



Planning Committee

Agenda

9th September 2026

Time: 10:00 am

Location: Council Chamber

Members: Planning Committee

Councillors Anderson, Cowie, Dunbar, Feeney, Gaiety (VC), Jorgeson, Oliver, Roy, 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 12th August 2026.

4. Items Requiring Decision

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

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|----|-------------|--|
| 1. | H/2025/0131 | Land to the East, South and West of Greatham Works, Tees Road, Hartlepool (page 1) |
| 2. | H/2026/0134 | Land South of Elwick Road, High Tunstall, Hartlepool (page 83) |

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.



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|----|-------------|--|
| 3. | H/2025/0346 | Land South of Elwick Road, High Tunstall, Hartlepool (page 132) |
| 4. | H/2026/0094 | Seaton Carew FC, Hornby Park, Elizabeth Way, Hartlepool (page 182) |

5. Items for Information

5.1 None.

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 on Wednesday 7th October 2026.

Date of next meeting – Wednesday 7th October 2026 at 10:00 am in the Civic Centre, Hartlepool.



Hartlepool
Borough Council

Planning Committee

Minutes and Decision Record

12th August 2026

Meeting commenced

Time: 10:00 am

Location: Council Chamber, Civic Centre, Hartlepool

Present:

Councillor: Mike Young (In the Chair)

Councillors: Nick Anderson, Martin Dunbar, Scott Gaiety (VC), Graham Harrison, Michael Jorgeson, Aaron Roy, Carole Thompson, Christine Wiley

Also present: In accordance with Council Procedure Rule 4.2, Councillor Graham Harrison attended as substitute for Councillor Brian Cowie and Councillor Philip Holbrook attended as substitute for Councillor Karen Oliver

Councillor Amanda Napper

Officers: Scott Parkes, Assistant Director (Neighbourhood Services)
Sylvia Pinkney, Assistant Director (Regulatory Services)
Jim Ferguson, Planning and Development Manager
Daniel James, Planning (DC) Team Leader
Stephanie Bell, Senior Planning Officer
Scott Watson, Arboricultural Officer
Chris Cunningham, Planning Solicitor
Claire Mcpartlin, Democratic Services and Legal Support Officer

14. Apologies for Absence

Councillors Brian Cowie, Tom Feeney and Karen Oliver.

15. Declarations of Interest

Councillor Dunbar declared a personal interest in planning application H/2025/0160 (High Tunstall College of Science). He retained an open mind on the application.

16. Confirmation of the minutes of the meeting held on 16th July 2026

Councillor Jorgeson proposed the approval of the previous minutes; this was seconded by Councillor Gaiety.

Decision: Minutes Approved

17. Planning Applications *(Director of Neighbourhood and Regulatory Services)*

Number: H/2025/0160

Applicant: MR MARK TILLING ELWICK ROAD HARTLEPOOL TS26 0LQ

Agent: GOVERNING BODY OF HIGH TUNSTALL COLLEGE OF SCIENCE LIMITED MR MARK TILLING HIGH TUNSTALL COLLEGE OF SCIENCE ELWICK ROAD HARTLEPOOL TS26 0LQ

Date received: 10/06/2025

Development: Construction of a multi-use sports area comprising a 200m athletics track with 100m sprint straight, high jump area, long jump landing pit, shot put circle. Installation of 2no. basketball courts and a hockey 'fives' pitch with erection of 1.2m pedestrian fencing around hockey pitch and floodlighting to all areas. Construction of access pathway from the school yard to the start of the proposed 100m sprint straight.

Location: HIGH TUNSTALL COLLEGE OF SCIENCE ELWICK ROAD HARTLEPOOL

The Senior Planning Officer outlined the application. It was the officer recommendation to approve the application subject to the consideration by officers of any responses received following the expiry of the outstanding consultation period (12/08/2026) and subject to conditions set out in the report.

The Applicant was in attendance at the meeting and addressed the Committee seeking support of the application. The facilities proposed where

not available at the school and would transform the opportunities available to young people and invest in their aspirations and health and wellbeing. This enhancement to the sports campus would move the running track further away from the housing in the area. The flood lighting was specifically designed downward to avoid unnecessary glare. The primary use for the facilities was education; however, they would also support health and wellbeing across the town. High Tunstall College of Science had an agreement in place with the Local Authority around community use, this would be updated to include this facility. The proposed facilities would not just benefit the students at High Tunstall College of Science but would benefit thousands of young people for years to come.

Following a question from a Member, the Applicant confirmed they were happy with the conditions set out by Sport England as detailed within the report.

There were no Objectors present at the meeting therefore no representation was made.

A Member commented on the benefits these facilities would provide young people in particular those who had an interest in athletics.

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

The application was approved unanimously.

Decision: Planning Permission Approved subject to the consideration by officers of any responses received following the expiry of the outstanding consultation period (12/08/2026) and subject to the conditions below:

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following plans and details:
Dwg. No. 24-0113-05P Rev 01 (Development Layout),
Dwg. No. 24-0113-07P Rev 01 (Elevations),
received by the Local Planning Authority on 12th May 2025;

Dwg. No. 24-0113-06P Rev 06 (Biodiversity Net Gain Plan) received by the Local Planning Authority on 28th July 2026;

Dwg. No. 24-0113-01P Rev 04a (Site Location Plan, at a scale of 1:1250), and Dwg. No. 24-0113-02P Rev 5a (Proposed Site Plan, at a scale of 1:1250), received by the Local Planning Authority on 29th July 2026.

For the avoidance of doubt.

3. Notwithstanding the submitted information and prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of all structures to be erected, surfaces to be installed and any proposed mounding and/or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details. To take into account the position of the buildings and impact on adjacent land, in accordance with Policies QP4 and LS1 of the Hartlepool Local Plan (2018).
4. Notwithstanding the submitted details, prior to the commencement of development (excluding any demolition or site clearance), a detailed scheme for the disposal of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details. To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.
5. No development 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 Biodiversity Statement & Metric Assessment (by Middlemarch, report reference RT-MME-180463-RevA, dated March 2026 and received by the Local Planning Authority on 2nd April 2026) and as illustrated on Dwg. No. 24-0113-06P Rev 06 (Biodiversity Net Gain Plan, received by the Local Planning Authority on 28th July 2026) 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 Biodiversity Net Gain Assessment;
 - the provision of arrangements to secure the delivery of the net gain proposed in the Biodiversity Net Gain Assessment (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 Biodiversity Net Gain

Assessment 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).

6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction ecological 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.

7. No development shall commence on the existing cricket wicket and outfield until details of the design, location and specification of the relocated artificial cricket wicket have been submitted to and approved in writing by the Local Planning Authority, in consultation with Sport England. Thereafter, the artificial grass wicket shall not be constructed other than in accordance with the approved details.
To ensure the development is fit for purpose and sustainable and to accord with Hartlepool Local Plan Policy NE5.
8. Notwithstanding the proposals detailed in the submitted plans and prior to the implementation of such works on site, 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, finishes and fixings. The scheme shall be completed in accordance with the agreed details prior to the first use or completion of the development hereby approved (whichever is the sooner).

To enable the local planning authority to control details of the proposed development, in the interests of visual amenity of the area.

9. Notwithstanding the submitted information and prior to installation of any external lighting (including the floodlights), details of the height, type, position, angle and spread of any external lighting, finishing colour, provision of louvres/backshields and any lighting control to minimise any glare shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall take also account of the measures detailed in the document 'Lighting Strategy Review for Bats' (reference RT-MME-184666, dated May 2026 and received by the Local Planning Authority on 25/06/2026) and the scheme shall, where achievable. The external lighting shall thereafter be erected and maintained in accordance with the approved details.

To ensure a satisfactory form of development, in the interests of the amenities of the area and in the interests of ecology.

10. Notwithstanding the submitted information and prior to the commencement of development above ground level, details of all external finishing materials and means of enclosure for the development hereby approved shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of visual amenity.

11. Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy NE5 of the Hartlepool Local Plan (2018).

12. In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and the Local Planning Authority shall be notified in writing within 48 hours of the discovery of any unexpected contamination. An investigation and risk assessment shall be undertaken to

the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

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.

13. The multi-use sports facilities hereby approved, comprising the 200m athletics track, 100m sprint straight, high jump area, long jump landing pit, shot put circle, basketball courts, hockey 'fives' pitch and associated access paths and ancillary facilities, shall not be used by the education facility, community groups or any other persons outside the hours of 09:00 and 21:00 on any day of the week. The floodlighting hereby approved shall be switched off and shall not be operated outside these hours on any day of the week.

To safeguard the amenities of the occupiers of neighbouring residential properties from noise, disturbance and light pollution associated with the use of the development.

14. The working hours for all construction activities (and associated deliveries and collections) 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.

In the interests of the amenities of the area.

Members considered representations in respect to this matter.

Number: H/2026/0144

Applicant: MRS ANGELA BOALER HIGHGATE MEADOWS
DALTON PIERCY HARTLEPOOL TS27 3BZ

Agent: DNS DESIGNS LTD MR DENIS NOBLE UNIT 26, THE
BIS 13-17 WHITBY STREET HARTLEPOOL TS24 7AD

Date received: 28/05/2026

Development: Erection of detached summer house within rear garden
(retrospective)

Location: 26 HIGHGATE MEADOWS DALTON PIERCY
HARTLEPOOL

The Senior Planning Officer outlined the application. The application was seeking retrospective approval for the erection of a detached summer house within the rear garden of the property. It was the officer recommendation to approve the application subject to the planning conditions set out in the report.

A Member raised a query in relation to the 15-meter buffer detailed in the report under consultation with the Arboricultural Officer. In response, the Planning (DC) Team Leader advised the original estate had been approved approximately 10 years ago and the 15m 'buffer' to the woodland was agreed at the time to be made up of 10-meter buffer from fence to the edge of woodland and a 5-meter 'no build' area within the dwelling gardens with associated permitted development rights for outbuildings being removed by way of a planning condition.

The Agent was present at the meeting but provided no further representation.

There were no Objectors present at the meeting therefore no representation was made.

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

The application was approved by majority.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. Within a period of 2 months from date of this decision notice, a 2 metres high (from the given ground level) closed boarded fence (or such provision shall be made to increase the height of the existing boundary fence to 2 metres in height from the given ground level) shall be erected along the full length of the shared boundary with 25 Highgate Meadows (south) as annotated on plan DWG NO. PBP Revision 1 (Proposed Block Plan, date received by the Local Planning Authority 24/07/2026) and thereafter retained for the lifetime of the development hereby approved.

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

2. The development hereby approved shall be in accordance with the following plans and details; DWG. NO PFP (Proposed Floor Plan (Retrospective)), DWG. NO. PELV (Proposed Elevations (Retrospective)) date received by the Local Planning Authority 13/05/2026; DWG. NO PLP (Proposed Location Plan) date received by the Local Planning Authority 28/05/2026; and DWG NO. PBP Revision 1 (Proposed Block Plan) date received by the Local Planning Authority 24/07/2026.

To define the permission.

3. The single storey outbuilding hereby approved shall only be used for purposes incidental to the use of the dwellinghouse at No. 26 Highgate Meadows and for no other purpose.

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

Members considered representations in respect to this matter.

18. Recorded Votes (*Director of Legal, Governance and HR*)

The Planning Solicitor provided an overview of the potential changes to the voting arrangements for Planning Committee. Planning Committee voted by show of hands, however, if agreed to move to recorded votes, this would be referred to Constitution Committee for consideration.

The Chair felt that voting by show of hands was the quickest and most efficient way of voting, in particular, on occasions when there were several planning applications to be considered. It was noted that a recorded vote could be proposed for individual items if show of hands voting continued.

It was noted that several Members felt recorded votes would be crucial in terms of transparency to allow Hartlepool constituents to know how Members had voted.

It was agreed by majority by show of hands that voting would continue as show of hands.

Decision

- i) Planning Committee would continue to use the show of hands voting arrangement.

19. Update on Planning Appeals *(Assistant Director, Neighbourhood Services)*

The Planning (DC) Team Leader provided an update on Planning Appeals namely receipt of a new planning appeal concerning a digital advert that had been refused under delegated powers.

Decision

- i) That the report be noted by Members.

The meeting concluded at:

Time: 10:30 am

CHAIRMAN

No: 1.
Number: H/2025/0131
Applicant: ENVIRONMENT AGENCY SKINNERBURN ROAD
 NEWCASTLE BUSINESS PARK NEWCASTLE UPON
 TYNE NE4 7AR
Agent: OVE ARUP AND PARTNERS LIMITED PAUL SWIFT 78
 EAST STREET LEEDS LS9 8EE
Date valid: 18/07/2025
Development: Engineering operations to re-align Greenabella
 embankment to the River Tees, construction of new
 embankment together with reconstruction of embankment
 bordering the Brinefields (Greatham Creek embankment),
 upgrades to existing drainage outlets, the formation of a
 surfaced way to facilitate the permanent diversion of a
 Public Right of Way, the erection of 1 bird hide, 1 bird
 screen and 3 interpretation boards, associated
 landscaping, and the provision of temporary construction
 facilities including a means of vehicular access.
Location: LAND TO THE EAST, SOUTH AND WEST OF
 GREATHAM WORKS TEES ROAD HARTLEPOOL

PURPOSE OF REPORT

1.1 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

1.2 The following planning history is relevant to the application site and its immediate surroundings:

H/2011/0643 - Formation of realigned flood defence embankment, creation of a tidal habitat area and associated works. Approved 05/03/2012

H/2016/0259 - (Part located in) Improvement of flood defence embankment and associated works including use of land for temporary construction compounds Approved 16/07/2016.

H/2018/0088 - Creation of Marshland Habitat comprising engineering works including breach of existing creek embankment, regrading of land, construction of bunds, access track and associated works. Approved 12/06/2018.

H/2023/0128 - Scoping opinion in respect of Greatham Northeast Flood Alleviation Scheme. Scoping Opinion Issued 13/06/2023.

PROPOSAL

1.3 The application seeks planning permission to realign Greatham Creek and Greenabella Embankment (also known as 'Greatham North East') adjacent to the River Tees.

1.4 The proposed development forms part of the Tees Tidal Flood Risk Management Strategy by the Environment Agency (the applicant). The strategy seeks to deliver essential flood risk infrastructure throughout the Tees Estuary by raising, improvement and realignment of existing flood defences to reduce the risk of tidal flooding. The development includes breaching and re-aligning the Greenabella embankment, reprofiling and increasing the crest level of the existing Greatham Creek embankment and associated excavation works.

1.5 Given the nature of the works and the sensitivity of potential environmental receptors, the development is therefore a Schedule 2 development of the *Town and Country Planning (Environmental Impact Assessment) Regulations 2017* (as amended). The application has been accompanied by an Environmental Statement, which includes the 'scoped in' topics as set out within the Scoping Opinion (H/2023/0128) issued by the Local Planning Authority (LPA).

1.6 The proposed development seeks to improve flood resilience through enhancement of the existing embankments, creation of new intertidal habitat and managed realignment within the Greenabella Marsh area.

1.7 The development consists of the following works within each zone:

Zone 1 – Realignment and Breach of Greenabella Embankment

- Three evenly spaced breaches (each approximately 42 metres wide) to be made in the existing Greenabella Sea Wall adjacent to the River Tees, enabling the formation of intertidal habitats between the current and newly proposed embankments. Constructed to a design height of approximately 5.55 metres, intended to connect seamlessly with both the northern and southern extents of the current embankment.
- A new embankment to be constructed along a revised alignment, serving as the primary flood defence.
- Maintenance access would be retained via the existing emergency track
- Freshwater drainage outlets incorporated.

1.8 In terms of appearance, the proposed embankment would feature:

- A grass-covered surface on the dry (landward) side,
- An aggregate surface dressing for structural stability,
- Rock armour protection on the wet (seaward) side to resist tidal forces, and
- A clay core to ensure integrity and flood resilience.

Zone 2 – Greatham Creek Embankment

- The existing embankment is to be reprofiled and its crest level raised, with additional rock armour installed to mitigate underwater soil erosion and to a design height of approximately 4.95 metres. The crest would be surfaced with aggregate, specifically crushed slag material recycled from the existing embankment.
- The regulated tidal exchange (RTE) structure is to be replaced.
- Pipework crossing the bridge will be modified to accommodate the embankment's new profile and ensure integration with existing infrastructure.
- A new maintenance access route is to be provided, linking to the A178.

Zone 3 – Southern Section of Greenabella Embankment

- Works to be divided into three sub-areas: the tie-in with Zone 1, a restricted vibratory works zone (due to nearby pipelines), and the tie-in with Zone 2.
- In the restricted vibratory zone and Zone 2 tie-in, existing rock armour is to be removed from the wet face of the embankment and replaced to meet long-term flood protection objectives.
- The tie-in with Zone 1 involves a two-layer rock armour transition to match the profiles of Zone 3 and the southern breach area of Zone 1.

Zone 4 – Marsh House Farm Borrow Pits

- Temporary borrow pits to be excavated to source clay for embankment construction and repair. Areas to be reshaped and landscaped post-construction to deliver lasting environmental benefits.
- A saline lagoon would be created to support the realignment of the Greatham North Creek area.
- A permanent diversion of the Public Right of Way, rerouting from Marsh House Lane to a path around the new saline lagoon.
- Temporary compounds and storage areas to be established at Tees Road and Marsh House Farm to support construction activities.

Other proposed works:

Permanent Diversion of Public Rights of Way

- The existing Public Right of Way (PRoW), parallel from Marsh House Lane (west) to Tees Road (east), is to be permanently realigned.
- Proposed new route to follow the top of the Greatham North embankment, situated between the King Charles III England Coast Path (that is to remain unaffected and would be protected during construction works). The new alignment would connect with the existing PRoW leading to Greatham and would form part of the Tees Tidelands footpath. The proposal would include the erection of a 1.4-metre-high timber post and rail fence adjacent to this stretch of path.

Temporary Construction and Storage Compounds

- Temporary compounds to be provided for welfare facilities and secure storage over 3 areas: 1) Venator, north of Marsh House Farm, and 2) two sites adjacent

to the A178. Phased development is proposed to take place over approximately 28 months and such structures are to be removed upon completion.

Temporary Access Tracks

- Access to the site would be primarily via a number of existing tracks, including those from Marsh House Lane and Tees Road. Maintenance access to the current Greenabella embankment is to continue to be provided through the existing emergency access track located off Tees Road.
- A temporary haulage route is to be established in the Greatham North area. This route would also serve as a diversion for the existing Public Right of Way.
- A new temporary access road to be constructed to connect with the A178
- Several pedestrian pathways are to be introduced to integrate with emergency access tracks, existing roads, and newly constructed haulage routes to support both operational and public movement across the site.

Groundwater and Surface Water Management

- Prior to commencement at Greatham Creek embankment, existing outfalls are to be diverted or temporarily sealed. Where diversion is necessary, outfalls are to be extended through the existing rock armour to maintain functionality during construction.
- Greenabella embankment area; a stone haul road is to be constructed with surface runoff controlled by minimising exposed earth surfaces. As and when required, groundwater is to be managed via over-pumping systems and siltation tanks.
- Marsh House Farm area; groundwater control via pumps and settlement tanks to dewater both the sump hole and the borrow pit.
- Safety infrastructure is intended to be incorporated within the relevant parts of the site where required including safety handrails.

Bird hides and screens, and Interpretation boards

1.9 The proposal would include the erection of 1 bird hide, 1 bird screen and 3 interpretation boards. The submitted (indicative only) information notes that the bird hide would sit on a concrete foundation, have a steel frame and be timber clad. The bird screen would be timber in construction with an interpretation board incorporated. The interpretation boards would be timber. Locations of such structures are shown on the amended landscaping plans; some follow the route of the proposed footpath adjacent to the proposed lagoons.

Statement of Community Involvement

1.10 As noted below, the LPA has fulfilled its statutory duties in respect of the application. Notwithstanding this, given the scale of the development, extensive pre-application community and stakeholder engagement has also been undertaken by the applicant.

1.11 In response, Section 4.3 of the submitted Planning and Sustainability Statement sets out that between 2021 and 2024, the Environment Agency carried out an extensive

programme of public and stakeholder consultation to ensure that the views of those most likely to be impacted by the proposed scheme were fully considered.

1.12 Key stakeholders and groups engaged during this process are indicated to include:

- Natural England (NE)
- Royal Society for the Protection of Birds (RSPB)
- Tees Valley Wildlife Trust (TVWT)
- Teesmouth Bird Club (TBC)
- Industry Nature Conservation Association (INCA)
- Political representatives, including Fens & Greatham Ward Councillors and members of the Regional Flood and Coastal Committees (RFCC)
- Local landowners and businesses
- Residents, members of the public, and visitors to the area

1.13 The Planning and Sustainability Statement sets out that a dedicated meeting with environmental stakeholders was held in April 2021 to identify the most environmentally appropriate solution for the Greatham North East Flood Cell. It states that the developer has engaged heavily with NE, RSPB and TBC to help shape the development and that drop-in events were held at Greatham Community Centre in February 2023 to present the outline design of the proposed scheme, aimed to inform local residents and gather feedback and suggestions. A second drop-in event took place at RSPB Saltholme between late October and early November 2024. Over the six days, more than 150 individuals attended and provided feedback on the proposals.

Supporting information

1.14 The submitted supporting information indicates that development has been designed to safeguard surrounding infrastructure and businesses from disruption and damage, contributing significantly to the long-term resilience and success of the area. The development incorporates a landscaping layout that would contribute towards Biodiversity Net Gain (set out in further detail within the report below) and to optimise flood mitigation whilst taking into account the natural course of the River Tees and Greatham Creek.

1.15 The application (including its description) has been amended during the course of the application, including the submission of amended plans on more than one occasion.

1.16 The application has been referred to Planning Committee as the development constitutes a departure from the adopted Hartlepool Local Plan (2018), having regard to the site's allocation under Hartlepool Local Plan Policy EMP4. This matter is discussed further within the Principle of Development section of the report.

SITE CONTEXT

1.17 The site, which is subject to this planning application, covers approximately 56.75 hectares at Greenabella Marsh (which forms part of a Local Wildlife Site) and Greatham Creek, adjacent to the River Tees. The site has three distinct areas: the Greenabella embankment, Greatham Creek, and Marsh House Farm. The terrain is

predominantly low-lying and features a mix of tidal inlets, greenfield land, and areas of hardstanding.

