision letter is attached.

2. RECOMMENDATIONS

- 2.1 That Members note the outcome of this appeal.

3. CONTACT OFFICER

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Appeal Decision

Site visit made on 31 July 2018

by **Helen Cassini BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 August 2018

Appeal Ref: APP/H0724/D/18/3201294

4 HawkrIDGE Close, Hartlepool TS26 8SA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Morgan against the decision of Hartlepool Borough Council.
 - The application Ref: H/2018/0073, dated 26 February 2018, was refused by notice dated 20 April 2018.
 - The development proposed is a garden room extension to rear.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018 and replaces the first Framework published in March 2012. References to the Framework in this decision therefore reflect the revised Framework.
3. Planning appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's decision. In May 2018 Hartlepool Borough Council adopted the Hartlepool Local Plan Framework: Hartlepool Local Plan (the LP). As a result, policies from the Hartlepool Local Plan 2006 have been superseded by policies within the recently adopted LP. The principles of the relevant policies in both plans are essentially the same. However both the appellant and Council have been given the opportunity to comment on the implications of this in relation to the appeal before me. Accordingly, I am satisfied that neither party has been prejudiced.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupiers of 4 HawkrIDGE Close, with particular regard to the provision of outdoor amenity space.

Reasons

5. The appeal site is a two-storey, semi-detached dwelling located in a predominately residential area which has a quiet suburban character. The dwelling has a modest, well-tended rear garden, with a garage and outbuilding being located adjacent to the rear garden.

<https://www.gov.uk/planning-inspectorate>

Appeal Decision APP/H0724/D/18/3201294

6. The proposal consists of a single storey rear extension to provide a garden room for the current occupiers. From the submitted evidence, it is noted that the proposal would result in the loss of approximately 12.4 square metres of outdoor amenity space. The remaining outdoor amenity space would measure approximately 14.6 square metres.
7. Consequently, the remaining outdoor space would be extremely limited in size. Due to the scale of the dwelling, and its potential to accommodate a family unit, it is not considered that the remaining outdoor amenity space would provide a sufficient area for activities such as sitting out or informal play to take place comfortably.
8. The appellant has drawn my attention to neighbouring terraced dwellings which have modest back yards. Limited information has been provided relating to the particular circumstances of these developments. As such, a comparison is of limited relevance in this instance. Furthermore, the presence of nearby dwellings with limited outdoor amenity space does not justify the deficiency of provision of outdoor space in regard to the appeal site.
9. It is also noted that no objection to the proposal has been received from neighbouring occupiers. In addition, the personal circumstances of the appellant are acknowledged. Despite these factors, it is a function of the planning system to secure good living conditions for all existing and future occupants of dwellings. In this regard, for the reasons given, the proposal falls short of this goal.
10. Accordingly, the lack of adequate provision of outdoor amenity space would result in a poor quality living environment for the occupiers of 4 Hawkrig Close. This would be contrary to the protection of residential amenity objectives of Policy HSG 11 of the LP. The proposal would also run contrary to the Framework's core planning principle of seeking to secure a good standard of amenity for all occupants of land and buildings.

Conclusion

11. For the above reasons, and having regards to all matters raised, I conclude that the appeal should be dismissed.

Helen Cassini

INSPECTOR

PLANNING COMMITTEE

5 September 2018



Report of: Assistant Director (Economic Growth and Regeneration)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

1.1 To update members with regard to complaints that have been received and investigations that have been completed. Investigations have commenced in response to the following complaints:

1. An area of untidy land at a former allotments site in Bolton Grove.
2. Non-compliance with a condition relating to opening hours at a hot food takeaway in Northgate.
3. The erection of high fence at the front of a residential property in Shelley Grove.
4. The erection of a retaining wall and the raising of ground levels in the rear garden of a residential property in Grassholme Road.
5. The provision of outside seating at a restaurant/bar on Slake Terrace.
6. The change of use of a gym to a restaurant at a commercial premises in York Road.
7. The demolition of a former toilet block, the erection of steel palisade fencing, siting of a shipping container, change of use to building services offices and car sales, and the display of advertising signs including an illuminated sign to the front at a former toilet block site in Brenda Road.
8. Outside seating to the front and erection of fencing to the side of a commercial premises at Navigation Point.
9. The change of use from residential property to a car repair garage at a residential property in St Joan's Grove.
10. An area of untidy and overgrown land at the entrance to The Laurels.