1.18 The site is adjoined by:

- North: ConocoPhillips Petroleum Tank Farm and Able Seaton Port;
- East: The River Tees, which forms part of the Teesmouth National Nature Reserve;
- South: Teesside International Nature Reserve, including Seal Sands and adjacent heavy industrial areas accessed via Seaton Carew Road;
- West: The (former) Venator manufacturing plant, now understood to be operated by 'Tioxide' as of April 2026, within the Greenabella embankment, and a railway line separating Marsh House Farm from Greatham Village.

1.19 One residential property is located immediately adjacent to the site boundary at Marsh House Farm (west). Additional residential dwellings are situated in Greatham Village (to the north), beyond the railway line at the western edge of the site. Several Public Rights of Way (PRoW) cross the site, including the King Charles III England Coast Path.

PUBLICITY

1.20 The application was advertised by way of the statutory press notice and site notice reasons (including the application technically being a 'departure' from the local plan) and has been advertised accordingly. 20 neighbour notification letters were issued, as well as to local ward councillors.

1.21 In response, three letters of objection were originally received through the consultation process from Able UK and Durham Bird Club, and Teesmouth Bird Club (the latter's comments are set out in full below as a 'consultee' response). The concerns raised in the representations can be summarised as follows:

- Lack of sediment monitoring
- Lack of cumulative assessment on the change to the sediment mobility.
- No assessment of granted licences for Able Seaton Port Quay 1 extension and Quay 1 Third Berthing dolphin.
- BNG delivery concerns due to supporting information indicates a shortfall of habitat units.
- Refers to Rule 4 in the July 2025 Biodiversity Metric User Guide, highlighting the need for ecological justification and benefits not captured by the metric.
- No provision for shingle or shell habitats suitable for nesting Common and Little Terns, despite recent nesting activity in the Teesmouth SPA.
- Habitat proposals may not support Avocet breeding, which has been absent from the area.
- Consideration of species presence and suitability of habitats beyond metric calculations.
- The need to secure measures targeting bird species within the Habitat Management and Monitoring Plan.
- Concerns the proposal does not include provision of public access and social benefit.

1.22 It is of note that Teesmouth Bird Club have subsequently formally withdrawn their objection (comments set out in full below). Able UK have also subsequently advised that they consider it more appropriate for their concerns to be managed by the Marine Management Organisation due to the nature of the objection and therefore they have requested that their objection be retracted. Durham Bird Club have clarified that they do not wish for their comments to be treated as a formal objection to the application but have maintained concerns regarding the application (as summarised above).

1.23 Comments and concerns were also raised by both Greatham Parish Council and the Hartlepool Rural Plan Group, which are set out in full below in the consultee section.

1.24 During the course of the application, it came to light that some of the proposed amenity boards, bird hides, and bird screening proposed by the applicant would not fall within the defining red edge location plan of the development. The developer has therefore confirmed that only those (5 in total) within the confines of the application site red line boundary are being applied for and planning permission would be sought at a later date for any remaining provision. The description of the proposal was updated accordingly to reflect this, together with revised plans and consultation carried out with relevant consultees who have specific regard to these provisions. In this context, the Hartlepool Rural Plan Group responded, stating their original response (set out in full below) and concerns still stand.

1.25 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=165013>

1.26 The period for publicity has expired.

CONSULTATIONS

1.27 The following consultation responses were received;

HBC Heritage and Open Spaces; Comments received 29/07/25;

The application site lies in close proximity to two locally listed buildings which are recognised as heritage assets. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

The National Planning Policy Framework (NPPF) looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 216, NPPF).

Policy HE5 of the Local Plan states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings.
The proposal is engineering operations to re-align Greenabella embankment to the River Tees and associated works.

It is considered that although the proposal will alter the wider setting of the locally listed buildings, this will not impact on their significance and therefore there are no objections to this proposal.

It is welcomed that the proposal suggests that interpretation boards are erected relating to the Second World War defensive landscape, salt making and the prehistoric site excavated by NAA. In the past the Parish Council have expressed an interest in creating walks around the village which are self-led and include information about the wider history of the area and the flora and fauna. Further to this the Neighbourhood Plan for the area also includes the proposal that there are interpretation boards at key sites. It is therefore suggested that the Parish Council and Neighbourhood Plan Group are provided with the chance to feed into this work as this has the potential to fulfil some of their aspirations.

In addition to the above in relation to the proposed removal of the anti-landing posts, it is hoped that several of the posts could be relocated off site as part of an innovative interpretation close to the boundary. Should this be the case, prior to any proposals being agreed, it is suggested that there should be an opportunity for public involvement in what this innovative interpretation would be and a wider discussion regarding the long-term maintenance of such an item if this is to be located on council land.

Historic England; Thank you for your letter regarding the above application. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

Tees Archaeology; Thank you for the consultation on this application. We note the inclusion of a chapter on Cultural Heritage in the Environmental Impact Assessment (EIA), which sets out the nature of known heritage assets within the vicinity of the proposals and proposed mitigation, an evaluation report, and a written scheme of investigation (WSI) setting out the proposed programme of archaeological works. Tees Archaeology were consulted on the proposed archaeological works and this WSI prior to its submission. We agree with the mitigation as set out in Section 11.7 of the Cultural Heritage chapter in the EIA and the proposed archaeological works, which can be secured by a condition upon the application. We support the comments made by Heritage and Open Spaces regarding the interpretation boards and anti-landing posts.

We set out the proposed wording for the archaeological condition below:

Recording of a heritage asset through a programme of archaeological works

A) The development shall be carried out in accordance with the submitted and agreed Archaeological Written Scheme of Investigation (Greatham North East Flood Alleviation Scheme Programme of Archaeological Works: Written scheme of Investigation, version 2), prepared by CFA Archaeology Ltd and received 16/04/2025 by the LPA.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) within 12 months of the completion of fieldwork, 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.

HBC Countryside Access Officer; HBC Support the proposed diversion of the public right of way currently located at the top of the bund.

This diversion is recommended mainly by the RSPB who lease the land and are experts in wildlife conservation. The existing route passes through a sensitive habitat that supports a range of species. Access along this elevated route risks causing disturbance particularly during breeding and over wintering periods.

The proposed diversion offers a balance with public access along habitat protection. The new route still provides an accessible and enjoyable experience for all that will use it.

No other issues.

National Highways; Offer no objection

HBC Traffic and Transport; I have no highway or traffic concerns with the proposed scheme.

With regards to the temporary traffic management arrangements required to facilitate construction traffic movements between the sites. I can confirm that this is appropriate and HBC Streetworks section have been fully consulted on the proposed works.

HBC Waste Management; No comments from Waste Management.

HBC Public Protection;
Comments received 26/03/26;

Environmental Protection has reviewed the above planning application and offers the following comments.

Noise and Amenity

The proposed works are acknowledged to be of a significant engineering nature; however, the site is located a substantial distance from residential receptors. On this basis, it is considered that the potential for adverse noise and disturbance impacts is limited.

Construction Working Hours

The applicant (Environment Agency) has proposed working hours of 07:00–19:00 Monday to Friday.

Given:

- the nature and scale of the works,
- the temporary construction period, and

- the separation distance to sensitive receptors, these hours are considered acceptable from an Environmental Protection perspective.

No objection is therefore raised to the proposed working hours.

General Construction Controls

Notwithstanding the above, it is recommended that:

- Best practicable means are employed at all times to minimise noise, dust, and disturbance;
- Any particularly noisy operations are, where possible, limited to daytime periods;
- Plant and machinery are appropriately maintained and not left idling when not in use.

Conclusion

Environmental Protection raises no objection to the proposed development.

The proposed construction hours of 07:00–19:00 Monday to Friday are acceptable, given the site context and distance to receptors.

Further comments received 06/05/2026;

From a noise and disturbance perspective, Environmental Protection does not consider there to be any requirement to restrict weekend working between 07:00 and 19:00. The site is sufficiently distant from nearby residential properties such that noise impacts are expected to be minimal and unlikely to give rise to significant disturbance.

On this basis, allowing construction activities within these hours on weekends would not be anticipated to result in any unacceptable noise effects.

We would therefore be comfortable with weekend working being permitted within a 07:00–19:00 window.

HBC Engineering Consultancy (Contamination); Given that the scope includes a Remediation Strategy, which includes a section addressing the unidentified contamination condition we do not have any further comments or objections.

HBC Engineering Consultancy (Waste); Having spoken to my colleagues we consider that the information submitted is acceptable. In particular, it is good to see it references;

- Re-use of material compliant with the DoWCoP (CL:aire),
- The use of the CL:aire register for surplus materials
- Deposit for Recovery Permit for the use of slag material.

In regard to planning conditions we would just recommend that a condition is imposed requiring development to be carried out in accordance with the audit report.

Further comments received 31 July 2026;

We considered the details to be acceptable so it just needs to make sure that the development is carried out in accordance with the submitted Waste Audit.

HBC Engineering Consultancy (Lead Local Flood Authority);**Conclusions/Observations**

HBC's LPA had previously reviewed this application and provided response (H.2023.0128_Scoping Letter.pdf) on the 13/06/2023. Under the 'Flood Risk and Contaminated Land' section of it, the below details were mentioned:

"Following consultation with the Environment Agency, HBC are advised that further information will be required to be included within a Flood Risk Assessment.

Sources of flooding - The scoping opinion has correctly identified that the site is within flood zones 2 and 3. The scoping opinion makes reference to the site as an 'Area Benefitting from Defences', please note this dataset has been replaced by 'Reduction in Risk of Flooding from Rivers and Sea due to Defences (RRDD)' dataset. The RRDD layer has only identified a very small area of the site as at a reduced risk of flooding from the existing defences. Therefore, the majority of this site according to the RRDD is at no reduced flood risk from the existing defences.

Although the predominant source of flood risk is from tidal events, there could be other local sources of flooding such as fluvial, groundwater and surface water which will need to be assessed within an FRA.

The FRA must assess flood risk from all sources of flooding. It must demonstrate that flood risk will not be increased elsewhere.

For general information about Flood Risk Assessments, please refer to <https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section> and the NPPF Planning Practice Guidance on Flood Risk and Coastal Change. Further specific information regarding flood risk may be available from local sources, such as Strategic Flood Risk Assessments (SFRA) produced by the relevant local planning authority and normally accessible on their website.

The scoping opinion has correctly identified a Flood Risk Activity Permit from the Environment Agency is required, in addition to an MMO license.

The Council's Flood Risk Officer has advised they have no objection in principle in respect of surface water management or contaminated land."

In terms of documents submitted, this is an almost identical submission to H/2025/0268: Adjoining Authority Consultation for a marine licence application for Greatham North East Flood Alleviation Scheme (Marine Management Organisation case reference MLA/2025/00141). Therefore, our comments from that response have been duplicated below.

After reviewing data available on the Marine Management Organisation planning portal and respective HBC planning portal on 19/08/2025, we concluded that the above referred FRA has been submitted within the Environmental Statement Appendices E-F. 'Greatham NE FAS Methodology Report' mentions that the below plans and permit are due to be submitted at subsequent planning stages:

- Surface Water Runoff Management Plan (SWRMP)
- Silt Management Plan (SMP)
- Construction Drainage Strategy (CDS)
- Pollution Prevention Plan (PPP)

- Unexpected Contaminated Ground Procedure (UCGP)
- Flood risk activity permit (FRAP)

It is also important to state that the submitted ES under Section 4 ('Proposed Development') and Section 8 ('Water Environment') identifies that all potential flood risk concerns, during construction stage and operation stage, have been considered. We expect that at the following stages of the planning approval process, a site-specific drainage strategy for the construction compounds, will be submitted. A standard LLFA planning requirement is to ensure surface water is managed appropriately during the construction phase of a development. It is necessary to manage surface water runoff during the construction stage of the development to minimise the risk of flooding and pollution to the surrounding environment. These measures are for the contractor for the works, to implement as required, prior to and during construction.

This application is for a managed realignment scheme, including repair to the existing embankment defence. As there is no associated infrastructure, the proposals will not impact surface water runoff (based on pre- and post-development impermeable areas). In terms of local flood risk, two new outfalls are proposed but are associated with maintaining current natural flow routes. Any alterations to defences should consider natural surface water drainage routes.

Provided that all existing surface water drains and outfalls are retained (potentially reinstated), then the management of surface water discharge will not result in a reduction in surface water management.

In summary, we would reiterate that we have no objection in principle to this application.

Further comments received 31/07/2026;

The main issue is how natural catchment is maintained through the proposed new arrangement. We have also looked at the Flood Risk Assessment submitted with the application and this has addressed this issue so provided that the works are carried out in accordance with this, the scheme would be acceptable and no additional conditions required apart from being in accordance with the approved documents.

HBC Economic Development;

Initial comments received 21/08/2025;

We have reviewed the proposals and have no objections from Economic Growth.

Further comments received 03/07/2026;

I have considered the proposed planning application and the principle of the proposed development is in direct conflict with the Hartlepool Local Plan, as the site is identified for employment use. By allocating this land for alternative use that has no impact on the local economy and local job creation this would detract from delivering Hartlepool's ambitions for growth.

I am therefore of the view that the proposal for the site does not contribute any economic benefit to Hartlepool.

HBC Arboricultural Officer; There are no arboricultural concerns with application.

HBC Landscape Architect; A Landscape and Visual Assessment has been produced, the conclusions of which are acceptable, and comprehensive landscape details have been produced.

There are no Landscape issues with the proposed development.

Further comments received; 30/07/2026

Revised landscape information provided for the above scheme (04/26) is acceptable from Landscape perspective.

HBC Ecology;

Comments received 10/09/2025;

The application site encompasses the Greenabella Marsh/Brinefields area and existing flood embankments at Greatham Creek, on the north bank of the Tees Estuary in Hartlepool. The site lies adjacent to and partly within the Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI). These designations protect internationally important wetland habitats and species, including large aggregations of wintering waters.

The intertidal mudflats of Seal Sands and Greatham Creek support nationally important populations of wildfowl and wading birds, as well as a breeding colony of avocets and terns in summer. Functionally linked land outside the SPA – such as the grassland and lagoon habitats at Greenabella Marsh – also provides essential roosting and foraging areas for these species.

Terrestrial habitats on site (grazing marsh, ditches, ponds and reedbed) are known to support priority species including water voles (small, intermittent population), breeding birds (ground-nesting and reedbed species), amphibians, and a diverse community of invertebrates. These ecological receptors set a high sensitivity baseline for the project area.

Proposed Works: The development is an Environment Agency scheme to realign and improve flood defences as part of the Tees Tidal Flood Risk Management Strategy. In summary, the project will breach the old Greenabella sea embankment in three locations and construct a new setback flood embankment further inland, allowing tidal inundation of Greenabella Marsh to create intertidal habitat.

The site is a highly sensitive coastal environment with international nature conservation designations. The proposed development will replace existing man-made coastal defences with a more landward alignment, creating new intertidal habitat and improving flood protection. The ecological benefits (habitat creation, biodiversity net gain) are central to the scheme design, but short-term construction impacts on wildlife must be rigorously managed. The assessment below considers these impacts in detail and the adequacy of mitigation proposed.

Ecological Impacts and Mitigation: Extensive ecological surveys and an Environmental Statement (ES) have been submitted. The key potential impacts identified include: disturbance to overwintering and breeding birds, temporary loss of habitat (with permanent change of habitat type in parts of Greenabella Marsh), and effects on protected species (notably water vole, otter, great crested newt, breeding birds). The ES outlines a comprehensive mitigation strategy:

- Timing of works to avoid sensitive periods (e.g. no works on Greatham Creek embankment in March–August to protect breeding birds).
- Pre-construction surveys and Ecological Clerk of Works (ECOW) supervision for protected species (including any works under appropriate Natural England licences, e.g. for water vole and otter).
- Implementation of a Construction Environmental Management Plan (CEMP) with pollution prevention measures and site-specific method statements (e.g. for breeding and wintering birds).
- Habitat creation and enhancement to compensate for habitat loss (new intertidal areas, saline lagoon, etc.), contributing to Biodiversity Net Gain.
- Sensitive lighting design during construction (and any necessary operational lighting) to minimise wildlife disturbance, and noise/visual screening where needed to reduce disturbance to birds.

Provided that the developer adheres to all proposed mitigation, the residual ecological effects are acceptable. Subject to strict adherence to these mitigation measures (to be secured via conditions), residual ecological effects are expected to be minor or positive. In particular, the creation of new intertidal habitat is a major ecological benefit aligning with local and national biodiversity policies.

Biodiversity Net Gain (BNG)

Under the Environment Act 2021 and emerging Policy NE1 of the Hartlepool Local Plan, the development must achieve a minimum 10% net gain in biodiversity value. The applicant has submitted a Biodiversity Net Gain Report and Metric (using the latest Defra Statutory Metric). This has been reviewed with the following findings:

- **Baseline Habitat Value:** The site's baseline habitats were assessed in 2023 and 2024, with each habitat type mapped and conditioned scored. Notably, the red line encompasses a large area (60+ hectares) including Greenabella Marsh's grassland/reedbed mosaic and parts of Marsh House Farm's improved grassland. Baseline biodiversity units are correspondingly high. According to the metric output, the baseline totals 535.81 habitat units. The baseline also included 11.18 river/stream (watercourse) units for the ditches on site.
- **Post-Development Habitat Value:** The scheme will create extensive new intertidal habitat but will also remove existing terrestrial habitats. The metric results show that on-site the development would result in 549.85 habitat units, which is a gain of +14.03 units over baseline. In percentage terms, this is only a +2.62% net gain for habitat units. Meanwhile, for river/stream (ditch) units, the metric shows a net loss of –6.23 units (approximately –55.7%). This large percentage loss is because all existing ditches will be converted to tidal channels and are counted as “lost” under the metric's rules. It is currently not considered possible to deliver the required +10% BNG uplift on-site. HBC Ecology agrees with this conclusion.

However, the applicant states that the project qualifies for Metric Rule 4, as it is a habitat creation scheme of national priority (coastal realignment).

Rule 4 allows certain habitat losses to be treated differently: like-for-like compensation for the lost ditches is not required because their loss is an inherent part of creating intertidal habitat (which has its own value). The metric documentation confirms that the ditch loss is “wrapped within implementation of Rule 4” and no specific uplift for watercourses is mandated.

HBC Ecology agrees with applying Rule 4 in this case and indeed was consulted on it previously.

- Proposal for Off-Site Units: The BNG report mentions that the EA has identified a habitat bank to make up the ~39.55 unit deficit. HBC Ecology agrees with this strategy.

Suggested Planning Conditions (either in full or the basis of a condition) or requirements to address outstanding matters.

- Construction Environmental Management Plan (CEMP) – No development shall commence (including any site clearance, demolition, site preparation) until a detailed CEMP (has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be in accordance with the mitigation measures set out in Chapter 10 of the ES and the Environmental Action Plan, this should include the appointment of an Ecological Clerk of Works.
- Biodiversity Net Gain Plan – Off-site Habitat Delivery: The development shall not commence until a Biodiversity Net Gain Plan has been submitted to and approved by the LPA, demonstrating how the proposal will achieve at least a 10% net gain in biodiversity relative to the pre-development baseline, in accordance with the Defra Biodiversity Metric 4.0 (or most current metric).
- The approved BGP shall include evidence of: (i) allocation of off-site biodiversity units on the Natural England Biodiversity Gain Site Register (unique reference(s) and allocation statement(s)); and (ii) a completed legal agreement securing the creation, management and monitoring of the off-site habitat(s) for 30 years; or proof of statutory credit purchase to the required quantum.

HRA Requirements for a) Rec Disturbance and b) Nutrient Neutrality or c) any other matter

As the project is adjacent to and partially within a European designated site (Teessmouth & Cleveland Coast SPA/Ramsar), the Local Planning Authority must undertake a Habitats Regulations Assessment under the Conservation of Habitats & Species Regulations 2017 (as amended). The applicant's Environmental Statement includes a Shadow HRA report (Stage 1 screening and Stage 2 appropriate assessment), which has been reviewed for this response. The HRA has been carried out in line with the People over Wind legal principle – i.e. no mitigation measures were taken into account at the screening stage.

This ensures a precautionary approach: if any potential impact alone or in-combination might significantly affect the SPA/Ramsar, it is not screened out but taken forward to appropriate assessment.

Screening Outcome: Applying a precautionary view (and without mitigation in mind), the screening concluded that Likely Significant Effects (LSE) on the SPA/Ramsar could not be ruled out for several impact pathways. In particular, potential disturbance to SPA bird species was identified as a likely significant effect requiring further appropriate assessment.

The project triggered an Appropriate Assessment due to the potential for significant disturbance and related effects on SPA/Ramsar bird populations (alone and in combination). Therefore proceeded to Stage 2 AA in consultation with Natural England.

HBC Ecology agrees with the conclusions presented by the Shadow HRA Appropriate Assessment, which will be adopted by the Council as the competent authority. The AA has ascertained that the proposal will not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other projects. This conclusion is dependent on the full implementation of the mitigation measures described, which must be secured via enforceable conditions or obligations.

Provided these measures are in place, the project is compliant with Habitats Regulations and Local Plan Policy NE1 (which gives the highest protection to internationally designated sites).

Suggested Planning Obligations/Financial Contributions to be secured via legal agreement where necessary.

HBC Ecology recommends that a Section 106 or similar (for instance, Conservation Covenant) legal agreement be used to secure the off-site BNG delivery, since it involves land outside the application boundary. The S106 would require the creation or enhancement of sufficient habitat to generate at least 39.55 biodiversity units (or whatever the final deficit is at certification) and its management for at least 30 years, in accordance with an agreed Off-Site Biodiversity Gain Plan. Alternatively, if a third-party habitat bank is used, the developer (EA) must purchase the requisite units and provide evidence of a binding agreement for their delivery and management.

Summary – Object/Support/Neither (any further info required)

With the highlighted conditions and informatives, I am satisfied that the development will accord with all relevant nature conservation requirements, preventing harm to our protected sites and species and delivering a net gain for biodiversity. No objection.