11. The incorporation of agricultural land into residential curtilage at a residential property at Hillcrest Grove, Elwick Village.
12. The installation of children's play area at a sports field on Station Road, Greatham.
13. Running a furniture recycling business at a residential property in Station Lane.
14. Outside seating at two licensed premises at Navigation Point.
15. The display of advertising signs at a residential development site in Elwick Road.
16. Non-compliance with a condition relating to working hours at a residential development site in Buttercup Avenue.
17. Non-compliance with a condition relating to working hours at a school redevelopment site in Elwick Road.

1.2 Investigations have been completed as a result of the following complaints:

1. The erection of a timber fence at the rear of a residential property in Scott Grove. Permitted development rights applied in this case.
2. The erection of a timber outbuilding in the rear garden of a residential property in Millston Close. As a result of the helpful co-operation of the homeowner the height of the outbuilding has been reduced to within the relevant permitted development limit.
3. The raising of ground levels in the rear garden of a residential property in Pikeston Close. The works in this case were considered 'de-minis' and not to require planning permission.
4. Non-compliance with a condition relating to working hours at a housing development site at Tees Road. The site is now operating in accordance with the relevant condition.
5. Non-compliance with a condition relating to provision of offsite highway mitigation measures at a housing development site at land off Valley Drive. Work is now underway on the final element of the offsite highways mitigation works.
6. Change of use to a hot food takeaway at a commercial premises in Oxford Road. It was found that the premises was in operation as a shop (A1 use class), and therefore that no material change of use had occurred.
7. Change of use to a car repair garage at a residential property in Brecongill Close. No evidence of a material change of use could be established.

18.09.05 4.2 Planning Committee Complaints Update

8. Change of use to a car repair garage at a residential property in Wensleydale Street. No evidence of a material change of use could be established.
9. Change of use to a car repair garage at the rear of a residential property in Stockton Road. No evidence of a material change of use could be established.
10. The erection of a low timber fence to the front of a residential property in Wasdale Close. The timber fence has now been removed.
11. Erection of an extension at the rear of a commercial premises in Northgate. A retrospective planning application seeking to regularise the erection of the extension has since been approved.
12. The installation of replacement windows and removal of external render to the front of a residential property in York Place. A planning application for the erection of a single storey rear extension, installation of windows and door on front elevation, alterations to lead flashings, provision of render, alterations to surfacing at front and relocation of gas meter and provision of chimney pots has since been approved.
13. The conversion of a garage to a habitable room at a residential property in Hill View. The works consist of internal alterations only, planning permission is not required.
14. The installation of replacement windows to the front of a residential property in South Crescent. As result of advice received from the Council's Heritage and Countryside Manager it is considered that further action is not expedient in this case.
15. The paving of a front garden and the incorporation of land into curtilage at the rear at a residential property in Intrepid Close. Drainage has since been incorporated into the paved front garden; therefore this element the development now benefits from permitted development rights. The fencing at the rear has now been relocated to its original position and the land is no longer incorporated into residential curtilage.
16. The erection of a timber outbuilding in the rear garden of a residential property in Primrose Road. Permitted development rights applied in this case.
17. The erection of a timber outbuilding in the rear garden of a residential property in Stockton Road. The height of the outbuilding has now been reduced to below the maximum height allowed under permitted development rights.
18. The change of use to a bail hostel of a residential property in Maxwell Road. It was found that the proposed change had not yet occurred and that it will not now proceed.

19. A replacement roof on a conservatory causing overhanging on to neighbouring property at a residential property in Studland Drive. No breach of planning control could be identified.
20. The siting of a storage container and the proposed use of site for storage of construction equipment and materials at a former garages site at Ridlington Way. The storage container has now been removed and the land is no longer being used for the storage of construction equipment and materials.
21. The change of use of a shop to a mixed use shop/hotfood takeaway at a commercial premises in Wynyard Road. A planning application for the change of use has since been approved.

2. RECOMMENDATION

- 2.1 Members note this report.

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PLANNING COMMITTEE

5th September 2018



Report of: Assistant Director (Economic Growth and Regeneration)

Subject: CHURCH STREET REVIVAL PROJECT UPDATE

1. PURPOSE OF REPORT

- 1.1 The Heritage Lottery Fund have provided grant assistance to support a Townscape Heritage (TH) Scheme in Church Street Conservation Area. This report provides an update on the scheme.

2. BACKGROUND

- 2.2 In October 2017 the Heritage Lottery Fund (HLF) gave Hartlepool Borough Council's (HBC) permission to start the Townscape Heritage (TH) Scheme in Church Street Conservation Area. The award of grant from HLF followed an extensive project development phase, where the current condition of the area was studied in detail. The Church Street Conservation Area Appraisal and Management Plan was prepared as part of the development phase, this was reported to Planning Committee on 12th July 2017.

3. CHURCH STREET REVIVAL UPDATE

- 3.1 The Townscape Heritage Project Officer has been in post since March 2018 and has been progressing with project delivery. The main focus to date has been meeting with building owners and occupiers to discuss and develop potential grant schemes and evolving a detailed programme of activities.
- 3.2 *Grant Programmes* – Discussions are continuing with the owners of the two key buildings to progress with the grants available, these are two large scale projects where grant will be available on a conservation deficit basis. Following full building surveys being undertaken, these projects will be in a position to move forward to the application stage.
- 3.3 The focus of the other available grants is the lower end of Church Street, between Whitby Street and Mainsforth Terrace. This area is of the highest priority due to the high levels of vacancy and deteriorating condition of these buildings. Discussions are ongoing with potential applicants to progress with collating information for applications.

These are two separate grants which building owners are able to assess, the grant rates are as follows:

- Architectural Details Grant – 90% grant rate up to £10,000
- Building Grant – 75% grant rate up to £20,000

- 3.4 Appendix 1 details the key buildings and the priority area.
- 3.5 The recent provision of the Council's Compensation Grants has been a further opportunity to visit businesses in Church Street and Church Square and update them on what is happening within the area. These grants provide an option to businesses to apply for a small grant to repair and decorate the front elevations of their premises. The take up of these grants is being actively encouraged as it will have a positive impact on the wider conservation area and complement the works of the Townscape Heritage project.
- 3.6 *Activity Plan* – Works have been progressing on the activity plan with various partners, including the Northern School of Art (formerly Cleveland College of Art and Design), Hartlepool College of Further Education, Hartlepool Borough Council's Museums and Cultural Services. The next stage is to finalise the individual project briefs and start the procurement process. Outlined details of the proposed activities are as follows.
- 3.7 There will be a webpage for Church Street, this has been set up, the link is www.hartlepool.gov.uk/churchstreetrevival. This will be a point where all of the leaflets and films produced within the project can be accessed along with any research material. It will also provide updates on progress and details of how to get involved in the project.
- 3.8 A logo will be created for the scheme and this will be used to identify activities and works which are part of the TH Project. It is intended that this will be developed through a design competition for Northern School of Art (NSA) and Hartlepool College of Further Education (HCFE) students.
- 3.9 A pop-up information point (or points) dispensing information on the overall project, individual activities and how to get involved in the project. It is envisaged that the locations of information points will change over the duration of the project.
- 3.10 Guidance will be produced for owners of buildings in the area detailing appropriate materials and building techniques used on historic property. Workshops will be held, potentially in partnership with HCFE, to provide an opportunity to learn traditional skills to assist with understanding maintenance needs of buildings.
- 3.11 The area of Church Street rapidly developed and evidence of this can be found in historic maps. Volunteers will participate in workshops held in the library investigating the changes in the topography of the town. There will then be an opportunity to compare these to maps of today working with an illustrator to create maps of Church Street.