Informative (advice to applicant re any other requirements such as any other ecology licenses/requirements)

- Great Crested Newt DLL: The development is enrolled in Natural England's District Level Licensing scheme for GCN (Certificate ref. DLL-ENQ-NORD-00014-1). All works must accord with any constraints or conditions of that

- licence; the Developer should ensure the ECoW has a copy of the Certificate and that any precautionary measures required under DLL (such as a newt protection fence or timing of works in known GCN habitat) are implemented.
- Lighting Management Plan: Natural England's response (letter dated 04/09/2025) has been noted. They highlight concerns regarding artificial lighting and potential water pollution affecting the designated sites and species. In response, we emphasise that any artificial lighting associated with the works must be carefully controlled. Lighting should be directed away from watercourses and sensitive habitats, use the minimum intensity required, and be timed to avoid illumination of habitat during hours of darkness whenever possible.

Further comments received 18/08/2026:

1. Weekend working

The Environmental Statement sets working hours as 07:00–19:00 Monday to Friday, with weekends potentially required if the programme is delayed (section 4.2.3, page 34). The submitted Stage 2 HRA uses the same assumption at pages 80 and 113. The EA has since advised that only limited weekend working is expected, mainly where tidal or ecological restrictions cause delays at Greatham Creek.

The split conditions reflect this position and is considered ecologically acceptable. Remaining within the working pattern assessed in the submitted HRA and does not alter my earlier advice. Routine weekend working would fall outside that assessment.

2. Bird habitat

The Environmental Statement identifies the lagoon island and retained sections of the Greenabella Embankment as potential nesting and roosting sites. It assesses nesting and roosting opportunities for Avocet and nesting opportunities for Common Tern (sections 10.6.3.1 and 10.6.3.3, pages 271 and 275).

Section 7.2 of the indicative HMMP contains a general aim for the lagoon, annual bird surveys and provision for adaptive management. However, it does not set requirements for the island or retained embankments that relate to the Avocet and Common Tern benefits claimed in the Environmental Statement. Nor does it provide targeted breeding-season monitoring. These concerns were raised by Durham Bird Club in their comments, HBC Ecology agreed with their points in this regard.

The Bird Habitat Delivery and Monitoring Plan condition addresses this point. The necessary detail must be agreed before the relevant features are finally formed, and the Plan will become part of the final onsite HMMP. The condition leaves the exact habitat design to a suitably experienced ecologist and does not prescribe a particular substrate or require birds to breed successfully.

The condition therefore comes from the project's own assessment rather than a general request for further enhancement. It secures the positive effects claimed in the Environmental Statement and is not additional HRA mitigation.

3. Biodiversity net gain

The Bird Club is correct that the onsite proposals do not themselves provide 10% BNG. The submitted metric and BNG Report show a 2.62% onsite gain, leaving a current requirement for 39.55 area-habitat units (BNG Report, sections 7 and 8, pages 14–15).

The EA intends to provide the balance through its local habitat bank. The development cannot commence until a final Biodiversity Gain Plan has been approved. The development will adhere to the +10% BNG requirement.

Update received 19/08/2026 following response from applicant regarding the aforementioned bird habitat condition;

I'm fine with the bird condition being separate to the HMMP. It was considered that it may be useful to have all monitoring etc in one document - but a standalone is sufficient.

Environment Agency; Whilst we have no objection to the above application as submitted, we would like to provide the applicant with the following informative comments.

Movement of waste off-site - Advice to applicant

The Waste (England and Wales) Regulations 2011 for dealing with waste materials are applicable to anyone who produces, carries, keeps, disposes of, treats, imports or has control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure they deal with it responsibly. They must only pass it to someone authorised to take it. You can find the waste duty of care code of practice here: Waste duty of care code of practice - GOV.UK

If you need to register as a carrier of waste, please follow the instructions here: Register or renew as a waste carrier, broker or dealer - GOV.UK. If you require any local advice or guidance, please contact your local Environment Agency office.

Use of waste on-site - Advice to applicant

If excavated materials are to be used on the development site, the applicant will need to comply with the exclusion from the Waste Framework Directive (WFD) article 2(1) (c) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...') for waste controls to not apply to their use. Meeting these criteria will mean environmental permitting requirements do not apply.

Where the developer cannot meet the criteria, they will need an appropriate environmental permit from us or to register an exemption.

A deposit of waste to land must either be a disposal or a recovery activity. The legal test for recovery is set out in Environmental Permitting (England and Wales) Regulations 2016, and is defined in schedule 9 and/ or schedule 1A (Article 3(15) of WFD) as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

- We have produced guidance on the recovery test which can be viewed at Waste recovery plans and deposit for recovery permits - GOV.UK.

You can find more information on the WFD here: Environmental permitting guidance: The waste framework directive - GOV.UK

More information on the definition of waste can be found here: Legal definition of waste guidance - GOV.UK

More information on the use of waste in exempt activities can be found here: Waste exemption guides - GOV.UK

The Environment Agency does not regulate non-waste operations. The person producing the material will need to decide if it is waste or a by-product. If it is waste, they can consider if it meets End of Waste criteria. You can check if your material is waste or get an opinion from the definition of waste service on if a material is a by-product or meets 'end of waste' status. There is a cost for this service.

Environmental permit – Flood risk activities - Advice to Applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural haystacks, straw stacks or manure clamps in these places)

For further guidance, please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Natural England; Thank you for your consultation on the above dated 21 July 2025, which was received by Natural England on 21 July 2025.

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

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Teesmouth and Cleveland Coast Special Protection Area and Ramsar
<https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- Your authority should ensure that CEFAS is consulted
- The mitigation measures set out in the shadow Habitats Regulations Assessment (Appropriate Assessment) and Environmental Statement Chapter 10 – Biodiversity.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Further advice on mitigation

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility 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, in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

However, Natural England has the following recommendations before your authority grants permission for this proposal:

- 1) The shadow Habitats Regulations Assessment for this proposal includes a section on the operational 'Change in water chemistry' (pg. 49-56), which refers to a number of exceedances of CEFAS Action Level 1 and 2 for certain chemicals. Natural England does not have the expertise to advise on the implications of releases like those discussed in this section. Therefore, we recommend that your authority consults the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) to confirm that these releases will not result in damage to the Teesmouth and Cleveland Coast Special Protection Area, Ramsar or Site of Special Scientific Interest.
- 2) Chapter 10 (Biodiversity) of the Environmental Statement for this proposal includes a set of mitigation measures for the proposed works. These are largely repeated in the shadow Habitats Regulations Assessment. However, the shadow Habitats Regulations Assessment omits reference to the use of directional lighting during night-time works. Your authority should ensure that, along with all the mitigation measures set out in the shadow Habitats Regulations Assessment, directional lighting for night-time works is required in any Construction Environmental Management Plan for this proposal.
- 3) 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 consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter, please contact me on 02080261194.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Centre for Environment, Fisheries and Aquaculture Science (CEFAS); No comments received.

Marine Management Organisation; Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

- * local planning authority name,
- * planning officer name and contact details,
- * planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine

licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below

- * The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.

- * The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- * The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- * The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Ftopics%2Fplanning-development%2Fmarine-licences&data=05%7C02%7CDevelopmentControl%40hartlepool.gov.uk%7C70b780aa2ef24329a38708ddc8fdb682%7Ce0f159385b7b4e50ae9acf275ba81d0d%7C0%7C0%7C638887714215663569%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMilslkFOljo1TWFpbCIsIlIdUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=u987%2BY6YmTp6OnoPzccdrVwq1yGdmzXPisfUEW9yZko%3D&reserved=0>

Teesmouth Bird Club;

Comments received 26/08/2025:

Teesmouth Bird Club objects to this application (See Teesmouth bc.com).

Our position is that there are insufficient specific measures in this application to address the general public's enjoyment of nature, access to open spaces and conservation of wildlife in a general sense. (NE 1: Green Infrastructure para 16.45 table 17: Health, Wellbeing, Recreation & Leisure).

Additional, appropriately-sited observation hides, not directly viewing into sunlight, would cater not only for local residents, but also tourists, who visit RSPB Saltholme and take in other areas of conservation interest associated with the Special Protection Area (SPA), like Greenabella.

EA's Masterplan intends to have a "to hold the line" policy along the north bank of Greatham Creek "due to the high ecological value ponds situated behind the embankment". Today this "high value" no longer exists. At present, there is no significant saline influence, because of the nonfunctioning of the ingress control mechanism in the creek wall. The effect has been reflected in the latest NE condition of assessment of Greenabella (March 2025) which reports "an unfavourable declining condition for Common Tern" implying that positive measures are required. Avocets no longer breed on the site. Historic counts for the British Trust for Ornithology (BTO) over recent decades together with the Club's annual records, reflect this decline in both species' diversity and numbers of individuals. In short, avian biodiversity has become depleted.

These objections serve to contradict EA's claims for this huge publicly-funded project, which go to great lengths to emphasise the benefits to wildlife.

Planning permission requires that biodiversity should be restored, and the public should be in the position to enjoy the benefits.

Further comments received 04/09/2025:

Teesmouth Bird Club objects to this application based on policies EN1 and EN4.

Part of the sea defence project requires the creation of three breaches of the existing sea wall adjacent to Seal Sands. This action will result in the creation of two elongated islands. Such undisturbed marine islands are a rare habitat on the East coast of England – there being few between Northumberland and Essex. By adding to the tops of these islands a nesting substrate of seashells and shingle, rare sea birds are known to be encouraged to nest. This measure would be an invaluable contribution towards Hartlepool's role within the Tees Estuary Partnership, the Masterplan for the Estuary and habitat creation and enhancement - EN1 para 16.20 – 16.23.

This opportunity is particularly apposite in its timing. Hartlepool and the other boroughs, in conjunction with the Tees Valley Nature Partnership (TVNP), are drawing up our Local Nature Recovery Strategy (LNRS *). The Little Tern is a key species within the strategy. Presently, protection efforts at Seaton Carew public beach, where 50 -60 pairs (2-3%) of UK population, facilitate successful breeding. As well as Hartlepool, other players in this project are local wildlife trusts, RSPB nationally and E U Life.

The project's long-term future will always be uncertain because of factors like availability of funds, rising sea levels, tidal surges, mammalian and avian predation etc. (EN 1 para 16.27 Sustainable Development). Provision of an alternative breeding site upon the residual isolated sections of sea wall created by EA's planning proposal would be a significant contribution to the network of colonies along the east coast of England (EN4 para 16.63 and 16.70 – Ecological networks; Climate change).

EA's statements on the biodiversity enhancement benefits of this project do not feature an action for Little Tern breeding, - a suggestion proposed earlier by the club. The costs of appropriate measures to ensure the addition of suitable substrate to the tops of the islands would be minuscule in the overall context of the civil engineering works.

Planning approval should require provision for the adoption of the above measures.(*)
https://assets.publishing.service.gov.uk/media/6421a4bdfe97a8001379ecf1/Local_nature_recovery_strategy_statutory_guidance.pdf

Further comments received 09/09/2025: The club asked for our objection to be removed.

Active Travel England; Standing Advice

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our

standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

Further comments received 08/05/2026:

ATE has issued Standing Advice in this instance because the proposed development exceeds the area of 5hA as per our Statutory threshold. There is also the application's influence upon a PRoW where Standing Advice could be considered. In regard of the information you have provided, we appreciate that a 'No Comment' response would be appropriate. Please let us know if you wish to proceed with this response, otherwise consider this email as confirmation.

National Grid; There are no National Grid Electricity Transmission assets affected by the proposal.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://lsbud.co.uk/>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

Northern Gas Networks (summarised); Thank you for sending your notice dated 23 Jul 2025

We object to the planning application on the grounds that the protection given to our plant may be diminished by the works you intend to carry out. There are specific building proximity distances for individual pipelines, which are dependent on pre-defined risk levels and the type of development. If your proposal includes the construction of buildings, you must contact the pipeline technician.

Further comments received 12/08/2025:

We withdraw our objection.

Northern Power Grid; 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, TS18 3TU. Tel: 0800 0113433.

Maps attached: NZ5163226873

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.

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.

Office for Nuclear Regulation; I have consulted with the emergency planners within Hartlepool Borough Council which is responsible for the preparation of the Hartlepool off-site emergency plan required by the Radiation (Emergency Preparedness and Public Information) Regulations (REPPiR) 2019.

I have also consulted with our external hazards experts, the result of these consultations is that ONR does not advise against this development near Greatham Works subject to:

- The developer liaising with EDF Energy Nuclear Generation Ltd in relation to the potential external hazards the development poses to Hartlepool and vice versa.

- EDF Energy Nuclear Generation Ltd confirming that any impacts on the Hartlepool external flooding safety case can be managed.
- The advice from Emergency Planning at Hartlepool Borough Council being addressed:
 - a) The developer should establish communication with relevant sites and existing/proposed developments in the area, particularly Hartlepool Power Station. This would be to ensure robust communications are put in place to facilitate quick communications in the event of an incident, as well as to understand any potential hazards posed by/to existing facilities.
 - b) The developer would need to ensure that sufficient measures are in place for its workforce should notification be received of a COMAH / REPPIR incident that would impact the development site.
 - c) The proposed development utilises the Seal Sands Emergency Access Road for access to the site. The developer would need to ensure that access is always available and that the section of the access road being used by construction traffic is maintained throughout the works to its current standard.

Further information on ONR's role in providing advice on proposed developments on and around nuclear sites is available on ONR's website: <https://www.onr.org.uk/our-work/what-we-regulate/other-regulationslegislations/land-use-planning/>. The developer should familiarise itself with this information including ONR's consultation zones, consultation advice and the consultation process.

Health and Safety Executive; Thank you for your email of 16 February 2026 to HSE's Land Use Planning (LUP) advice team asking for comments on the planning application at Land To The East, South And West Of, Greatham Works, Tees Road, Hartlepool, TD25 2DD (Ref H/2025/0131).

HSE was consulted through its Planning Advice Web App (HSE ref HSL-250423165747-305) on 23 April 2025 and issued a 'Do No Advise Against'. The development type inputted was 'Landscaping'.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major hazard sites and pipelines by virtue of the Town and Country Planning (Development Management Procedure) (England) Order 2015. HSE's role is to provide local planning authorities with advice on the risks to people at a proposed development from a major accident at a site or pipeline storing, using or transporting hazardous chemicals.

We have identified that part of the development site lies within the inner, middle and outer consultation zones for several major hazard sites.

H0571 operated by Venator Materials Ltd

H1268 operated by Northern Gas Networks Limited.

H1279 operated by Philips Petroleum Company (UK) Limited

H1875 operated by Fine Organics Limited

H0402 operated by Sabic UK Petrochemicals Ltd

H4311 operated by Norse Pipeline Ltd

We note that paragraph 074 of the Planning Practice Guidance on Hazardous Substances [<https://www.gov.uk/guidance/hazardous-substances#After-consent-has->

been-granted] encourages Hazardous Substances Authorities to be proactive about revoking consents in such circumstances [i.e. where a consent is no longer required by an operator, for example, a facility may have shut down or a site redeveloped].

If HSE is informed by the hazardous substances authority that all hazardous substances consents which apply to a site have been formally revoked in accordance with Section 14 or 17 of the Planning (Hazardous Substances) Act 1990, the consultation zones around the site will be withdrawn and there will be no need for HSE to be consulted on any proposed developments in the vicinity.

HSE understands from the Planning Application that the proposed site also contains a rediverted pathway. Pedestrian links are classed as sensitivity level 1 developments and will be located in the outer and middle consultation zones. HSE does not advise against sensitivity level 1 transport links in the outer, middle consultation zone.

In summary, based on the information provided (including the 'Planning Layout') and applying its LUP methodology HSE does not advise against planning application H/2025/0131. This advice should be used in combination with the advice previously given through HSE's Planning Advice Web App (HSL-250423165747-305).

HSE Web Advice App response (obtained 23/04/2025); Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Emergency Planning Officer; Not object. In relation to the Hartlepool Council planning application H/2025/0131, Emergency Planning has no objection to the proposed development. There are however multiple points that need to be considered to ensure the safety of any workers within the area, these are highlighted below:

Communication

Given the location of the proposed development we would recommend that the Environment Agency establishes direct communication with all COMAH establishments in the immediate area and on Seal Sands as well as with EDF Hartlepool. The purpose of this would be to ensure robust communications are put in place to facilitate quick communications in the event of an incident that may impact either the DEPZ or PIZ within which the development sits.

Shelter / Evacuation

The Environment Agency need to ensure sufficient measures are in place for the workforce should notification be received (as per communication point above) of a COMAH / REPPiR incident that would impact the development site. This should include procedures for sheltering (i.e. alarm to notify of the need to shelter as well as provision of toxic refuges) and consideration of the need to evacuate site (alarm for evacuation, method by which evacuation should take etc.).

Pipelines

The proposed development site is in the proximity of ConocoPhillips Major Accident Hazard Pipelines (and in some cases within the Emergency Planning Distance of those pipelines). It is important that the Environment Agency ensure ConocoPhillips is consulted on any plans before work within the vicinity of the pipelines commences.

Emergency Access

The proposed development utilises the Seal Sands Emergency Access Road for access to the site. Emergency services may require this road for access should an incident occur on a COMAH establishment on Seal Sands, therefore the Environment Agency need to ensure firstly that access is available at all times and that the section of the access road being used by construction traffic is maintained throughout the works to its current standard.

The Environment Agency has consulted with Emergency Planning prior to submitting the application therefore it is likely that all of the above highlighted points have been addressed prior to submitting development plans for wider comment.

Teesside Airport; The airport safeguarding team has assessed the proposal in accordance with the UK Reg (EU) No 139/2014 (the UK Aerodromes Regulation) and it does not conflict with the safeguarding criteria for the airport.

Accordingly, we have no aerodrome safeguarding objection to the proposal based on the information provided.

Cleveland Police; With regards to your recent planning application H/2025/0131 for Groundworks, Greatham.

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

- 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.

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.

Stockton on Tees Borough Council; would like to inform you that Stockton Borough Council has no objection to this proposal.

I can add that there are no highways comments and the Local Lead Flood Authority have no comments to make either.

I would request that the Environment Agency ensures that the flood defence improvements are underpinned by principles of good practice, and liaises with the contaminated land officer should any unexpected contamination occur.

Hartlepool Rural Plan Working Group;
Original comments received 19/08/2026;

This application site is partially within the Rural Neighbourhood Plan Area. The area around Marsh House Farm, Greatham and to the West of the Tees Road is located in the Rural Neighbourhood Plan Area.

POLICY GEN1 – DEVELOPMENT LIMITS

In the countryside outside the Development Limits and outside the Green Gaps, development will be supported where it is essential for the purposes of agriculture, forestry, public infrastructure or to meet the housing and social needs of the local rural community. Other development that is appropriate to a rural area and supports the rural economy, agricultural diversification, rural tourism and leisure developments will be supported where it respects the character of the local countryside and does not have a significant impact on visual amenity and the local road network.

The area within the Rural Neighbourhood Plan is outside development limits. The Greenabella Marsh part of the site, east of the Venator Greatham Works is within development limits but is an undeveloped marsh.

There is every opportunity for this development to contribute to the rural economy, rural tourism and leisure by providing a valuable resource for the local community. If successful it is likely to provide an enhanced nature conservation feature close to the village of Greatham that will add to the interest and attraction for those using the right of way and established activities such as bird watching. It can provide a boost to the village businesses with a gentle increase in those interested in the environmental enrichment. The inclusion of the immediate community in Greatham village in the future management of the site would undoubtedly offer mutual benefit. Engage the native human population.

POLICY T2 - IMPROVEMENT AND EXTENSION OF THE PUBLIC AND PERMISSIVE RIGHTS OF WAY NETWORK

Improvement and extension of the public and permissive network of bridleways, cycleways and footpaths will be supported and where justified by and shown to be directly related to specific development proposals, financial contribution will be sought towards the following schemes.

4. Cycleways and footpaths linking Brierton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley and providing direct and circular routes between the villages and the countryside;

5. A cycleway and footpath from Greatham to the Tees Road at Greatham Creek, to link into routes to RSPB Saltholme, Seal Sands, Middlesbrough via the Transporter Bridge and Graythorp;

A significant pleasure associated with this right of way is the significant wildlife one can currently view along the route. The application is proposing to move the right of way from the top of the embankment to a location behind it. While the desire to reduce possible disturbance is understandable the reduced visibility is detrimental to the amenity of this right of way. Denying this currently enjoyed amenity is liable to encourage straying from the designated route. A number of hides or screens along the route that would allow users to retain the opportunity to observe the wildlife are required to retain the benefit and communion between people and wildlife. Amenity boards explaining what might be seen on the site would also be welcomed.

With the right of way on the top of the embankment it is secure from flooding or becoming waterlogged. Should it be moved from the embankment and routed to the lower level ground assurances would be needed that this route will continue to be safe from being flooded or waterlogged which would reduce access and add to maintenance costs.

On completion it is suggested that consideration be given to a further diversion of the right of way onto the route of the new roadway linking the works area near Greatham Station level crossing to the lagoon and fresh water pond area. This would result in a less torturous route than is currently being proposed.

The Rural Neighbourhood Plan policy T2 seeks improvement of the public and permissive rights of way network. Paragraph 5 refers to the right of way that this application seeks to divert. The provision of a cycleway to link Greatham village, including national cycle route 14, and South West Hartlepool to the A179. This would provide both a new leisure route and an alternative cycle route, largely away from other busy traffic routes, to access employment on the north bank of the Tees. This application offers an excellent opportunity to do this. The Rural Neighbourhood Plan Group would therefore wish to see the route upgraded to one accommodating cyclists.

POLICY EC1 - DEVELOPMENT OF THE RURAL ECONOMY

The development of the rural economy will be supported through:

5. appropriate tourism related initiatives;
6. recreation uses appropriate to a countryside location.

The development should be of a scale appropriate to its setting and enhance the local landscape character and nature conservation. It should not be detrimental to the amenity of nearby residential properties, sites of geological importance, heritage assets, or result in significant impacts on the local highway network or infrastructure.

All proposals should accord with all other necessary policies contained within this plan, particularly with regard to design and amenity. Necessary policies will be applicable depending on the proposal put forward.

The increasing nature conservation value of the area between Greatham Station and the A179 is clearly appropriate to the countryside and is likely to attract more interest from visitors. Even a small increase in footfall can be a valuable support for the village economy. Such a potential gain would be a reason to support this development.