- 3.12 A building recording project will be carried out. This will be an opportunity for volunteers to attend a workshop and learn about building recording then spend time in the conservation area recording structures with the information collated and published in a booklet. This project will link into Heritage at Risk surveys of the fabric of properties at the beginning and end of the project in order to measure the change in the street. The older generation have lived through rapid change in Church Street, particularly the shift of the shopping district and the decline of the industry in the area. It is proposed that an oral history project is carried out with volunteers trained to record the memories of residents and people who worked in the area, particularly focusing on the railways and docks.
- 3.13 Closed buildings; where shop shutters are permanently closed or buildings shrouded in hoardings these will be used as a canvas to display information through artwork about the heritage of the building or the wider street.
- 3.14 Empty buildings; given the number of vacant buildings and the challenges that face owners it is proposed that a project is held that focuses on these properties. Participants will be invited to research the buildings and consider what new uses they could be put to. This project will be aimed at education establishments in the area of all ages along with voluntary groups in order to compare different generation's solutions for buildings.
- 3.15 The changing street will be recorded by volunteers using, drawing, photography and film. This information will be used throughout the project, for example posted on the webpage or on buildings.
- 3.16 An education programme will be developed with three local primary schools.
- 3.17 Occupy the Shop; a project will potentially involve students of NSA running short projects in vacant premises delivering activities to raise awareness of the heritage of the area.
- 3.18 Celebrate the Heritage; at the end of the project an event will be held. This will bring together the information collated over the life time of the project and present it in a format that is accessible. A narrative will be developed outlining the growth of Hartlepool. Characters will be created from research carried out over the project into buildings and their occupants and drawing on oral histories. Visitors would be able to see these characters at individual properties, find out about the history of the buildings and the people who occupied them.
- 3.19 *Public Realm* – Works to Church Square are ongoing and due to be completed in the autumn. These works are part funded through the Heritage Lottery Fund. Upon completion Church Square will be fully pedestrianised.
- 3.20 The public realm works to Church Street are nearing completion, the street furniture and snagging is still to be completed. The works have been substantial and the positive impact on the conservation area is now evident,

the street feels more open and less cluttered providing a much improved setting to the heritage assets in the area.

- 3.21 As part of the Townscape Heritage Scheme an enforcement strategy will be developed and published at the end of the project in line with the Church Street Conservation Area Appraisal and Management Plan to provide clear guidance on action that will be taken to protect investment in the area including when the Council will step in and use available powers. This will:
- encourage future works to respect the character of the area,
 - show support for those existing owners who have carried out appropriate works to repair and restore their buildings,
 - support the investment undertaken in the regeneration of the conservation area and Innovation and Skills Quarter,
 - allow those buildings which have not been targeted as part of the project to follow suit and carry out alterations in a speedy manor as required standards of development are clear , and
 - create a situation which will be conducive to future investment in the area.
- 3.22 In advance of this the TH Project Officer has been working with the Planning Enforcement Officer to identify unauthorised, inappropriate development and poor design within the Conservation Area with a view to address these through potential support available as part of the scheme and the progression of enforcement action where appropriate.
- 3.23 All of the works completed through the Townscape Heritage Project will complement the wider regeneration of the area with the aim of enhancing the Conservation Area and addressing the main reasons that is currently considered as ‘at risk’.
- 3.24 *TH Monitoring & Advisory Group* – Following approval at the June Regeneration and Services Committee, the Townscape Heritage Monitoring and Advisory Group is due to meet for its first meeting in early September. The group comprising of representatives from Hartlepool Borough Council, the Northern School of Art, and Hartlepool College of Further Education will be joined by representatives from the Civic Society and once former the Church Street Business Association. The purpose of the group is to oversee the progress of the TH Project.

4. RISK IMPLICATIONS

- 4.1 The report presents an update on the project. The Townscape Heritage Project has set outcomes which must be met in order to meet the requirements of the Heritage Lottery Fund investment. This includes protecting their investment during and beyond the delivery of the project.

5. FINANCIAL CONSIDERATIONS

- 5.1 The project is monitored quarterly by the Heritage Lottery Fund with payments made retrospectively.

6. LEGAL CONSIDERATIONS

- 6.1 An offer letter is in place setting the delivery terms of the Townscape Heritage Project. Third party grants through the project will also be subject to legal agreements with successful applicants.

7. EQUALITY AND DIVERSITY CONSIDERATIONS (IMPACT ASSESSMENT FORM TO BE COMPLETED AS APPROPRIATE.)

- 7.1 None.

8. STAFF CONSIDERATIONS

- 8.1 None.

9. ASSET MANAGEMENT CONSIDERATIONS

- 9.1 None

10. RECOMMENDATIONS

- 10.1 That members note the report.

11. REASONS FOR RECOMMENDATIONS

- 11.1 To inform members of the progress made on the Townscape Heritage Project.

12. BACKGROUND PAPERS

- 12.1 Relevant appendices are attached.

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Appendix 1