POLICY EC3 - FORMER RHM SITE TO THE SOUTH OF GREATHAM STATION

The redevelopment of the former RHM site at Greatham will be supported for community and leisure uses, possibly to include:

2. A visitor centre with associated car parking and improved footpaths links, to inform visitors about the importance of the local environmental habitats, the heritage and archaeological importance of Greatham Creek and renewable energy.

The visitor centre should be of innovative design, suited to its location, and with high sustainability credentials. A comprehensive scheme of landscaping and environmental enhancement should form part of any proposal. Before a decision on any proposed development is made, an archaeological assessment of the site should be carried out.

Development proposals should not lead to a significant increase in traffic movements through the village, sustainable transport options will be encouraged. Appropriate mitigation measures to address effects arising from the development on the local habitats will be required prior to any development proceeding.

Attention is drawn to the above Rural Neighbourhood Plan Policy EC3 which considers the development of the site south of the railway line. This application is located within this area and the Group would expect that there would be some benefit to the rural community.

POLICY NE1 - NATURAL ENVIRONMENT

The rural plan will seek to protect, manage and enhance the areas natural environment.

1. Nature conservation sites of international and national importance, Local Wildlife Sites, Local Geological Sites and Local Nature Reserves will be protected, managed and actively enhanced. Designated sites are identified on the Proposals Map.
 - a. Development that would affect internationally important sites will be permitted only where it meets all the relevant legal requirements.
 - b. Development that would affect nationally important sites will be permitted only where it meets all the relevant legal requirements
 - c. Development which would negatively affect a locally designated site will be supported only where the reasons for the development clearly outweigh the harm to the conservation interest of the site. Where development on a locally designated site is approved, compensatory measures will be required to maintain and enhance conservation interests. In the first instance compensatory measures should be as close to the original site as possible. Compensatory measures may include biodiversity offsetting where on-site compensation is not possible.
2. Enhancement of wildlife corridors, watercourses (including improving water quality) other habitats and potential sites identified by the local biodiversity partnership or similar body must be created in order to develop an integrated network of natural habitats which may include wildlife compensatory habitats and/or wetland creation. Opportunities to de-culvert parts of Greatham Beck and its tributaries will be encouraged within the Neighbourhood Plan area.
3. Where possible, new development should conserve, create and enhance habitats to meet the objectives of the Tees Valley Biodiversity Action Plan. Any development should not result in, or contribute to, a deterioration in the ecological quality of the Greatham Beck waterbody.

This proposal will surely enhance the environmental quality of the adjacent international and local nature reserves. The application would appear to be fully in line with the aims of the Rural Neighbourhood Plan Policy NE1. The Group would ultimately expect the improvement to result in the area becoming a designated site for nature conservation.

Conclusion

The Rural Neighbourhood Plan Group is largely in favour of this application. We would expect and trust that the local rural community will be part of the benefits that these proposals offer and thus increase the value that community already feels for the Greatham Creek environment. The Group urges further consideration is given to ensure the right of way which runs to and through the site continues to provide the fullest amenity value and a modest economic gain.

Further comments received 26/05/2026:

The re-consultation does not alter the earlier response of the Rural Neighbourhood Plan Group which remains valid.

Clerk to the Parish Council of Greatham;

Original comments received 15/8/2025:

The parish council support the application but express concerns about the change of the rights of way. They feel moving them from the "top" of the banks to the bottom may destroy the chances of observing the wild life. Also, they believe there mis to be a works depot near the station and the footpath will be moved on to the road which causes more concern!. If this view needs to be clarified further please contact the clerk.

Further comments received 16/12/25:

Concerns are expressed that moving the "paths/trails" from the top of the banks to the bottom will see them flooded easily when inclement weather is about. The Bird watching hives should also be on the top so viewing is not restricted. What does the permanent mean about the road to be constructed whilst work is carried out? placing hives etc along the "temporary" road would make distances shorter. No mention of rubbish bins for visitors.

No comments have been received from the following consultees:

- **HBC Community Safety & Engagement**
- **HBC Building Control**
- **Planning Casework Unit (SoS)**
- **INCA**
- **RSPB**
- **Tees Valley Wildlife**
- **Ramblers Association**
- **Northumbrian Water**
- **Network Rail**
- **Chief Fire Officer**
- **EDF Energy Generation Power Station (Hartlepool Power Station)**

- **Crown Estates/Coastal Estates**
- **Tees and Hartlepool Port Authority**
- **Tees Valley Combined Authority**
- **Redcar And Cleveland Borough Council**

PLANNING POLICY

1.28 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) (August 2026)

1.29 The National Planning Policy Framework (NPPF), published in August 2026, sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in the determination of planning applications and provides the national policy framework for both plan-making and decision-taking. The Framework should be read as a whole.

1.30 The Framework promotes sustainable development through economic, social and environmental objectives which are mutually supportive and interdependent. It places significant weight on housing delivery, economic growth and development in sustainable locations, whilst seeking to protect and enhance the natural, built and historic environment.

1.31 At the heart of the Framework is a presumption in favour of sustainable development. Relevant policies of the NPPF have been taken into account in the assessment of this application and are referenced where appropriate throughout this report.

Hartlepool Local Plan (2018)

1.32 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of the application;

SUS1: The Presumption in Favour of Sustainable Development

LS1: Locational Strategy

CC1: Minimising and adapting to climate change

CC2: Reducing and Mitigating Flood Risk

RUR1: Development in the Rural Area

INF2: Improving connectivity in Hartlepool

QP1: Planning Obligations

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development

QP6: Technical Matters

NE1: Natural Environment

NE2: Green Infrastructure

NE4: Ecological Networks

EMP4: Specialist Industries

HE1: Heritage Assets

HE2: Archaeology

HE5: Locally Listed Buildings and Structures
INF2: Improving Connectivity in Hartlepool

Hartlepool Rural Neighbourhood Plan (2018)

1.33 The following policies in the adopted Hartlepool Rural Neighbourhood Plan 2018 are relevant to the determination of the application;

GEN1: Development Limits
GEN2: Design Principles
EC1: Development of the Rural Economy
EC3: Former RHM Site to the South of Greatham Station
NE1: Natural Environment
T2: Improvement And Extension of The Public and Permissive Rights of Way Network
HA1: Protection and Enhancement of Heritage Assets
HA4: Protection and Enhancement of Locally Important Buildings

Supplementary Planning Documents

Transport Assessments / Statements and Travel Plans SPD
Green Infrastructure SPD and Action Plan (2020)
Public Rights of Way Standards and Guidance SPD (2020)
Planning Obligations SPD (2026)

Other Supporting Documents

Hartlepool Landscape Assessment (2000)
Hartlepool Strategic Flood Risk Assessment (2017)

Tees Valley Minerals and Waste DPD (2011)

1.34 The Tees Valley Minerals DPDs (TVMW) form part of the Development Plan and include policies that need to be considered for all major applications, not just those relating to minerals and/or waste developments.

1.35 The following policies in the TVMW are relevant to this application:

Policy	Subject
MWP1	Waste Audits

HBC Land Use Policy comments: *(updated, date received 07/07/2026)*

Principle of development

1.36 The proposal is for the natural flood inundation of the River Tees to improve flood mitigation in the wider area. The proposed development site comprises 56.75ha at Greenabella Marsh and Greatham Creek, adjacent to the River Tees.

Limits to development

1.37 Part of the site lays beyond the limits to development as defined on the Local Plan Policies Map. Policy LS1 of the Local Plan sets out that the development of Hartlepool will be based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built up area and adjacent to areas of strong economic growth. Policy RUR1 establishes that development in the rural area seeks to ensure that the rural area is protected and enhanced to ensure that its natural habitat, cultural and built heritage and rural landscape character are not lost.

1.38 Proposals for development within the rural area must be considered necessary for the efficient or the continued viable operation of agriculture, horticulture, forestry, equine uses, and/or other appropriate land-based businesses. The proposal for coastal flood mitigation cannot be undertaken in an alternative location and therefore is considered to be an appropriate operation within the rural area.

1.39 Part of the site lies within the Rural Neighbourhood Plan Area and is beyond the limits to development; therefore Policy GEN1 applies. Policy GEN1 states that development outside of the Development Limits will be supported where it is essential for the purposes of agriculture, forestry, public infrastructure or to meet the housing and social needs of the local rural community. Other development that is appropriate to a rural area will be supported where it respects the character of the local countryside and does not have a significant impact on visual amenity and the local road network. Given the nature of the proposed works is for the improvement to flood defences the proposal is considered to be in accordance with Policy GEN1 under 'public infrastructure'.

Climate change

1.40 The council is commitment to helping to minimise and adapt to climate change; Policy CC1 of the Local Plan sets out the criteria for new development to achieve this. Criterion 4 states that environments which are resilient and adaptive to climate change are encouraged and the protection and enhancement of biodiversity including habitat networks, green infrastructure and managing coastal squeeze. The purpose of the proposal is for a flood realignment project to realign the natural flood inundation of River Tees and the creation of intertidal habitats. The proposal is therefore considered to be in accordance with Policy CC1.

Flood risk

1.41 The site is located within flood zone 2 and 3, in accordance with the NPPF and policy CC2 the proposals is required to submit a site specific flood risk assessment. The views of the engineering consultancy should be sought to determine its findings.

Policy NE1

1.42 Part of the site forms the Teesmouth and Cleveland Coast Special Protection Area/Ramsar Site and is allocated as NE1a – internationally designated sites. Part of the site also lies within a designated wildlife site and is allocated under Policy NE1c – locally designated sites.

1.43 Policy NE1 of the Local Plan sets out that the council will protect, manage and enhance Hartlepool's natural environment. Sites which are designated for nature conservation will be protected and where appropriate enhanced. Internationally designated sites receive statutory protection, development which is not considered necessary for the enhancement and/or management of the site will not be permitted

unless it meets relevant legal requirements. Development which would adversely affect a locally designated site, which is not also allocated for another use in the Local Plan, will not be permitted unless the reasons for the development clearly outweigh the harm to the conservation interest of the site.

1.44 The planning statement outlines that improvement works to the embankments will also create intertidal habitats with carbon sequestration and biodiversity, the views of HBC Ecologist will be paramount in determining whether the proposals satisfy the requirements of Policy NE1a-c.

1.45 Policy NE1 further states that development will avoid harm to and, where appropriate, enhance the natural environment. This could include, for example, creating and/or enhancing habitats to meet the objectives of the Tees Valley Biodiversity Action Plan. In seeking to avoid harm, development should follow the sequence of avoidance, mitigation, compensation. The views of HBC Ecologist are required to determine whether the proposal successfully address any harm to the natural environment.

Transport

1.46 Part of the proposals lies within land allocated for INF2.5 which states that no permanent development will be permitted within land corridors shown on the Policies Map that are reserved for the road scheme B1277 Brenda Road/A178 Tees Road. The views of the traffic and transport team should be sought to determine the appropriateness of the proposal in line with the policy.

Public Right of Way

1.47 The site includes a number of PRoW and proposes the permanent diversion of an existing Public Right of Way. The Standards and Guidance for Public Rights of Way (2020) provides detailed guidance on the treatment of PRoW in development proposals. The views of the Countryside Officer will be paramount to determine the appropriateness of the diversion.

Employment Land

1.48 A portion of the site, to the east of Tioxide lies within an area allocation for EMP4b and NE1c. EMP4b reserves the area for the potential expansion of existing occupier; potentially polluting and hazardous industrial development. The proposals would see an area allocated for employment land expansion used for flood mitigation and habitat creation, therefore resulting in the loss of employment land. The views of the Economic Development Manager should be sought on the loss of employment land.

1.49 In accordance with Policy EMP4 proposals will also need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast Special Protection Area and Ramsar site.

1.50 A secondary smaller area of land lies within the EMP4 allocation and is proposed to be used as a temporary construction and storage compound. The proposed use of the site does not accord with Policy EMP4 however given the temporary nature of the compound it would be considered appropriate in this instance and planning policy would seek a condition to ensure the compound is removed following completion of the project should the application be approved.

Conclusion

1.51 The proposal will address coast flood mitigation and is therefore considered to be in accordance with Policy CC1 and criterion 14 of Policy NE1 which sets out that development will have regard to coastal change, bathing water quality, and coastal processes over time, and in particular the need to avoid exacerbating coastal squeeze and incorporate measures to mitigate this where appropriate.

1.52 The principle of development beyond the limits to development is considered acceptable and in accordance with Policy RUR1 and GEN1.

1.53 The views of HBC Ecologist are required to determine the acceptability of the proposal in accordance with Policy NE1 of the Local Plan and Rural Neighbourhood Plan.

1.54 The views of Economic Development are required regarding the loss of employment expansion land.

PLANNING CONSIDERATIONS

1.55 The main material planning considerations when assessing this application are the principle of the development in terms of the policies and proposals held within the Hartlepool Local Plan (2018) (HLP), Hartlepool Rural Neighbourhood Plan (2018) (HRNP), Tees Valley Minerals DPD, HBC Supplementary Planning Documents, and the National Planning Policy Framework (NPPF) (2026), visual impacts regarding the character and appearance of the area, impacts upon heritage assets, archaeology, impacts the development may have on the amenity and privacy of neighbouring land users, highway and pedestrian safety, impact of new diverted Public Rights of Way (PRoW), ecology and nature conservation, flood risk and drainage, contamination, and loss of agricultural land. These and any other planning and residual matters are considered further below.

PRINCIPLE OF DEVELOPMENT*Policy Context*

1.56 Part of the proposed development site lies outside the designated limits of development defined within the HLP (and illustrated on the HLP Policies Map) by HLP Policy LS1. HLP Policy LS1 outlines the Borough's locational strategy, which promotes a balanced approach to urban growth, focusing development near existing urban centres. Given the site's partly rural setting, the proposal must also be assessed against HLP Policy RUR1 (Development in the Rural Area). In terms of site allocation, the site is covered by HLP Policies NE1 (Natural Environment) and EMP4 (Specialist Industries).

1.57 In terms of the Hartlepool Rural Neighbourhood Plan (HRNP) and its associated policies map, only part of the site falls within the designated rural plan area, which is covered by HRNP policies GEN1 and GEN2, which have regard to the design and layout within the development limits. Part of the site would accommodate a temporary construction compound on the RHM site under HRNP Policy EMP3 and would abut a local wildlife site allocated under HRNP Policy NE1.

1.58 In terms of the recently published and updated National Planning Policy Framework (NPPF) (2026), Policy S3 sets out a presumption in favour of sustainable development. Decisions on development proposals should apply a presumption in favour of sustainable development and where development proposals accord with both an up-to-date development plan and the decision-making policies within the NPPF they should be approved without delay. Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 need to be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate).

1.59 The overarching aim of Policies LS1 and RUR1 of the HLP is to manage development in a way that protects and enhances the rural environment, ensuring that natural habitats, cultural and built heritage, and the character of the rural landscape are preserved. HLP Policy RUR1 further acknowledges that certain types of development, such as public infrastructure or projects that meet community needs, may be appropriate in rural areas. It requires proposals to align with the Hartlepool Rural Neighbourhood Plan (HRNP) and be located near villages, and avoid adverse impacts in terms of noise, access, light pollution, visual intrusion, and amenity. Developments must also demonstrate good design, respect the existing built and natural environment, ensure highway safety, improve sustainable connectivity, and avoid areas of best and most versatile agricultural land.

1.60 Part of the site lies within the Teesmouth and Cleveland Coast SPA/Ramsar site and a larger area falls within the Greenabella Marsh Local Wildlife Site. HLP Policy NE1 seeks to protect and enhance these biodiversity interests, whilst recognising that where land is allocated for another purpose, development may be acceptable subject to appropriate mitigation and compensation measures where required. The application's impacts on designated sites, habitats and species are considered in detail within the Ecology section of this report.

1.61 The proposal forms part of the Environment Agency's wider Tees Tidal Flood Risk Management Strategy and seeks to deliver essential flood risk management infrastructure, climate change adaptation and habitat creation. HLP Policies NE2, CC1 and CC2 support measures that alleviate flood risk, naturalise watercourses, create wetland habitat and improve climate resilience. The proposed development is considered to broadly accord with these objectives.

1.62 HLP Policy NE1 also states that development should avoid harm to, and where possible enhance, the natural environment. This may include creating or improving habitats to support the objectives of the Tees Valley Biodiversity Action Plan. To avoid harm, development should follow the mitigation hierarchy: avoidance, mitigation, then compensation. The HBC Ecologist's assessment is set out further within the report under the Ecology section.

1.63 Within the area covered by the HRNP, Policies GEN1, GEN2 and NE1 are of relevance. These policies support essential public infrastructure outside defined development limits where impacts are acceptable and seek habitat enhancement and biodiversity improvements. The proposal incorporates wetland creation and is considered to broadly accord with the objectives of those policies, subject to the detailed matters considered elsewhere within this report.

1.64 One of the temporary site compound areas is proposed within the former RHM site, located south of Greatham Station. Policy EC3 of the HRNP supports the redevelopment of this site for community and leisure uses. As the proposed use of the compound is temporary, it is considered not to conflict with this policy. In terms of the other two compounds, one is located to the south of Tioxide, which is allocated for employment purposes, whilst this would not be a use for employment purposes; considering their temporary nature, such proposals are considered not to conflict with the thrust of the HRNP Policy EC3 nor HLP Policy EMP4. In terms of all three proposed temporary construction compounds within the red line boundary, a planning condition is recommended to ensure that these are removed once the development is complete and the land made good and restored to its former condition.

1.65 A portion of the development falls within land allocated under HLP Policy INF2, which specifies that no permanent development will be permitted within the designated corridors shown on the Policies Map that are reserved for the B1277 Brenda Road/A178 Tees Road scheme. No objections are raised by officers or technical consultees to the proposal in respect of this, which will be discussed further within the highway section of the report.

1.66 HRNP Policy T3 and HLP Policy QP3 have regard to highway footpaths, and as the application also seeks the permanent diversion of an existing Public Right of Way, these policies are of consideration. Moreover, within the vicinity, there are other PRoWs that will remain unaffected. The Standards and Guidance for Public Rights of Way (2020) provides detailed requirements for the treatment of PRoW within development schemes. Further consideration will be given within the highway section of the report.

1.67 At the national level, the NPPF sets out a vision for sustainable development, integrating economic, social, and environmental objectives. It includes policies to protect people and property from flooding and mandates the delivery of Biodiversity Net Gain (BNG). Policy DP3 (2b) (Key principles for well-designed places) of the NPPF states that the planning system should support the transition to net zero and contribute to climate change mitigation and adaptation. Moreover, Chapter 7 of the NPPF has regard to the economy and states planning policies and decisions should create conditions in which businesses can expand, adapt and invest, with decision-making policies set out under Policy E2 (Meeting the need for business land and premises)

'Dual Allocation' and impact on Allocated Employment Land

1.68 As previously set out, the site has a dual allocation by two land use allocations within the HLP, namely through Policy NE1('a', internationally designated sites and 'c', locally designated sites) and Policy EMP4('b', South Works). Policy EMP4(b) commits the land for 'specialist industries' subject to meeting identified criteria within the policy.

1.69 Under HLP Policy NE1, part of the development site is a locally designated nature site (Local Wildlife Site), yet the policy acknowledges that where the site is allocated for another use (which is the case in this instance), then the principle of development is considered to be acceptable for its allocated land use, though compensation measures may be required. HLP Policy NE1 acknowledges that another site allocation would take precedence over retaining the land use as a local nature site; however, this would be on the basis that the development would bring forward specialist

industrial development, which is not the case in this instance and for this application. Whilst the site benefits from a dual allocation, the proposal would not deliver the specialist industrial development envisaged by HLP Policy EMP4 and would affect land allocated for that purpose. Accordingly, the proposal is considered to represent a departure from the development plan and has been advertised as such.

1.70 Moreover, HLP Policy EMP4 states that development proposals will be permitted where they meet criteria 1-3 which set out that development proposals will be supported where they do not result in significant adverse impacts on visual amenity, noise, air quality, water quality and supply, public health or safety, or surrounding existing and proposed land uses. In addition, essential infrastructure should avoid areas of high hazard unless it can be demonstrated through a Flood Risk Assessment that flood risk can be safely and effectively managed for the lifetime of the development. The development will be assessed against this criterion under the relevant section accordingly.

1.71 The proposed development is supported by a comprehensive framework of national and local planning policies that collectively promote flood risk mitigation, biodiversity enhancement, public infrastructure delivery, and climate change adaptation. Chapter 1 of the NPPF (2026, paragraph 3) sets out that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies of the NPPF (2026) are a material consideration in making decisions and should be read alongside the policies in the development plan. Planning decisions must also reflect relevant international obligations and statutory requirements. The loss of the specialist industrial employment land for principally flood mitigation, BNG measures and other material considerations will therefore be considered and taken into account when making a balanced decision recommendation further within the report.

1.72 NPPF (2026) Policy S4 establishes a presumption in favour of development within settlements, but this support is overridden where proposals would cause significant harm to protected land, important designations, flood management functions, or where national policy explicitly requires refusal. Conversely, NPPF Policy S5 applies a more restrictive approach to development outside settlements. Development should only be approved where it falls within one of a number of specified categories and where the benefits are not substantially outweighed by adverse impacts. In terms of NPPF Policy S5, whilst elements of the proposed works extend beyond the defined settlement boundary, the proposal is considered to accord with the general thrust of NPPF Policy S5 as the scheme comprises engineering operations and infrastructure (including water management infrastructure necessary to manage flood risk). Such development is therefore considered to be explicitly supported under NPPF Policy S5(1)(a).

1.73 However, in terms of NPPF Policy S4, as previously mentioned, a large portion (approximately 31ha) of the site is allocated for specialist industry uses under HLP Policy EMP4b and therefore consideration needs to be given to the fact that part of the site is designated within the HLP and whether the development proposal would have a substantial adverse impact upon its allocated land use. NPPF Policy S4 states that regard should be given to its allocation or safeguarding of the land unless there is no reasonable prospect of an application coming forward for the allocated use, or there is

evidence that the safeguarding is no longer appropriate; or it is an area of particular importance for biodiversity and geodiversity under NPPF Policy N6 (Areas of particular importance for biodiversity and geodiversity).

1.74 The allocated land under HLP Policy EMP4 would allow new employment development and/or provide the existing industrial site at the former Venator site (now operated by Tioxide following its acquisition of the site in April 2026) with the opportunity to expand. At the time neighbour consultations were issued by the Local Planning Authority in July 2025, Venator, as the site operator at that time, was consulted and a response confirming it did not wish to object to the proposal was received in August 2025. Since that time, the site is understood to have been acquired by Tioxide (April 2026), and the applicant has subsequently advised that it has engaged with the current operator. HBC Economic Development has been consulted and states that the proposed development would not offer an employment use in line with the policy; however, insufficient evidence or statistical data has been provided to demonstrate that the land is required by the specialist industrial sector, and as above, no comments have been received from the operator.

1.75 In terms of the site's dual allocation, the allocation supports employment development in principle, subject to compliance with the relevant HLP EMP4 criteria and mitigation of impacts on biodiversity interests where required as set out within HLP Policy NE1. When reading the HLP as a whole, it seeks to address climate and coastal changes as well as providing enhancements to the natural environment, which the application demonstrates that it would achieve, amongst other benefits, primarily ecological benefits.

1.76 Part of the site does fall within flood zone 3 as set out within the Flood Risk section of the report, which is an existing constraint of the site. HLP Policy CC2 has specific regard to reducing and mitigating flood risk, and as previously set out, the existing flood defences in place are failing, and action is required by the Environment Agency to address this matter. HLP Policy CC2 states that development proposals are required to be resilient to flood risk (which the development would be water compatible development) and that it is in accordance with the NPPF and the recommendations of the Hartlepool Strategic Flood Risk Assessment (SFRA) (2017) that accompanied the supporting evidence as part of the HLP adoption.

1.77 Whilst it is acknowledged that the site is allocated for specialist industrial employment land (HLP Policy EMP4b), proportions of the developable land would remain. Also, the site would remain designated as both an internationally and locally designated nature conservation site and continue to fulfil its secondary environmental function. As set out within the Ecology section of the report, the development would not result in significant adverse effects on the integrity or qualifying features of any internationally, nationally or locally designated biodiversity or geodiversity site. The design of the scheme would be managed through appropriate mitigation and enhancement measures. The proposal is therefore considered to accord with the objectives of NPPF Policy N6 and is not considered to give rise to any unacceptable impacts on biodiversity or geodiversity interests.

1.78 In terms of loss of employment expansion land, it is acknowledged that the proposed managed realignment and restoration of natural floodplain processes could

reduce the attractiveness and practicality of parts of the site for future employment development and that the proposed flood defence works are not wholly consistent with the site's allocation within the development plan in terms of NPPF Policy S4 and HLP Policies EMP4 and NE1. However, it is considered that the proposal would not inhibit the full opportunity for development of other sites within the vicinity. The removal of the existing flood defences and restoration of natural floodplain processes would largely affect land that is already identified as being at high risk of flooding within Flood Zone 3. As such, it is understood that the scheme would not introduce a significant new constraint on surrounding land nor extend safeguarding or consultation zones that could prejudice future development opportunities. Furthermore, the proposed works are intended to improve flood risk within the wider catchment through a managed breaching and realignment approach, thereby contributing positively to the long-term sustainability and resilience of the area.

1.79 Significant weight must therefore be given to the site's existing circumstances when considering the policy 'conflict' of the dual allocations on the site. The site at present is subject to substantial flood risk constraints (within Flood Zone 3). The Hartlepool SFRA noted that the adjacent flood embankment is known to have breached and that the existing infrastructure is not designed for extensive development, climate change or essential infrastructure. It further identifies very significant flood risk constraints and makes it clear that development would only be capable of proceeding if those risks could be satisfactorily addressed through a detailed FRA and that the site allocation for an employment use would be dependent upon the integrity and maintenance of the defences, which would need to be fully assessed should an employment land use come forward. The SFRA sets out that future development on the site for employment purposes would be required to demonstrate that there is suitable flood defence performance (or enhancement); safe access and egress; safety for the lifetime of the development including climate change; no increase in flood risk elsewhere; and compliance with the Exception Test. Consequently, the developability of the site for employment purposes is already constrained and would require significant investment in flood mitigation infrastructure irrespective of the current proposal.

1.80 Whilst the Council's Economic Development Manager has raised concerns regarding the loss of allocated employment land, no evidence has been provided demonstrating a current requirement for this particular area of land or that the proposal would materially prejudice the Borough's overall employment land supply. It is acknowledged that the site's allocation under HLP Policy EMP4 demonstrates that the land has been identified as suitable (in principle) for specialist industrial development. However, officers have not been presented with evidence that the affected land is required to meet an identified employment need at the present time, nor that the proposal would undermine delivery of the wider allocation.

1.81 Similarly, neither the site operator nor any prospective occupier has objected to the proposal or indicated any intention to bring the land forward for employment development. In the absence of compelling evidence demonstrating that the proposed development (and effect on the employment allocation) would result in harm to the Borough's employment land supply or economic objectives, officers consider that only moderate weight can be afforded to the conflict with the employment allocation in this instance. In view of the provisions of NPPF Policy S4, it is considered that the development would not give rise to a substantial adverse impact on the allocation or

prejudice delivery of the allocation's intended purpose that would warrant a refusal of the application.

1.82 The Environment Agency is promoting the scheme to restore natural floodplain function as a form of essential flood risk management infrastructure on land that is already subject to significant flood risk constraints. It is acknowledged that the proposal would not deliver the specialist industrial employment use envisaged and allocated by HLP Policy EMP4; however, the proposal would deliver significant public benefits through the provision of essential flood risk management infrastructure, increased climate change resilience, restoration of natural floodplain function, biodiversity enhancements and ecological habitat creation (intertidal habitat creation) and therefore represents a significant ecological gain. These objectives are considered to be supported by the NPPF (2026) and align with the wider objectives of Policies CC1, CC2 and NE1 of the HLP and Policy NE1 of the HRNP.

Principle of Development Conclusion (and Planning Balance)

1.83 In weighing up the balance of benefits of the scheme (principally the flood improvement scheme with associated ecological enhancements) against any identified adverse impacts (principally the conflict with the employment land allocation), emphasis is placed on balancing any identified potential harms of a proposal against the prospective benefits of development.

1.84 NPPF (2026) paragraph 17 applies a presumption in favour of sustainable development and states that “Achieving sustainable development means that the planning system has three overarching objectives in providing for the homes, commercial development, facilities and infrastructure which society needs. These objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across all three)” being economic, social and environmental objectives.”

1.85 Whilst the proposal would affect and/or reduce the extent of part of the land available for future specialist industrial development within the HLP EMP4 Policy allocation, officers are satisfied that insufficient evidence has been presented to demonstrate that the affected land is required to meet an identified employment need during the plan period or that the proposal would materially prejudice the Borough's overall employment land supply. Furthermore, no objection has been raised by the site operator or any prospective occupier. It is also recognised that the land is already constrained by its Flood Zone 3 designation and existing flood defence issues. In these circumstances the conflict with HLP Policy EMP4 is afforded moderate weight.

1.86 The proposed development constitutes essential flood risk management infrastructure promoted by the Environment Agency to address an identified and ongoing flood risk issue. Whilst the proposal would result in a degree of conflict with the specialist industry allocation under HLP Policy EMP4, significant weight is afforded to the delivery of flood resilience infrastructure, climate change adaptation measures, biodiversity gains and habitat creation. Officers consider that these material considerations outweigh the identified policy conflict in this instance.

1.87 In conclusion, and when weighing up the balance of the benefits of the proposed development against the adverse impacts, primarily the effect on the allocated employment land, it is considered that these impacts would, on balance, be outweighed by the identified environmental and social benefits of the proposal in this instance and that the proposal does, on balance, represent a sustainable form of development.

1.88 It is therefore considered that the material considerations in favour of the development outweigh the identified conflict with the employment allocation. Overall, and when considered in the planning balance, the principle of development is considered to be acceptable subject to the scheme satisfying all other material planning considerations as set out below.

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

1.89 The site lies within Tees Lowlands, defined by broad, low-lying plains, extensive agricultural land, large fields, limited woodland cover, and significant urban and industrial development. The site falls under the Estuarine Landscape Character Type as set out within the HLP and the Landscape Character Assessment (2000) and is typified by low-lying agricultural land interspersed with open water, saltmarsh, reed beds, and mudflats. The site adjoins an industrially developed area that is considered to diminish the visual quality of this landscape. The site also borders the Tees Estuaries and Coastal Waters, which are characterised by tidal rivers, industrialised coastal waters, brightly lit nightscapes, and stretches of sandy shoreline.

1.90 HLP Policy LS1 sets out to carefully manage growth in a sustainable manner. The incorporation of multi-functional Green Infrastructure is essential to achieving high-quality development, and in doing so, this will provide opportunities for recreation and leisure while mitigating potential impacts on landscape character and the wider environment. Moreover, HLP Policy NE1 seeks to ensure that the character and quality of the Borough's landscape is protected and enhanced where appropriate. Policy QP4 of the HLP seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. This policy requires that developments are of an appropriate layout, scale and form that positively contribute to the Borough and reflect and enhance the distinctive features, character and history of the local area. HLP Policy EMP4 states that development will only be permitted where there are no adverse visual impacts.

1.91 Part of the proposed development lies outside the defined boundary of Greatham village and, as such, would be assessed against HLP Policy RUR1 and HRNP Policy GEN1. Policy GEN1 of the HRNP defines development envelopes for villages and green gaps. The policy supports development for rural leisure where there are no significant impacts upon the visual amenity/character. Policy GEN2 of the HRNP has regard to design principles and, in particular, how development would preserve or enhance landscape views and vistas within the area.

1.92 NPPF Policy L1 encourages opportunities to secure multiple benefits from land, including net environmental gains, habitat creation and improved public access to the countryside. The objectives of Policy RUR1 are reflected within Policies N2 and N5 of

the NPPF, which seek to conserve and enhance the natural environment, maintain the character of undeveloped coastal areas and support habitat creation, ecological enhancement and wider environmental benefits. In addition, NPPF Policy DP3 requires development proposals to respond positively to their landscape context and reinforce local character and identity through high-quality design and placemaking. NPPF Policy TR8 also seeks to protect and enhance Public Rights of Way and improve access to green spaces and the countryside where opportunities arise.

1.93 As set out within the proposal description, the development would include the creation of approximately 23ha of additional intertidal habitat, three breaches within the existing Greenabella Embankment (each approximately 42m wide), construction of a replacement embankment to approximately 5.55m AOD, raising of the Greatham Creek embankment to approximately 4.95m AOD and associated earthworks and regrading works. In addition, the development would create a tidal saline lagoon with associated intertidal habitat and a new freshwater pond. Whilst substantial engineering works are proposed, it is considered that the development would ultimately create landforms and habitats characteristic of the existing estuarine landscape.

1.94 The scheme involves essential flood alleviation measures, which are expected to enhance the local landscape and existing green infrastructure. Consequently, the development generally does not introduce any notable built structures (other than viewing areas designed for wildlife watching and interpretation boards) that would alter the rural character of the area. On this basis, the proposal is considered consistent with Policies LS1, NE1, EMP4, QP4 and RUR1 of the HLP, Policies GEN1 and GEN2 of the HRNP and the provisions of the NPPF.

1.95 Within the Hartlepool Landscape Assessment (HLA, 2000), the site falls partly within an area of low to mid estuarine and is considered to be of mid to high amenity value, low to mid landscape value, and mid to low visual quality. The Assessment's visual analysis does, however, indicate that the site area benefits from major views looking east and west, as well as major viewpoints. The Estuarine area is distinctive but visually compromised by its proximity to the adjacent oil storage depot, BNFL power plant, and Tioxide works. On a wider scale, the Teesside industrial complex forms a dominant backdrop, its visual impact amplified by the flat, low-lying nature of the surrounding landscape.

1.96 The HLA states that Hartlepool's estuarine sites account for only a small portion of the 500 hectares of intertidal land within the Tees Estuary. Although the presence of heavy industry detracts from the immediate visual quality, the area retains significant natural and ecological importance. This is evidenced by the SSSI and SNCI designations covering four of the nine estuarine sites, as well as the internationally important populations of wetland wildfowl and seals that inhabit the area.

1.97 The HLA sets out that the area offers a unique marshland aesthetic and high nature conservation value within an industrial setting. However, it is generally a flat, featureless landscape with a heavy industrial backdrop; visual intrusion from electricity pylons and lacks facilities to encourage public use, such as educational resources or car parking. The HLA states that there are few estuarine sites; the highest scores for SSSI-designated marshes and waterways; the lowest for estuarine farmland near industry. It notes that while industrial impacts cannot be fully mitigated, it is vital to

protect and conserve the natural value of the landscape for future generations. In addition, opportunities to promote ecological, visual, historic and educational assets are welcomed.

1.98 Policy N5 of the NPPF requires development proposals to maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, whilst supporting improvements to public access where appropriate. The policy also requires that development should not prejudice the continued use and maintenance of the King Charles III England Coast Path National Trail.

1.99 The application has also been supported by a Landscape and Visual Assessment (LVA), included within the Environmental Statement (ES). The proposed development would be visible from a number of vantage points, such as adjacent highways; users of the King Charles III England Coast Path (north and south); residents on the south-eastern edge of Greatham; recreational users of Public Rights of Way (PROWs) and visitors to Cowpen Bewley Woodland Park hill.

1.100 During the operational phase, the ES states that Greatham Creek, Greatham Beck, and onsite ponds will experience 'slight adverse effects' offset by habitat creation and are not deemed to be significant. The Tees Estuary would experience 'slight adverse effects' from hydrodynamic changes balanced by water quality improvements, resulting in 'negligible to minor adverse effects (not significant)'. Overall, the LVA concludes that no additional measures are required during the construction phase as the impacts are considered to be 'non-significant'.

1.101 The submitted ES has assessed the impacts from wider afield and states that during the construction phase, there is the possibility of runoff and pollutant effects and temporary cumulative effects on the landscape and visual impacts for nearby residents during construction, which would reduce over time once vegetation establishes. It is considered that these impacts can be mitigated by ensuring that the development is carried out in accordance with a Construction Environmental Management Plan (CEMP) and a Construction Management Plan (CMP), which are recommended by way of separate planning conditions.

1.102 Whilst located within the Tees Estuary rather than the open coast, the application site forms part of a coastal and estuarine environment characterised by tidal influence and coastal habitats. The ES states that visual receptors such as England Coast Path users, residents, PROW users, and Country Park visitors will experience minor adverse effects immediately after completion. Whilst this impact is noted, any such impacts of the development can be softened and somewhat mitigated by the proposed soft landscaping so that it can be embedded into the landscape in the longer term and, subject to a recommended planning condition regarding implementation of the agreed soft landscaping scheme, the development is considered not to create any significant cumulative environmental effects upon the landscape. The proposal has therefore been considered against the NPPF Policy N5, and it is considered that the development would maintain the character of the undeveloped coastal area and would not hinder completion or maintenance of the King Charles III England Coast Path.

1.103 The Council's Landscape Architect has reviewed the supporting documentation including the updated comprehensive landscaping scheme, agrees with its findings and raises no objections to the development. Overall, it is acknowledged that the development has been designed to minimise external impacts and offers a scheme of effective mitigation. It is acknowledged that temporary adverse impacts will undoubtedly occur during construction, but the reinstatement and establishment of vegetation would ensure that, in the long term, the development would not result in any significant adverse landscape or visual harm. The implementation of the agreed landscaping scheme and associated long-term maintenance and management details along with a timetable for implementation (to be agreed) can be secured by way of a planning condition, which is recommended accordingly.

1.104 In terms of the site levels and proposed mounding and earth movement, these have been considered as part of the assessment of the application which is accompanied by indicated finished levels and sections/elevations of such areas which are considered to be acceptable in the context of the overall site. Notwithstanding this, final details of the proposed levels and mounding can be secured by way of a planning condition which is recommended accordingly.

1.105 The application includes the provision of three amenity boards, one bird hide and one bird screen (within land owned by the applicant), which would assist with the enhancement opportunities as set out within the HLA. The proposed structures are considered to be of a relatively modest scale, proportionate to the overall scale of the works and generally reflective of the type and nature of structures that could be expected to be found in such a setting. Overall, it is considered that such elements would not adversely affect the character and appearance of the surrounding area. Final details of such structures can be secured by way of a planning condition.

1.106 It is also understood that a section of the footpath to be created on the raised embankment adjacent to the lagoon would feature an approximately 1.4m high timber post fence on either side, final details of which can be secured by way of a planning condition which is recommended accordingly. Finally, the submission indicates that a number of ancillary pieces of equipment are likely to be required to facilitate access maintenance to a number of areas, particularly to the rear of Tioxide. This is likely to include safety handrails, details of which can also be secured by way of a planning condition which is recommended accordingly.

1.107 Overall, it is considered that the proposed development would, on balance, have a limited adverse impact on the character and visual amenity of the area and the environment, subject to the identified recommended planning conditions. It is also considered that the proposed development would still be read as estuarine land and would not create such a significant impact as to warrant a reason to refuse the application in this instance. The development is overall considered to be in broad accordance with HLP Policies NE1, EMP4, QP4 and RUR1 and HRNP Policies GEN1 and GEN2 as well as the general provisions of the NPPF (2026).

IMPACT ON HERITAGE INCLUDING LOCALLY DESIGNATED ASSETS AND ARCHAEOLOGICAL IMPACTS

1.108 Policy HE1 of the HLP states that proposals that would have an impact upon a heritage asset will be required to preserve, protect, and positively enhance its special character in a manner appropriate to the significance of all heritage assets, as well as having a positive impact and ensuring the sensitive and viable use of such an asset. Policy HE7 of the NPPF requires the significance of a non-designated heritage asset and the degree of harm to be weighed against the benefits of a proposal, with substantial harm or total loss only being justified where the benefits outweigh the harm.

1.109 HLP Policy HE5 has regard to locally listed buildings and structures and sets out that the Borough Council is committed to the retention of heritage assets on the List of Locally Important Buildings. When considering planning permission applications that impact entries on this list, consideration must be given to the historic and architectural significance, character, rarity, and importance.

1.110 HLP Policy QP4 (Layout and Design of Development) of the HLP, 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. The ethos of these policies is also reiterated within the NPPF.

1.111 The HRNP Policy HA1 has regard to the protection and enhancement of heritage assets and supports proposals that preserve, enhance, protect, and conserve heritage assets within the rural areas. HRNP Policy HA4 has regard to locally important buildings on which a balanced judgement is expected in terms of their significance.

1.112 The accompanying heritage information has identified several non-designated heritage assets within proximity to the development area. This includes two locally listed heritage assets south of Seaton Carew, to the south of the A178 (the generator house and comand post), the 19th-century Greenabella seawall and WWII concrete anti-landing posts. Unfortunately, the landing posts would be removed within the intertidal habitat area, and whilst this would have a direct impact, these posts would likely be lost over time due to likely embankment failure, and their removal is considered necessary on this occasion. The applicant suggests that there is scope for these to be relocated elsewhere within Greatham, which is something that is supported by HBC Heritage and Open Spaces Manager on the basis that the community would be involved as part of the relocation process. The relocation does not form part of the consideration of this application and may in their own right require planning permission. An informative is therefore recommended to make the developer aware of this matter.

1.113 Moreover, the Council's Head of Service for Heritage and Open Spaces supports the applicants' intentions to incorporate the history of the site on the proposed interpretation amenity boards and raises no objections to the development. The recommended informatives can be relayed to the developer accordingly. The HBC Head of Service for Heritage and Open Spaces concludes that whilst the wider setting of the area would be altered, the development would not impact the significance of the identified locally listed buildings or assets. Therefore, the development would comply with HLP Policies QP4, HE5, and HE1, HRNP Policies HA1 and HA4 and the relevant heritage provisions and policy of the NPPF (2026).

Archaeology Impacts

1.114 Policy HE2 of the HLP has regard to archaeology and states that the Council will seek to protect, enhance and promote the Borough's archaeological heritage and, where appropriate, encourage improved interpretation and presentation to the public.

1.115 The submitted desktop and field assessment concludes that there is potential for previously unrecorded archaeological remains, dating from the Bronze Age through to the Romano-British period, to be affected by excavation works. Mitigation measures outlined within the ES seek to reduce any impacts to a minor adverse level.

1.116 The ES sets out the nature of known heritage assets within and surrounding the site and includes an archaeological evaluation report and Written Scheme of Investigation (WSI). The archaeological evaluation includes mitigation measures such as archaeological monitoring during seawall breaching works, a watching brief during topsoil stripping associated with the borrow pit, and the detailed recording of 21 anti-landing posts that are proposed to be removed, with potential relocation or museum deposition where appropriate. These measures are consistent with NPPF Policy HE10, which requires that where development would result in the loss of or impact upon heritage assets, provision should be made for their appropriate investigation, recording, understanding, dissemination and archiving, and that evidence and records should be made publicly accessible. NPPF Policy HE10 also requires heritage assets with archaeological interest to be preserved in situ where feasible and, where this is not possible, to be appropriately investigated and recorded by suitably qualified organisations.

1.117 Additional enhancements are proposed which would deliver public heritage benefits, including the recording of WWII bombing decoy remains and the dissemination of findings through interpretation amenity boards, publications and the Historic Environment Record. These measures are supported by both the Council's Head of Service for Heritage and Open Spaces, and Tees Archaeology.

1.118 Tees Archaeology has recommended the imposition of a planning condition requiring the development to be carried out in accordance with the submitted Written Scheme of Investigation and that a post-investigation assessment, publication and archiving programme be completed in due course. This approach would ensure compliance with the recording, dissemination and archiving requirements of Policy HE10 of the NPPF.

1.119 Subject to the recommended planning condition, it is considered that the archaeological interest of the site can be appropriately investigated, recorded and archived, and that any impacts on heritage assets would be appropriately mitigated. The development is therefore considered to accord with HLP Policy HE2, HRNP Policy HA4 and Policy HE10 of the NPPF.

IMPACT UPON NEIGHBOURING LAND USER AMENITY

1.120 HLP Policy QP6 expects development to be incorporated into the Borough with minimal impact. On-site constraints may exist, and the LPA will work with developers to overcome such issues. In particular, the effects on, or impact of, general disturbance

including noise, vibration, dust, fumes, smell, air and water quality, the ethos of this is also echoed in HLP Policy EMP4.

1.121 HLP RUR1 sets out that development should not have a significant detrimental impact on neighbouring users or the surrounding area by way of amenity, noise, access, light pollution or visual intrusion. In addition, HRNP Policies EC1 and GEN1 echo this and state that development should not have a detrimental impact upon amenity.

1.122 Policy P3 of the NPPF (2026) requires development proposals to be appropriate for their location, taking into account the likely effects, including cumulative effects, of pollution on health, living conditions and the natural environment, whether arising from the development itself or from existing conditions in the surrounding area. The policy requires consideration of the sensitivity of the site, its intended users and the surrounding environment. It further requires development to avoid or appropriately mitigate unacceptable levels of air, noise, artificial light, water, soil and other forms of pollution, protect the living conditions of existing and future occupiers, and minimise adverse noise impacts so as not to result in significant observed adverse effects or harm the character of tranquil areas. Where appropriate, mitigation measures should be incorporated to ensure acceptable living conditions and environmental outcomes. NPPF Policy P3 also recognises that separate regulatory regimes for pollution control should be assumed to operate effectively unless there is clear evidence to the contrary.

1.123 The site is located to the southeast of Greatham Village and is adjacent to existing industrial and commercial development. Residential properties are present at Marsh House Farm and Station Cottages to the south of Marsh House Lane, to the northwest of the site, with the main village envelope further north. Residential properties are within the vicinity (approximately 40 metres away) of one of the proposed site's construction compounds and along its access route.

1.124 Noise and disturbance, which include dust and vibration from the activities that would take place on the site, would undoubtedly lead to some activity and disturbance experienced at times, and given the nature of the works, these would likely occur during the construction phase. However, it is anticipated the main activities regarding deliveries to and from the site would largely occur early within the project commencing and once the development is complete. The ES states there will be no regular Heavy Goods Vehicles (HGV) construction traffic through Greatham Village and only one-off HGV movements bringing initial plant to the site to build the haul road. Construction workers may, however, travel through in private cars occasionally, and this would be unlikely to lead to more than five vehicles in peak hours. The submitted Environmental Action Plan (EAP) outlines several measures, which include restricted operating hours (07:00-1900 Monday-Friday) and best practicable means that would be controlled through the required Construction Management Plan (CMP), which is considered to assist in reducing associated impacts or noise and vibration levels.

1.125 Both the HBC Public Protection team and the HBC Traffic and Transport team have reviewed the supporting documentation and agree with its findings and raise no objections to the development. To ensure that there would be no significant impacts on amenity, a planning condition is recommended to secure the aforementioned CMP regarding the associated construction works.

1.126 Given the temporary nature of the proposed construction compounds and their location on previously developed land, it is considered that their use would not conflict with the objectives of HRNP Policy EC3. To ensure that no lasting impacts arise from the temporary occupation of the site, a planning condition is recommended requiring the removal of all construction compounds, equipment and associated infrastructure upon completion of the works, together with the restoration of the site to its previous condition. Subject to this recommended condition, the proposal is considered acceptable in this regard.

1.127 The development would divert the existing Public Right of Way (PRoW); it is considered that its realignment would not create any greater harm to residential amenity in terms of overlooking impacts given the remaining separation distances and relationships. The development is therefore considered not to create any greater impacts upon residential amenity (privacy/overbearing or overshadowing impacts) than the existing layout.

1.128 Notwithstanding the EAP, the submission caveats the need to potentially work 07:00 and 19:00 and on a weekend if the development falls behind schedule and due to working around habitats and the tide. In terms of operating 07:00-19:00 daily, HBC Public Protection has reviewed the information and agrees that the proposed construction activity times are acceptable and they would not create any significant harm to nearby land users in terms of noise and disturbance activities, which would be so significant that the application should be refused. Whilst the application is acceptable in this regard and a planning condition is recommended to secure the working hours/days as agreed (Monday to Friday 07:00-19:00) in terms of neighbouring amenity, such working days/hours on a weekend in particular have potential ecological implications, which are discussed in further detail under the Ecology section.

1.129 Overall and subject to the identified recommended planning conditions, it is considered that the development would not lead to any particular adverse effects upon the amenity of neighbouring land users with regard to general disturbance/nuisance or privacy/overbearing or overshadowing impacts and that any identified potential impacts can be mitigated accordingly. Overall, it is considered that the proposal would generally comply with the provisions of Policy QP4, QP6, EMP4, RUR1 of the HLP, Policies EC1 and GEN1 of the HRNP and the provisions of the NPPF.

IMPACT ON HIGHWAY SAFETY & PUBLIC RIGHTS OF WAY (PRoW & Coastal Path)

Highway + Pedestrian Safety

1.130 HLP Policy RUR1 states that development proposals shall ensure access is appropriate, and there is no detrimental impact on highway safety, with HLP Policy QP3 ensuring developments are safe and accessible.

1.131 HRNP Policy GEN2 requires development to demonstrate it can be accessed safely from the highway, and Policies GEN1 and EC1 seek to avoid development that would result in significant impacts on the local highway network or infrastructure.

1.132 Moreover, Policy TR6.4 of the NPPF states that *“Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.”*

1.133 It is noted that HLP Policy INF2 identifies the Tees Road for future highway improvements; this planning application would not remove or build on any of the highway identified and no concerns are raised in this respect.

1.134 Construction traffic would principally access the site via the A178 (Tees Road), Emergency Access Road and Old Tees Road. A temporary haul road would connect the Marsh House Farm borrow pit with the construction areas, utilising limited sections of the A178 to facilitate the movement of excavated material between the borrow pit and flood defence works.

1.135 The submitted supporting Transport Statement (TS) concludes that the development would not lead to any significant effects during construction or operation. The supporting information states that temporary traffic controls, including 4-way signals and demand-controlled lights on the A178, would be used to manage HGV movements and maintain traffic flow. The HBC Traffic and Transport team have reviewed the supporting information and raise no objections to the development or construction compounds. Nevertheless, it is recommended that the developer submit a Construction Management Plan which can be conditioned accordingly. As such, the development is considered to accord with the aforementioned policies of the HLP and HRNP and general provisions of the NPPF.

PRoW & Coastal Path

1.136 Policy L1 of the NPPF encourages opportunities to secure multiple benefits from land, including the delivery of net environmental gains through habitat creation and improved access to the countryside. In addition, Policy N2 of the NPPF requires development proposals to contribute positively to the natural environment through habitat enhancement, strengthened ecological networks and the use of green infrastructure and nature-based solutions. Policy H1 of the NPPF seeks opportunities to promote healthy lifestyles, support walking and recreation, improve green infrastructure and enhance access to open spaces and the countryside. Policy DP3 of the NPPF requires development to provide good connections, prioritise walking and wheeling, create safe and accessible routes, and encourage healthy lifestyles and recreation. Moreover, Policy N5 of the NPPF requires development proposals to maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, whilst supporting improvements to public access where appropriate. The policy also requires that development should not prejudice the continued use and maintenance of the King Charles III England Coast Path National Trail.

1.137 Policy T2 of the HRNP supports the improvement and extension of public and permissive networks of bridleways, cycleways and footpaths, including between

Greatham and Tees Road at Greatham Creek. Policy NE2 of the HLP also seeks to improve access to the countryside and will seek opportunities to expand and improve the Rights of Way network.

1.138 Policy T2 of the HRNP also promotes the improvement and extension of public and permissive bridleway, cycleway, and footpath networks, notably the connection between Greatham and Tees Road at Greatham Creek. The Council's adopted Standards and Guidance for Public Rights of Way SPD provides guidance to ensure Public Rights of Way (PRoWs) are considered early in the development process. It sets out design principles for new and diverted PRoWs.

1.139 Whilst the comments received from Greatham Parish, Durham Bird Club and the Hartlepool Rural Neighbourhood Plan group generally support the development, their comments suggest that the public experience when passing through the site could be improved. The applicant has accommodated the provision of amenity boards, screens and hides, which will be positioned within the red edge boundary of the site, and final details can be secured by way of a planning condition, which is recommended accordingly. As noted above and in terms of the time scale of delivering these boards, as the developer does not know these details at present and that they would logically be installed towards the completion of the works, the condition recommended allows for a 2-year period after the approval of the application for a timetable and details to come forward, which is considered to be reasonable in this instance.

1.140 The comments received also raise concerns regarding the diversion of the public right-of-way as there would be a loss of reduced visibility for viewing wildlife. Further, the existing PRoW is positioned at the top of the embankment, and its re-routed position would be at a lower ground level and could be subjected to flooding or become waterlogged. This, in turn, would reduce access to the site and entail maintenance costs.

1.141 It is understood from the representations received that the existing PRoW does suffer from surface water flooding. The applicant has set out that the proposed diversion has been designed to assist in alleviating flooding impacts. While the diversion would alter views available from the existing route, it is understood that the proposal would maintain an enjoyable and pleasant accessible public access through the area whilst reducing disturbance to the adjacent bird habitat. The ecological information submitted indicates that increased separation between users and the habitat would provide benefits for wildlife conservation, which is acknowledged by the Council's Countryside Access Officer. On balance, any reduction in bird-watching opportunities is considered not to be so adverse as to outweigh the ecological benefits and continued availability of the route.

1.142 As previously mentioned, the applicant has proposed to provide amenity boards, screens and hides, which will further enhance the user experience, as well as safety timber knee and rail posts, and whilst the provision of waste bins has not been provided, this in itself would not be a reason to refuse the development on this basis alone.

1.143 In terms of flooding and accessibility, HBC Engineering Consultancy has stated that the development would not lead to any increased surface water flooding. In this

case, surface water within the application site would still exist; however, the applicant states that the new diversion would assist towards alleviating flooding issues. Weight is also attributed to the fact that this new route is intended to strike a better balance for wildlife. Moreover, the HBC Countryside Access Officer has reviewed the submitted plans and the proposed diversion route and raises no objection, commenting that the diversion would still provide a pleasurable walking experience, and the proposed diversion of the PRow is acceptable in this regard.

1.144 In terms of the King Charles III England Coast Path, which runs east to west adjacent to the A178, Policy N5 of the NPPF requires that development proposals do not hinder the completion, use or maintenance of this nationally important recreational route. The applicant has confirmed that the proposed development would not require the diversion, closure or permanent obstruction of the Coast Path. During the construction phase, the interface between the trail and the haul road would be managed through the use of a banksman and other site safety measures to ensure continued safe access for users; these requirements can be captured by a Construction Management Plan which is recommended by way of a planning condition. Accordingly, it is considered the proposal would safeguard the operation of the King Charles III England Coast Path and is considered to accord with the objectives of Policy N5 of the NPPF.

1.145 Comments received from Hartlepool Rural Neighbourhood Plan Group request works to further diversions of other footpaths close to the Greatham Station level crossing and the freshwater pond together with cycle route improvements. Durham Bird Club have also requested a further public right of way on the east side of the Creek from a social objective point of view.

1.146 Whilst these comments are acknowledged, the principal purpose of the proposal is habitat creation, coastal adaptation and biodiversity enhancement rather than public recreation. In terms of the public using the site, it is a case of striking a balance between conservation objectives and creating less disturbance and ensuring the walking experience through the existing part of the site remains a usable and enjoyable experience.

1.147 Whilst these ambitions are set out within the HRNP, it is not considered to be a requirement of the application to make it acceptable on planning grounds and would not be reasonable on this occasion. The site, whilst not all of it is publicly accessible, would be enhanced from a public user perspective and would bring with it social and environmental improvements to the area which may lead to greater user activity within the area which in turn would provide some potential social and economic benefits.

1.148 Active Travel England was consulted as the site area is greater than 5ha. In their first response, they provided standing advice. However, given the nature of the works and that the PRow connections throughout the site remain unaffected, a 'no comment' response was later provided.

1.149 The development is considered to safeguard and improve the existing PRow and, in doing so, the development accords with Policy TR8 of the NPPF, which requires development proposals to protect and enhance the network of public rights of way and encourages opportunities to improve the quality of existing routes, supporting healthy

lifestyles and access to green spaces and the countryside. The development is considered to contribute towards the wider objectives of Policies N2 and HC1 of the NPPF as the development would provide enhanced opportunities for recreation and access to the natural environment and therefore attract positive weight in the planning balance.

1.150 As such, development is generally considered to accord with HLP Policies NE2 and QP3, HRNP policies GEN2, EC1 and T2 and the general provisions of the NPPF.

1.151 Overall, it is considered that the development would not lead to any unacceptable (or severe) impacts on highway and pedestrian safety and is therefore acceptable in respect of these matters.

ECOLOGY AND BIODIVERSITY

1.152 HLP Policy NE1 sets out the Council's commitment to protecting, managing, and enhancing the Borough's natural environment. Designated nature conservation sites are afforded protection, and where appropriate, enhancement. Internationally designated sites benefit from statutory protection, and development that is not essential for their management or enhancement will only be permitted where it meets the relevant legal requirements. This requirement is echoed through HRNP Policy NE1.

1.153 For locally designated sites where they are also allocated for other uses (which is the case in this application) where development is approved, to mitigate against such loss of interest, compensation measures may be required.

1.154 Policy CC1 of the HLP and Policy NE1 of the HRNP seek to safeguard and enhance biodiversity, ecological networks and the wider natural environment. At the national level, Policy N1 of the NPPF (2026) requires development plans to safeguard and enhance the natural environment, identify opportunities for habitat restoration and creation, strengthen ecological networks and support nature recovery. Policy N2 of the NPPF requires development proposals to contribute positively to the natural environment by taking opportunities to conserve and enhance habitats, strengthen ecological networks, secure biodiversity net gain and utilise green infrastructure and nature-based solutions to deliver multiple environmental benefits. The policy further states that where significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated for, development should be refused.

1.155 Policy N3 of the NPPF recognises the importance of green infrastructure and habitat enhancements in supporting biodiversity, climate resilience and environmental quality, whilst Policy N6 of the NPPF affords protection to designated biodiversity sites and irreplaceable habitats, requiring adverse impacts to be avoided and appropriately mitigated. The Framework also recognises the wider benefits of natural capital and ecosystem services, including habitat creation, biodiversity enhancement, climate change resilience, water management and flood risk reduction. Accordingly, development proposals which conserve and enhance biodiversity, strengthen ecological networks and deliver measurable environmental improvements attract significant positive weight in the planning balance. These objectives are also supported by HLP Policy CC1 and HRNP Policy NE1.

1.156 The application site is ecologically significant, with it falling within the Greenabella Marsh/Brinefields area and existing flood embankments at Greatham Creek, on the north bank of the Tees Estuary. The site is within proximity to and partly within the internationally designated Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI), as allocated by HLP Policy NE1a. The site is a Teesmouth National Nature Reserve (NNR), along with several Local Wildlife Sites and Local Nature Reserves, as allocated under HLP Policy NE1c. These designations protect internationally important wetland habitats and species, including large aggregations of wintering waterbirds.

1.157 HLP Policy NE1 and HRNP Policy NE1 further require that development should avoid harm to the natural environment and aim to protect, manage and enhance the natural environment, and compensation measures may be required to mitigate against any loss of interest. This may include the creation or improvement of habitats in line with the objectives of the Tees Valley Biodiversity Action Plan. In accordance with best practice, proposals should follow the established mitigation hierarchy: avoidance, mitigation, and compensation, which will be discussed further.

1.158 HLP Policy QP6 also seeks to ensure that development minimises impacts on ecological interests and protected habitats. HRNP GEN2 seeks to safeguard and enhance biodiversity features.

1.159 HLP Policy NE4 emphasises the importance of maintaining and enhancing ecological networks across the Borough. The policy gives particular priority to the Coastal Fringe and the Tees Road and Greatham Beck riparian corridor, recognising their strategic ecological value. Where on-site ecological enhancements cannot be delivered in proximity to the proposed development, consistent with the requirements of HLP Policy NE1 and HRNP Policy NE1, an off-site contribution may be sought in accordance with Policy QP1. This approach ensures that development continues to support the integrity and connectivity of ecological networks, even where direct enhancements are not feasible within the immediate site area.

1.160 Moreover, the Council's Green Infrastructure Supplementary Planning Document (SPD) sets out a strategic vision and a series of objectives for the delivery and enhancement of green infrastructure across the Borough. It is supported by an Action Plan, which identifies specific areas where improvements are needed to strengthen the green infrastructure network.

1.161 The SPD takes into account relevant national, regional, and local planning policies and guidance that influence the delivery of green infrastructure. It promotes a coordinated approach to improving access to open spaces and the countryside and actively seeks opportunities to expand and enhance the Public Rights of Way network. Additionally, it supports initiatives that contribute to flood risk reduction and surface water management through green infrastructure-led solutions.

Impact on protected sites and Habitat Regulations Assessment

1.162 The application site is ecologically significant, and the application is accompanied by an ES, Ecological Impact Assessment (EclA), and a shadow Habitat Regulations Assessment (HRA) has also been provided.

1.163 The ES identifies several potential ecological impacts, including:

- Disturbance to overwintering and breeding birds
- Temporary habitat loss, with permanent changes to habitat type in parts of Greenabella Marsh
- Effects on protected species, notably water vole, otter, great crested newt, and breeding birds

1.164 The ES sets out a comprehensive mitigation strategy, which includes:

- 1) Timing of works to avoid sensitive periods (e.g., no works on Greatham Creek embankment between March and August to protect breeding birds if they are present)
- 2) Pre-construction surveys and supervision by an Ecological Clerk of Works (ECOW) for protected species, with any necessary works carried out under appropriate Natural England licences (e.g., for water vole and otter).

1.165 The HBC Ecologist has reviewed the supporting ES, and concludes that, provided that all mitigation measures are implemented in full and secured through appropriate planning conditions, residual ecological impacts are anticipated to be minor or, in some cases, positive. Notably, the creation of the new intertidal habitat represents a significant ecological gain, delivering long-term benefits for biodiversity and supporting the objectives of both local and national biodiversity strategies.

1.166 Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended) states that the Local Authority is the competent authority that is responsible for producing an HRA and accountable for its conclusions. Applying a precautionary approach and disregarding mitigation at this stage, the screening concluded that Likely Significant Effects (LSE) on the Teesmouth and Cleveland Coast SPA and Ramsar site could not be ruled out for several impact pathways. In particular, potential disturbance to SPA bird species was identified as a likely significant effect, necessitating further assessment.

1.167 As a result, the proposed development triggered stage 2 and an Appropriate Assessment (AA) under the Habitats Regulations due to the potential for significant disturbance and associated impacts on SPA/Ramsar bird populations, both alone and in combination with other plans or projects. The assessment proceeded to Stage 2 AA in consultation with Natural England.

1.168 The Council Ecologist has reviewed the submitted (shadow) HRA and stage 2 AA and agrees with its findings, and subsequently the LPA (as the competent authority) has adopted the shadow HRA. The AA concludes that, subject to full implementation of the proposed mitigation measures, the development would not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other projects. Therefore, a planning condition is recommended to ensure that the Construction Environmental Management Plan (CEMP) is submitted and approved prior to the commencement of the development. Natural England has reviewed the AA and agrees with its conclusions and mitigation measures, which are to be secured by way of a recommended planning condition. As requested by Natural England, Centre for Environment, Fisheries and Aquaculture Science (CEFAS) were consulted and no comments were received.

1.169 In relation to the compensation measures referred to within HLP Policy NE1, it is considered that no compensatory measures are required in this instance. The site would remain designated as a Local Wildlife Site(s), and the proposed development includes measures to enhance the existing environment through further habitat creation and biodiversity improvements. The ES identifies permanent change affecting approximately 40% of Greenabella Marsh LWS, resulting in a moderate adverse residual effect at county level. This harm has been weighed against the need for the flood-defence works and the substantial benefits arising from the restoration of natural intertidal processes, which are considered to outweigh it. The scheme also provides replacement habitat close to the affected area, with delivery and long-term management secured through the Biodiversity Gain Plan, Habitat Management and Monitoring Plan and recommended planning conditions. The Council's Ecologist confirms no compensatory measures are required on this occasion and subject to these measures, Policy NE1 of the Hartlepool Local Plan is considered to be met in relation to compensation and ecological impacts and provides enhancement as required by HRNP Policy NE1.

1.170 The supporting information sets out that the construction activities on-site would be Monday – Friday (07:00-19:00), although it does state that the occasional weekend working may be required if the development falls behind schedule due to the tidal working and ecological constraints of the environment. The developer has indicated that this would be the same working window 07:00-19:00 (7 days a week). The submitted HRA already anticipates occasional weekend working where required by the programme, principally associated with the works at Greatham Creek. The HRA (AA) anticipates the potential need for limited weekend working associated with tidal constraints and the nature of the works. The Council's Ecologist is satisfied that limited weekend working can be accommodated within the parameters assessed by the HRA (AA), subject to further details of any such works first being submitted and agreed through a suitably worded planning condition controlling the timing, extent and ecological safeguards associated with such works. On that basis, the HBC Ecologist is satisfied that the conclusions and required mitigation measures of the Appropriate Assessment remain unchanged.

1.171 The HBC Ecologist raises no objections to the development; however, he has recommended a number of planning conditions and informatives which are recommended accordingly. Provided these safeguards are in place, the proposal is considered compliant with the Habitats Regulations, the relevant provisions and policies of the NPPF and principally, Policy NE1 of the HLP and Policy NE1 of the HRNP.

Biodiversity Net Gain

1.172 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 and under the Town and Country Planning Act (1990) (as amended).

1.173 The NPPF requires development to provide net gains for biodiversity. Restoration and enhancement of ecological networks that secure biodiversity net gains are supported by the NPPF Policy N2, and it also sets out that where significant harm would occur and cannot be compensated for, permission should be refused.

1.174 HLP Policies NE1 and NE4, and Policy NE1 of the HRNP emphasise enhancing ecological networks and green infrastructure.

1.175 It is noted that concerns have been raised regarding BNG delivery concerns due a shortfall of 39.55 habitat units and the ecological justification and benefits are not captured by the BNG metric. Concerns have also been raised regarding habitat provisions for Common and Little Terns and Avocet breeding as well as the suitability of the proposed habitats in respect to different species.

1.176 The application has been accompanied by comprehensive habitat surveys undertaken in 2023 and 2024, which assessed and mapped all habitat types within the application site, with condition scores applied in accordance with the biodiversity metric. This includes a substantial area of over 60 hectares, including the grassland/reedbed mosaic of Greenabella Marsh and improved grassland at Marsh House Farm. The supporting information sets out that the baseline biodiversity value has a high value, with the metric calculating 535.81 habitat units. In addition, the baseline includes 11.18 river/stream units associated with on-site ditches.

1.177 In terms of the post-development habitat value, the proposed scheme would deliver extensive new intertidal habitat; however, it would also result in the loss of existing terrestrial habitats. Metric outputs indicate that post-development, the site will support 549.85 habitat units. This represents a modest net gain of +14.03 units or +2.62% over baseline. However, for river/stream units, the metric shows a net loss of –6.23 units (approximately –55.7%), as all existing ditches would be converted to tidal channels and are therefore classified as “lost” under the metric rules. Consequently, achieving the required +10% Biodiversity Net Gain (BNG) uplift on-site is not considered feasible.

1.178 However, the submitted documentation states that the proposed development qualifies under Metric Rule 4, as it constitutes a nationally significant habitat creation scheme (coastal realignment). Rule 4 permits certain habitat losses to be treated differently: like-for-like compensation for lost ditches is not required because their removal is integral to creating intertidal habitat, which carries its own biodiversity value. The metric guidance confirms that ditch loss is “wrapped within implementation of Rule 4,” meaning no separate uplift for watercourses is mandated. The Council’s Ecologist has reviewed metric Rule 4 and confirms that they are in agreement with this approach.

1.179 The concerns raised regarding Rule 4 are acknowledged by the Council’s Ecologist. With regard to Durham Bird Club comments made regarding the BNG shortfall. HBC Ecologist acknowledges that the submitted Biodiversity Metric identifies an onsite habitat gain of 2.62%, resulting in a residual requirement for 39.55 area habitat units, and the concerns of Rule 4 are acknowledged.

1.180 However, in the Council Ecologist’s opinion it does not indicate a failure to achieve BNG. The Biodiversity Gain Report identifies this shortfall and confirms that the Environment Agency intend to secure the remaining residual biodiversity unit deficit through ‘off-site’ habitat provision under the statutory biodiversity net gain regime. To mitigate the deficit, the supporting ES states that they would provide the 10% BNG within both the application site red line boundary and the remaining requirements on land they own (Marsh House Farm, to the northwest of the current application site

which will form their off-site mitigation), which falls within the blue-edged area of the site and would be secured by a Conservation Covenant (CC) as is permitted by the BNG Regulations. The CC is a private, voluntary agreement to conserve the natural or heritage features of the land. The developer (Environment Agency) would need to enter into this agreement with a registered 'responsible body' and provide full details of this along with a Habitat Management and Monitoring Plan (for 30 years) to satisfy the national Biodiversity Gain Plan requirement through the statutory condition.

Other ecological enhancement measures/benefits (separate to BNG)

1.181 In terms of the comments made regarding the consideration of species beyond metric outputs, the ES does not rely solely on Biodiversity Metric calculations. In accordance with good ecological practice, the assessment considers species-specific habitat requirements and identifies opportunities for priority bird species, including Avocet and Common Tern. In terms of the concerns raised by Durham Bird Club in respect of the site's ability to provide nesting and roosting opportunities for Avocet and Common Tern, the supporting ES sets out that the lagoon island and the retained embankment sections will provide these opportunities. However, it is noted that the indicative Habitat Management and Monitoring Plan (HMMP) sets out that the lagoon would benefit birds generally. As such, it was considered unclear how the nesting function would benefit breeding birds and how the site would be made suitable and what measures would be put in place if the site does not function as intended.

1.182 To ensure these features will benefit breeding birds, and the development can be made acceptable in planning terms, the HBC Ecologist has recommended a condition for a Bird Habitat Delivery and Monitoring Plan to be submitted prior to the lagoon/island being formed or the Greenabella breaches being created. This condition requires detailed habitat design, monitoring arrangements and management objectives to be agreed before the relevant landforms are completed. Importantly, the condition allows a suitably qualified ecologist to determine the most appropriate habitat specification rather than prescribing a particular substrate or management approach. Such a requirement would ensure habitat suitability, monitoring and adaptive management are considered alongside the metric-based assessment.

1.183 In terms of Rule 4 and the Biodiversity Metric User Guide, the Council's Ecologist notes that the proposal demonstrates that ecological judgment has been applied beyond simple metric outputs. The ES identifies specific opportunities for nesting and roosting birds, while the recommended Bird Habitat Delivery and Monitoring Plan would secure the delivery, monitoring and adaptive management of those features. Subject to the identified and recommended planning condition to secure the Bird Habitat Delivery and Monitoring Plan, the development would therefore provide ecological benefits that extend beyond the habitat units recorded within the metric and reflect the principle set out in Rule 4 that biodiversity assessments should consider wider ecological value and species benefits, not solely metric calculations.

Ecology Summary

1.184 The concerns raised largely relate to the certainty of habitat delivery and monitoring rather than fundamental deficiencies in the scheme. The proposed planning conditions, particularly the requirement for a Bird Habitat Delivery and Monitoring Plan

and the statutory requirement for an approved Biodiversity Gain Plan, provide appropriate mechanisms to secure the ecological benefits identified within ES. Consequently, the issues identified by Durham Bird Club and supported by HBC Ecologist can be satisfactorily addressed through conditions, and do not demonstrate that the proposal would result in unacceptable ecological effects.

1.185 To conclude, the proposed development has been assessed against the requirements of the NPPF, HLP Policies NE1, NE4, CC1 and QP6, and HRNP Policy NE1. The site is located within an area of ecological importance, including land within and adjacent to internationally designated habitats. Consequently, significant weight must be given to the protection and enhancement of biodiversity and ecological networks.

1.186 Having regard to the ES, EclA, Biodiversity Metric assessment, and the adopted HRA, it is concluded that the proposal follows the mitigation hierarchy of avoidance, mitigation and enhancement. The AA undertaken by the Council as competent authority, and agreed by Natural England, concludes that the development would not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, either alone or in combination with other plans and projects, subject to the implementation of the proposed mitigation measures and planning conditions.

1.187 Whilst concerns have been raised regarding biodiversity net gain delivery, the provision of habitat for breeding and roosting bird species, and the reliance on ecological benefits not fully reflected within the biodiversity metric, these matters have been considered by the Council's Ecologist. The evidence demonstrates that the proposal would deliver substantial habitat creation through the restoration of intertidal habitat and that the residual biodiversity unit shortfall can be secured through off-site provision in accordance with the statutory BNG regime. The final Biodiversity Gain Plan, together with a Conservation Covenant and long-term habitat management and monitoring arrangements, will ensure compliance with the mandatory 10% biodiversity net gain requirement.

1.188 In respect of species-specific concerns, the ES identifies opportunities for nesting and roosting for Avocet and nesting habitat for Common Tern; the recommended Bird Habitat Delivery and Monitoring Plan will secure the detailed design, monitoring and adaptive management necessary to ensure that these ecological benefits are delivered and evaluated over time. Subject to the recommended identified planning conditions, the development is considered to provide significant ecological enhancement, strengthen the resilience of the Tees Estuary ecological network, and deliver biodiversity benefits that extend beyond those captured solely through the Biodiversity Metric. As such, the development accords with the objectives of the NPPF and Policies NE1, NE4, CC1 and QP6 of the HLP, together with Policy NE1 and GEN2 of the HRNP.

FLOOD RISK & DRAINAGE IMPACTS

1.189 The application site is designated by the government Flood Map for Planning as being in Flood Zone 2 & 3 with a high probability of flooding from rivers and the sea. The application has been accompanied by the mandatory Flood Risk Assessment (FRA).

1.190 HRNP Policy GEN2 seeks development proposals to manage surface water appropriately. Within HLP Policy NE1, there is a presumption to enhance watercourses and seek opportunities to de-culvert parts of Greatham Beck. This requirement is also reiterated within HLP Policy NE1. Within HLP Policy NE2, support is given to green infrastructure initiatives that can help alleviate flood risk and measures to naturalise heavily modified watercourses.

1.191 HLP Policy CC1 highlights the importance of minimising and adapting to climate change by promoting environments that are resilient and responsive to its impacts. HLP Policy CC2 has regard to development proposals, ensuring they are resilient to flood risk in accordance with national policy. The Council's Green Infrastructure (2020) SPD supports the improvement and accessibility of watercourses, where they assist with flood alleviation.

1.192 Policy DP3 2.b of the NPPF emphasises the role of the planning system in supporting the transition to a low-carbon future, fully considering flood risk and coastal change in the context of a changing climate. Chapter 18 of the NPPF states that inappropriate development should be avoided within areas at the highest risk of flooding and where necessary, development should be made safe for the lifetime of the development. The application site is located within Flood Zones 2 and 3. Policy F7.1 of the NPPF states that LPA's when determining planning applications, should ensure that flood risk is not increased elsewhere and, in this case, should be supported by an FRA, which is the case in this instance in line with NPPF Policy F4.

1.193 HLP Policy CC2 seeks to avoid inappropriate development in areas at risk of flooding and direct the development away from areas at the highest risk, applying the Sequential Test and, if necessary, the Exceptions Test. The NPPG states that development within flood zone 3 requires a sequential test, with Policy F5.1 of the NPPF stating that new development should be steered to areas at the lowest risk of flooding.

1.194 Policy F5 of the NPPF states that a sequential test is required in areas known to be at risk of flooding or have a future risk. The NPPG states that an exception test is not required for water-compatible development within flood zone 3; however, a sequential test is required to ensure the development would not lead to increased flooding elsewhere and that the development can be made safe for the lifetime of the development. The proposal comprises water-compatible flood defence infrastructure whose purpose is essentially linked to the management of flood risk and the restoration of the functional floodplain. Therefore, given the nature of the development and operational need for the site, it is considered to be appropriately located and accords with the aims of NPPF Policy F5.

1.195 The existing flood defences are understood to be failing in a number of locations. In response, the Environment Agency (the applicant) proposes to remove these structures and adopt a more sustainable, nature-based flood management approach by allowing the land to flood naturally. The scheme seeks to reduce the immediate and increasing risk of flooding within the wider area through the realignment of the River Tees' natural floodplain, thereby restoring natural flood inundation processes. This approach is considered to be consistent with the objectives of the

NPPF and HLP Policy CC1, both of which support measures that enhance climate resilience and sustainable flood risk management.

1.196 With regard to Criterion 3 of HLP Policy EMP4, which requires essential infrastructure to avoid areas of high hazard unless an FRA demonstrates that the development can be safely managed throughout its lifetime, the proposal is considered to comply with this requirement. Whilst part of the site falls within a Hazardous Substances Executive (HSE) consultation zone, no objections have been raised by the relevant consultees. In addition, the submitted FRA demonstrates that flood risk can be appropriately managed for the lifetime of the development. Accordingly, and notwithstanding the identified 'conflict' with the Policy EMP4 allocation, the proposal is considered to satisfy the requirements of Policy EMP4(3).

1.197 The submitted FRA concludes that the proposed realignment and repair works will reduce baseline flood risk and mitigate residual risk associated with potential defence failure. It states that the embankments have been designed to remain water-compatible under existing hydrodynamic conditions. It is stated that the application site is at low risk of surface water flooding and flooding from artificial water sources due to its design and drainage provisions, and therefore, the FRA confirms that there will be no increased flood risk to third-party receptors and the development aligns with the aims of NPPF Policy F7.

1.198 The accompanying ES also addresses the water environment. It sets out that through the application of best practice and adherence to CIRIA guidance, pollution risks during construction can be effectively mitigated. To safeguard groundwater quality, a temporary bund will be constructed at the base of the borrow pit to prevent water ingress and contamination. This would be set out within a Construction Environmental Management Plan (CEMP) which can be conditioned and this is recommended accordingly.

1.199 The development seeks to enhance on-site drainage during construction by installing new surface water outfall pipes, creating ditches to redirect surface water to new outfalls and the deployment of siltation tanks where necessary. The applicant has applied for the relevant environmental permit from the Marine Management Organisation (MMO). As part of the MMO licence, this will seek, amongst other things:

- Surface Water Runoff Management Plan (SWRMP)
- Silt Management Plan (SMP)
- Construction Drainage Strategy (CDS)
- Pollution Prevention Plan (PPP)
- Unexpected Contaminated Ground Procedure (UCGP)
- Flood risk activity permit (FRAP)

1.200 The development proposals include, for the operational phase, detailed drainage strategies incorporating Sustainable Drainage Systems (SuDS) alongside appropriate pollution prevention measures, ensuring the protection of both surface water and groundwater quality. The ES concludes that, following completion of the development, there would be no significant residual effects on the water environment.

1.201 With regard to surface water, the FRA confirms that the development would not result in any increase in surface water runoff. In relation to construction compounds,

these are required temporarily in connection with the construction phase. A planning condition is recommended that these are removed from the site and the land restored accordingly once the development is complete.

1.202 Furthermore, the Marine Management Organisation (MMO) licence will provide a regulatory framework to manage potential risks during construction and operation. HBC Engineering Consultancy has reviewed the submitted documentation and is satisfied that the development will be appropriately controlled, primarily through the MMO licence. Accordingly, no objections are raised, subject to the development being carried out in accordance with the submitted FRA and Appendix K–EAP of the ES, which can be secured by condition.

1.203 In line with Chapter 18 of the NPPF and Policy F7, which requires that new development does not increase flood risk elsewhere, the scheme has integrated flood risk and resilience measures and accords with the provisions of HLP Policy CC1 in terms of climate change adaptation. In addition, Policy P6 of the NPPF requires substantial weight to be attached to the importance of infrastructure required for public safety when determining planning applications. The proposed scheme comprises flood defence and flood risk management infrastructure intended to reduce flood risk and improve resilience to climate change impacts. As such, the proposal performs an important public safety function, and substantial weight is attached to the benefits arising from the development in the planning balance.

1.204 The development's fundamental purpose aligns with the aforementioned national and local policy on climate change, resilience, and flood risk management. It delivers improved environmental outcomes while ensuring compliance with statutory requirements. Subject to the recommended conditions, the proposal is considered to accord with Policies NE1, NE2, CC1 and CC2 of the HLP, Policy GEN2 of the HRNP and Policies F4, F5, F6, F7 and P6 of the NPPF and the NPPG. The proposal represents water-compatible flood management infrastructure that will restore natural floodplain function, improve climate resilience, reduce flood risk within the wider area and deliver significant public safety benefits. Accordingly, the proposal is acceptable in flood risk terms and attracts substantial positive weight in the overall planning balance.

CONTAMINATED LAND

1.205 Policy QP6 of the HLP states that consideration shall be given to the development of contaminated land and, in particular, the effects of contamination and associated impacts. Policy EMP4 similarly seeks to protect the health and safety of people and nearby land users, whilst Policy RUR1 requires that development should not have a significant detrimental impact on neighbouring users or the surrounding area through pollution. At the national level, Policy P2 of the NPPF requires sites to be suitable for their proposed use having regard to ground conditions, including any risks arising from land instability or contamination, and the extent to which such risks can be mitigated. Policy P2 further requires that adequate site investigation information be prepared by a competent person and confirms that responsibility for securing a safe development rests with the developer and/or landowner.

1.206 Policy P3 of the NPPF requires development proposals to be appropriate for their location, taking account of the likely effects of pollution on health, living conditions

and the natural environment. Development should not give rise to unacceptable levels of air, noise, water, soil or other forms of pollution and any adverse impacts should be avoided or appropriately mitigated. The policy also recognises that separate regulatory regimes will operate effectively in controlling pollution and that decision-makers can take account of those controls in their assessment.

1.207 The application has been accompanied by a Geo-Environmental Summary Report. The report presents the findings of a number of phases of desk study and ground investigation which have been undertaken to assess existing ground conditions, contamination risks and associated geo-environmental constraints. The investigations identified generally low levels of contamination across the site, which have been assessed as presenting a very low to low risk to the proposed development. Slightly elevated risks have been identified in limited areas adjacent to known off-site contamination sources. However, the report concludes that all identified risks can be mitigated through appropriate design and construction measures.

1.208 The accompanying ES identifies a range of mitigation measures including dust suppression controls, asbestos management procedures, runoff and groundwater protection measures and the implementation of an Unexploded Ordnance (UXO) Mitigation Plan. These measures have the potential to appropriately minimise potential effects on human health, soils, groundwater and the wider environment during construction and operation of the development. In addition, the development also incorporates measures to manage and monitor excavated soils and spoil material, ensuring that any contamination risks remain appropriately controlled.

1.209 HBC Engineering Consultancy has reviewed the submitted information, and they are satisfied that the submitted investigations adequately assess the site conditions and raise no objection to the proposal. As such, it is considered that the matter can be appropriately dealt with through a planning condition, which is recommended accordingly.

1.210 Subject to the imposition of this recommended planning condition, it is considered that the proposal would not give rise to unacceptable risks associated with contamination, land instability or pollution and would accord with Policies QP6, EMP4 and RUR1 of the HLP and Policies P2 and P3 of the NPPF.

LOSS OF AGRICULTURAL LAND

1.211 HLP Policy RUR1 seeks to avoid the loss of Best and Most Versatile (BMV) agricultural land (Grades 1, 2 and 3a). Policy NE1 of the HLP similarly seeks to safeguard agricultural land resources unless there is no adverse impact on their quality or other material considerations outweigh the loss. At the national level, Policy N1 of the NPPF requires development plans to steer development towards land of least environmental value where consistent with other policies in the Framework, including avoiding the use of higher quality agricultural land where land of a poorer quality is available. Policy N2 further requires development proposals to take account of the quality of agricultural land and, where significant development of agricultural land is necessary, to utilise areas of poorer quality land wherever possible. The NPPF also recognises the wider benefits of natural capital and ecosystem services, including opportunities to support flood risk management, habitat restoration and climate change

resilience. In addition, Policy F2 of the NPPF supports the use of natural flood management techniques and opportunities arising from development to reduce the causes and impacts of flooding.

1.212 The land is identified as low to moderate on Natural England's map of agricultural quality on Natural England's Agricultural Land Classification mapping. As previously set out, the agricultural land at Marsh House Farm (where the 'offsite' BNG is to be provided) will continue to be farmed (which has a moderate grade) and retain its existing agricultural function. The remaining land affected by the scheme will also continue to provide a multi-functional role, contributing not only to agricultural productivity but also to biodiversity enhancement, natural flood management and wider ecosystem service benefits. In this regard, the development would support the objectives of NPPF Policies N1, N2 and F2, which recognise the importance of natural capital, habitat enhancement and the use of natural processes to reduce flood risk. Furthermore, the development would not result in the permanent loss of Best and Most Versatile agricultural land, and no objections have been raised by Natural England. On balance, the proposal is considered to accord with Policies RUR1 and NE1 of the HLP and the relevant provisions of the NPPF.

OTHER PLANNING MATTERS

Construction Compound at the Former RHM site

1.213 Part of the former RHM site would be utilised as a temporary construction compound during the implementation of the proposed works. In its consultation response, the Hartlepool Rural Neighbourhood Plan Group referred to Policy EC3 of the HRNP and expressed a desire for the development to provide benefits to the local community. However, the application does not propose the redevelopment of the former RHM site itself, nor does it seek to introduce any permanent built development on this land. Instead, the site would be used on a temporary basis to facilitate construction activities, taking advantage of the existing hardstanding area.

Waste Management

1.214 The Tees Valley Minerals and Waste Adopted Policies and Sites (TVMWAPS) DPD was adopted in September 2011 alongside the Tees Valley Minerals and Waste Core Strategy DPD (TVMWCS). This document sets out policies in relation to waste audits.

1.215 The application has been accompanied by a waste audit, which has set out to minimise the amount of waste produced during construction as far as site constraints allow. The development would require an Environmental Permit in place to maximise the reuse of site-won materials. The audit estimates that up to approximately 100,000m³ of surplus or waste material may be generated. However, this figure is expected to reduce significantly through the proposed earthworks strategy, which has the potential to reduce waste volumes by more than half.

1.216 The Waste Audit sets out that the generation during the operational phase will be minimal, limited to occasional small-scale maintenance activities, as the scheme has

been designed to require low maintenance throughout its lifespan and will follow the Waste Hierarchy.

1.217 Furthermore, the ES states that an EAP would be secured as mitigation alongside the contractor's CEMP. With regards to the submitted Waste Audit, it sets out that a Site Waste Management Plan (SWMP) is required. HBC Engineering Consultancy have reviewed the supporting information (and the need for a SWMP) and raised no objections as they are satisfied with the level of detail and methods set out within the supporting information (waste audit) and recommend the development to be carried out in accordance with the audit report and the SWMP, which can be secured by way of a recommended planning condition.

1.218 The development is therefore considered to be acceptable, subject to appropriately worded condition. The development would therefore not have any adverse impacts in this regard and would comply with the Tees Valley Minerals and Waste Adopted Policies.

Land Sediments

1.219 Able UK initially objected to the application due to the lack of information. However, discussions have taken place with the developer and the Marine Management Organisation (who are responsible for regulating and managing marine activities including issuing marine licenses), and it has been determined that this matter would be considered and controlled via the marine management licence.

1.220 As noted within the Publicity section of this report, Able UK has since withdrawn their objection on this basis.

Major infrastructure, Pipelines & Consultation Zones

1.221 The Health and Safety Executive has been consulted via its planning web advice service, as it lies within the consultation zone of several hazardous major accident zones. In these instances, consultations are carried out with the operators. The HSE has reviewed the application and provided a response stating they 'do not advise, on safety grounds, against the granting of planning permission in this case'. In this instance, HSE has no objection to the development from a health and safety perspective.

1.222 Furthermore, the HSE, Office for Nuclear Regulation, Teesside Airport and Cleveland Emergency Planning raise no objections. Informatives have, however, been recommended to relay appropriate advice from the relevant consultees and can be added to the decision notice accordingly. Therefore, the proposal is acceptable in this respect.

Timescale for implementation

1.223 Under section 91 Town and Country Planning Act 1990, if the local planning authority grants planning permission, it is subject to a condition that sets the time limit within which the development must begin. The National Planning Practice Guidance advises that "the local planning authority may wish to consider whether a variation in

the time period could assist in the delivery of development... A longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start”.

1.224 Given the scale and nature of the works which is understood to require the agreement of a number of landowners, the applicant has requested that the ‘standard’ 3-year timescale for implementation of the planning permission be increased to 5 years. This is considered to be reasonable in this instance and is reflected in the recommended planning condition (no 1).

1.225 In this context, the applicant has advised that owing to the scale of the project, the required site preparatory work and the anticipated timeline for development, final details of the proposed amenity boards, bird hide, bird screen and any required enclosures/structures, are unlikely to be implemented until well into the construction programme and have requested an appropriate timescale for such details to be agreed given that such details have not been finalised at this stage. In this context and the overall given timescale for implementation (in this instance, 5 years as set out above), it is considered reasonable and proportionate to afford such details to be submitted no later than 2 years from the date of the planning permission.

CONCLUSION + OVERALL PLANNING BALANCE

1.226 The proposed development represents a departure from the site's primary specialist industry allocation under HLP Policy EMP4b. However, for the reasons set out within this report, the conflict is considered to attract only moderate weight in the planning balance, having regard to the site's dual allocation, the significant flood risk constraints affecting the land, the absence of evidence demonstrating a current employment need for the affected area, the lack of objection from the site operator, and the substantial public benefits arising from the scheme.

1.227 The proposed development constitutes essential flood risk management infrastructure promoted by the Environment Agency to address an identified and ongoing flood risk issue. Whilst the proposal would affect and reduce the extent of part of the allocated employment land and would give rise to some temporary landscape and ecological impacts during construction, these impacts are not considered to be unacceptable and would be appropriately mitigated through the measures secured by the recommended planning conditions.

1.228 Significant weight is afforded to the public benefits arising from the scheme, including improved flood resilience, climate change adaptation, restoration of natural floodplain processes, intertidal habitat creation, biodiversity enhancement, Biodiversity Net Gain, and improvements to public access through the diversion and enhancement of the Public Rights of Way network, together with the provision of interpretation boards, bird hides and associated infrastructure.

1.229 Officers are satisfied that the development would not result in unacceptable impacts upon heritage assets, highway safety, residential amenity, ecology, flood risk, drainage, or the wider operation of surrounding land uses. Furthermore, the proposal would not give rise to an unacceptable loss of Best and Most Versatile agricultural land

and incorporates appropriate measures in respect of contamination, waste management and environmental protection.

1.230 Having regard to the development plan as a whole and all other material considerations, it is considered that the identified benefits of the scheme significantly outweigh the conflict with HLP Policy EMP4 and any other limited adverse impacts identified. The proposal is therefore considered to represent a sustainable form of development and is acceptable in planning terms.

1.231 Accordingly, and on balance, officers recommend that planning permission be granted, subject to the recommended planning conditions.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.232 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

1.233 In this instance, there are no Section 17 implications.

REASON FOR DECISION

1.234 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 five 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 and details:

DWG NO.ENV0002573C-ARU-XX-ZZ-DR-PL-R0701 REV P02 (Location Plan),
 DWG NO.ENV0002573C-ARU-XX-ZZ-DR-PL-R0702 REV P01 (Site Boundary
 Zone Drawing Boundaries),
 DWG NO.ENV0002573C-ARU-XX-ZZ-DR-PL-R0709 REV P04 (Greatham
 Landscape Masterplan Lagoon & Fresh Water Pond Sections A to C),
 DWG NO.ENV0002573C-ARU-XX-ZZ-DR-PL-R0710 REV P04 (Greatham
 Landscape Masterplan Greatham Creek Sections D to F),
 DWG NO.ENV0002573C-ARU-XX-ZZ-DR-PL-R0711 REV P04 (Greatham
 Landscape Masterplan Greenabella Sections G & H),

PROPOSED SECTIONS AND DETAILS (ZONE 1 TO ZONE 4, inclusive)
consisting of;

ENV0002573C-ARU-XX-1-DR-PL-R0715 Rev P01 (ZONE 1A & 1B - PROPOSED SECTION DETAILS - SHEET 1),
ENV0002573C-ARU-XX-1-DR-PL-R0716 Rev P01 (ZONE 1A & 1B - PROPOSED SECTION DETAILS - SHEET 2),
ENV0002573C-ARU-XX-1-DR-PL-R0717 Rev P01 (ZONE 1A & 1B - PROPOSED SECTION DETAILS - SHEET 3),
ENV0002573C-ARU-XX-2-DR-PL-R0723 Rev P01 (ZONE 2 - PROPOSED SECTION AND DETAILS),
ENV0002573C-ARU-XX-3-DR-PL-R0733 Rev P02 (ZONE 3 - PROPOSED SECTION AND DETAILS),
ENV0002573C-ARU-XX-4a-DR-PL-R0743 Rev P02 (ZONE 4A - TYPICAL CROSS SECTIONS),
ENV0002573C-ARU-XX-04-DR-PL-R0704 Rev P02 (ZONE 4 - PUBLIC RIGHT OF WAY DETAILS),

PROPOSED GENERAL ARRANGEMENT (ZONE 1 TO ZONE 6, inclusive)
consisting of;

ENV0002573C-ARU-XX-1A-DR-PL-R0712 Rev P02 (ZONE 1A - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-1B-DR-PL-R0714 Rev P02 (ZONE 1B - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-2-DR-PL-R0722 Rev P02 (ZONE 2 PROPOSED GENERAL ARRANGEMENT PLAN),
ENV0002573C-ARU-XX-3-DR-PL-R0732 Rev P02 (ZONE 3 - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-4A-DR-PL-R0742 Rev P02 (ZONE 4A - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-4b-DR-PL-R0745 Rev P02 (ZONE 4B - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-5-DR-PL-R0752 Rev P02 (ZONE 5 - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-6-DR-PL-R0762 Rev P02 (ZONE 6 - PROPOSED GENERAL ARRANGEMENT),
ENV0002573C-ARU-XX-ZZ-DR-PL-R0703 Rev P02 (ZONE 4 - PUBLIC RIGHT OF WAY GENERAL ARRANGEMENT),

All data received by the Local Planning Authority 26/06/2025;

DRAINAGE STRATEGY ENV0002573C-ARU-00-00-DR-C-B1310 REV P01

DRAINAGE STRATEGY ENV0002573C-ARU-00-00-DR-C-B1311 REV P01

Date received by the Local Planning Authority 16/04/2025;

ENV0002573C-ARU-XX-ZZ-SP-C-B0201 REV P09 (Greatham Detailed Design Specification)

ENV0002573C-ARP-XX-SP-L-B0202 REV P02 (Soft Landscape Specification)

ENV0002573C-ARU-ZZ-ZZ-DR-L-B1300 REV C01 (Sitewide Overview)

ENV0002573C-ARU-ZZ-ZZ-M2-LB1301 REV C01 (Greenabella Embankment Zone 1A)

ENV0002573C-ARU-ZZ-1B-DR-L-B1302 REV C01 (Greenabella Embankment Zone 1B)

ENV0002573C-ARU-ZZ-2-DR-L-B1303 REV C01 (Greatham Creek Zone 2)

ENV0002573C-ARU-ZZ-4A-DR-L-B1304 REV C01 (Lagoon Fresh Water Pond 4A)

ENV0002573C-ARU-ZZ-4B-DR-L-B1305 REV C01 (Lagoon Connection Zone 4B)

All date received by the Local Planning Authority 21/04/2026.

To define the planning permission.

3. No development including any site clearance, excavation or any other preparatory works associated with the implementation of this permission shall take place, excluding the site clearance at the compound within Tioxide's site boundary (annotated as 'temporary works/compound area' as identified on plan ENV0002573C-ARU-XX-5-DR-PL-R0752 Rev P02 (ZONE 5 - PROPOSED GENERAL ARRANGEMENT, date received by the Local Planning Authority 26/06/2025), until a construction environmental management plan (CEMP) and timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the required mitigation measures as set out in Chapter 10 of the Environmental Statement Volume 1: Main Report (ENV0002573C-ARU-ZZ-ZZ-RP-EN-C0402, dated March 2025), Appendix K of the Environmental Action Plan (both documents by the Environment Agency and both date received by Local Planning Authority 16/04/2025) and the mitigation measures as set out in Chapter 21 (conclusion) of the Stage 2 Habitats Regulations, version dated 21/02/2025 (received by the Local Planning Authority 16/04/2025) in addition to the following requirements;

- Measures to protect water quality (chemistry and sediment loading),
- Measures to avoid damage to retained habitats,
- Measures to reduce levels of disturbance (including a Lighting Management Plan)
- Pre-construction surveys
- The employment of a designated Ecological Clerk of Works on site during construction for the duration of the proposed works period.
- A Surface Water Runoff Management Plan (SWRMP) and Construction Drainage Strategy (CDS) to demonstrate that runoff water from the construction site will not impact the SPA/Ramsar.
- A Biosecurity and Invasive and Non-Native Species Method Statement (BINNSMS) as a precautionary preventative measure.
- A Lighting Management Plan for any temporary lighting and/or any necessary operational lighting where required. This shall include the use of directional lighting during any hours of darkness.
- Details of any noise/visual screening where required.

Thereafter, 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 and to ensure that any adverse effects are avoided on site integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other projects.

4. No development shall take place until a timetable for the implementation of the habitat creation and enhancement (the statutory Biodiversity Gain Plan to be secured for the development hereby approved by a Conservation Covenant or a s106 legal agreement, and shall include a Habitat Management and Monitoring Plan to demonstrate that the habitat will be maintained for at least 30 years from completion of the development), has been submitted to and approved in writing by the Local Planning Authority. Thereafter, and within one month from the date of the practical completion of the habitat creation and enhancement, the applicant shall submit a Completion Report to the Local Planning Authority, demonstrating that the habitat creation and enhancement have been completed in full accordance with the approved statutory Biodiversity Gain Plan.
In the interests of ecology and biodiversity value and for the purposes of monitoring mandatory Biodiversity Net Gain within the Borough of Hartlepool.

5. No works shall take place to either (i) carry out the final reprofiling of the Zone 4 borrow pit to form the saline lagoon and planned island, or (ii) form the three breaches in the existing Greenabella Embankment in Zone 1, as described in Chapter 4 of the Environmental Statement Volume 1: Main Report (ENV0002573C-ARU-ZZ-ZZ-RP-EN-C0402, dated March 2025 and received by the Local Planning Authority on 16 April 2025), until a Bird Habitat Delivery and Monitoring Plan (thereafter referred to as 'the Plan') has been submitted to and approved in writing by the Local Planning Authority.
The Plan shall be prepared by a suitably qualified ecologist with demonstrable ornithological expertise and shall include:
 - a) Identification of the lagoon island, retained sections of the existing Greenabella Embankment and associated lagoon or intertidal features intended to provide nesting, roosting and foraging opportunities for birds, including the nesting and roosting opportunities assessed for Avocet and nesting opportunities assessed for Common Tern.
 - b) Details of the habitat design, establishment and management requirements necessary to achieve those functions within the approved engineering and hydrological parameters of the development, including, where relevant, the relationship of the features to the approved profiles and tidal regime, substrate specification, vegetation management, disturbance controls and proportionate predator-risk management.
 - c) species-informed habitat objectives and measurable habitat success criteria for the bird-habitat functions identified in Sections 10.6.3.1 and 10.6.3.3 of the aforementioned Environmental Statement;
 - d) a programme of monitoring sufficient to assess habitat suitability, bird use and breeding activity and, where nesting occurs, nesting outcomes insofar as these can be recorded without causing disturbance;
 - e) review mechanisms and trigger points for intervention where monitoring identifies that the approved habitat objectives or success criteria are not being achieved;
 - f) details of remedial measures to address identified habitat establishment, management or functionality issues.
 - g) an implementation timetable and the duration and frequency of habitat management, monitoring and reporting, including intervals for submitting monitoring reports to the Local Planning Authority and timescales for implementing remedial measures.

The approved Plan shall thereafter be implemented in accordance with the approved timetable. Monitoring reports shall be submitted, and any remedial measures carried out, in accordance with the approved Plan.

To secure the delivery, management and monitoring of the nesting, roosting and foraging habitat functions and associated positive ecological effects identified in Chapter 10 of the Environmental Statement, in accordance with Policies NE1 and NE4 of the Hartlepool Local Plan (2018) and the National Planning Policy Framework.

6. Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall identify anticipated waste streams, forecast waste quantities and set out measures for the management of waste in accordance with the waste hierarchy, including opportunities for waste minimisation and the re-use of materials. The development shall thereafter be carried out in accordance with the agreed SWMP and the submitted Waste Audit (ENV0002573C-ARU-ZZ-ZZ-RP-Z-C1201, document dated 25th June 2025, received 26th June 2025 by the Local Planning Authority), throughout the construction phase.
To ensure the waste hierarchy and residual management of the site are satisfactorily dealt with in line with the Tees Valley Joint Minerals & Waste Development Plan Document.
7. Notwithstanding the submitted information, no development shall take place until a Construction Management Plan (CMP) has been first submitted to and agreed in writing with the Local Planning Authority. The scheme shall agree on the routing of all HGV movements associated with the construction phases, and how traffic will be managed and how the control of dust emissions from the site remediation and construction works will be managed. The CMP shall address earth-moving activities, control and treatment of stockpiles, parking for use during construction and measures to protect any existing footpaths (including public rights of way, coastal paths and trails) and verges, vehicle movements, wheel cleansing measures to reduce mud on highways, road sheeting of vehicles, off-site dust/odour monitoring and communication with local residents/businesses. Thereafter and following the written approval of the Local Planning Authority, the development shall be carried out solely in accordance with the approved CMP during the construction phase of the development hereby approved.
In the interests of the amenities of the area and highway safety.
8. Prior to the commencement of the development and in accordance with the approved (soft and hard) landscaping details (as contained in condition 2 of this decision notice, primarily the supporting documents and plans, date received by the Local Planning Authority 21/04/2026), the following details shall be first submitted to and be approved in writing by the Local Planning Authority:
 - a) Finished site levels and cross-sections where changes in levels are proposed;
 - b) The planting mix for the reseeded of the backfilled trenches;
 - c) A timetable for implementation of the agreed landscaping.

Thereafter the development hereby approved shall be implemented, maintained and managed in full accordance with the agreed details of this condition and the approved landscaping details contained within condition 2 of this decision notice and within the agreed timetable.

If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or shrub, or plant of the same species and size as that originally planted, shall be replaced and planted at the same place in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity, biodiversity enhancement, and to ensure a satisfactory form of development.

9. A) The development shall be carried out in accordance with the submitted and agreed Archaeological Written Scheme of Investigation (*Greatham North East Flood Alleviation Scheme Programme of Archaeological Works: Written scheme of Investigation*, version 2, prepared by CFA Archaeology Ltd, document dated January 2025), date received 16/04/2025 by the Local Planning Authority.
 B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
 C) The post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) within 12 months of the completion of fieldwork (or an alternative time scale agreed in writing by the Local Planning Authority), and the provision made for analysis, publication and dissemination of results and archive deposition confirmed in writing to, and approved by, the Local Planning Authority.
 In the interests of the historic environment.
10. Notwithstanding the submitted information and prior to the commencement of development, details of the existing and proposed levels of the site and any structures and any proposed mounding and/or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
 In the interests of visual amenity and to ensure a satisfactory form of development.
11. Notwithstanding the submitted information, no development shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site and the potential presence of Unexploded Ordnance (UXO) 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, and to assess any potential risks associated with Unexploded Ordnance (UXO). 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 shall 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);
- (iv) a Preliminary Unexploded Ordnance (UXO) Risk Assessment undertaken by a suitably qualified specialist to determine the likelihood of UXO being present on the site as a result of historical military activity, wartime bombing, former defence use, or other relevant sources. Where the assessment identifies a potential risk, a detailed UXO Risk Assessment and Mitigation Strategy shall be submitted, including:
 - identification of areas of potential UXO risk;
 - details of any intrusive investigation, survey, clearance or verification works required;
 - procedures to be followed in the event of a suspected UXO discovery during site works;
 - details of risk mitigation measures necessary to protect site operatives, the public, infrastructure and the proposed development.

This shall be conducted in accordance with DEFRA and the Environment Agency's *Model Procedures for the Management of Land Contamination, CLR11*, together with current industry best practice guidance for UXO risk management.

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, the natural and historical environment, and any identified UXO-related risks shall be prepared and submitted for approval in writing by 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. Where required, the scheme shall also include the approved UXO mitigation and risk management measures. 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 and that any identified UXO risks have been appropriately mitigated.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme and any approved UXO mitigation measures shall be carried out in accordance with their 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 and/or UXO mitigation works. Following

completion of the measures identified in the approved remediation and UXO mitigation schemes, a validation report that demonstrates the effectiveness of the remediation and mitigation carried out shall be produced and submitted to the Local Planning Authority for approval in writing.

4. Reporting of Unexpected Contamination or UXO

In the event that contamination, asbestos-containing materials (ACMs), hazardous materials, buried waste, ground gases or suspected Unexploded Ordnance (UXO) are found at any time when carrying out the approved development that were not previously identified, the Local Planning Authority shall be notified in writing within 48 hours of the discovery of any unexpected contamination or suspected Unexploded Ordnance. An investigation and risk assessment shall be undertaken in accordance with the requirements of Section 1 (Site Characterisation) above and, where remediation or additional mitigation is necessary, a remediation scheme and/or UXO mitigation strategy shall be prepared in accordance with the requirements of Section 2 (Submission of Remediation Scheme) above, which shall be submitted to and approved in writing by the Local Planning Authority. In the event that suspected UXO is encountered, all works within the affected area shall cease immediately until the item has been assessed and managed by a suitably qualified UXO specialist, and any necessary mitigation or clearance measures have been completed. Following completion of the measures identified in the approved remediation scheme and/or UXO mitigation strategy, a validation report shall be prepared and submitted to the Local Planning Authority for approval in writing.

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 and submitted to the Local Planning Authority for approval in writing.

Where ongoing monitoring is required in relation to contamination or other agreed site risks, reports demonstrating the effectiveness of the monitoring and maintenance carried out shall be submitted to the Local Planning Authority.

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

This shall be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR11, and any approved UXO risk management and mitigation strategy.

To ensure that risks associated with land contamination, hazardous materials and unexploded ordnance are appropriately identified, assessed and mitigated, thereby protecting human health, controlled waters, property, ecological systems, heritage assets, future users of the land and neighbouring receptors, and to ensure that the development can be carried out safely without unacceptable risks to workers, the public or the environment.

12. Notwithstanding the submitted details and prior to the creation of the temporary laydown areas and construction compounds, as detailed on Dwg. No. ENV0002573C-ARU-ZZ-ZZ-DR-L-B1300 REV C01 (Sitewide Overview, received

by the Local Planning Authority on 21st April 2026), details of these areas (surface materials/structures/buildings/plant or machinery) and a timetable for both the installation and thereafter their removal (such removal shall be within 6 months of the completion of the development hereby approved) shall be first submitted to and agreed in writing with the Local Planning Authority. Thereafter, the land shall be restored to its former condition following completion of the development hereby approved and in accordance with the agreed scheme and timetable. In the interests of visual amenity, to ensure a satisfactory form of development and to which the permission is based

13. Within 2 years from the date of this decision notice, full details of such walls, fences, railings and other means of boundary enclosure and/or associated safety related apparatus, including size, siting and finishing materials, shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. In the interests of visual amenity and to ensure a satisfactory form of development.
14. Within 2 years from the date of this decision notice, details of the 3no. proposed amenity/interpretation boards and 1no. bird hide and 1no. bird screen as indicated on plan Dwg No ENV0002573C-ARU-ZZ-ZZ-DR-L-B1300 REV C01 (Sitewide overview, date received by the Local Planning Authority 21/04/2026), including exact locations, construction materials and finish, and a timetable for their implementation, shall be first submitted to and agreed in writing by the Local Planning Authority. Thereafter, the interpretation boards, bird screen and hide shall be provided in accordance with the approved details and timetable. To ensure a satisfactory form of development and in the interests of providing information to the public on the wider history of the area and the flora and fauna.
15. No development shall take place on the Greatham Creek embankment as defined by the plan titled 'Greatham Creek Embankment Plan' (received by the Local Planning Authority 21/07/2026) at any time between March and August (inclusive). Notwithstanding this, works may only begin earlier or finish later than programmed in this area, subject to appropriate surveys first being undertaken by a suitably qualified ecologist (and the Environmental Clerk of Works (ECOW)) to confirm that breeding features of the SPA or Ramsar are no longer present within the Greatham Creek embankment area. Prior to any such works taking place, details of the appropriate surveys and a timetable for any such development activity (relative to the timing of the undertaken surveys) shall first be submitted to and be agreed in writing with the Local Planning Authority. Thereafter, and following the written agreement of the Local Planning Authority, the works shall be carried out solely in accordance with the agreed schedule and timetable of works. In the interests of avoiding or mitigating ecological harm and to ensure that any adverse effects are avoided on the site integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other projects.
16. Notwithstanding the submitted information, no construction works, plant or machinery shall be operated on site outside the hours of 0700–1900 Monday to Friday. No deliveries or removal of materials to or from the site shall take place

outside the hours of 0800–1800 Monday to Friday. There shall be no construction activity, deliveries or removal of materials at any other time, or on Public Holidays, unless a scheme of works setting out the nature of the activities, along with any necessary supporting noise and/or ecological assessment, has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, any such works shall be carried out strictly in accordance with the approved scheme.

In the interests of the amenity of the area and to avoid or mitigate any ecological harm in respect of the integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other projects.

17. Notwithstanding the requirements of condition 16 (above), weekend working shall only be permitted to take place between the hours of 0700–1900 on Saturdays and Sundays where required to recover delay to the construction programme, including where working time at Greatham Creek has been lost as a result of tidal conditions or ecological restrictions. At least two working days before any such weekend working takes place, the Local Planning Authority shall be first notified in writing of the location, nature, date(s) and anticipated duration of the works, the nature of the programme delay and why weekend working is required. Thereafter and following the written agreement of the Local Planning Authority of such works, all such agreed weekend working shall be limited to that period as agreed in writing and undertaken in full accordance with the approved CEMP and the ecological requirements of this permission.

In the interests of mitigating ecological harm in respect of the integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site and to allow the LPA to monitor the site's activities accordingly.

18. The development hereby approved shall be carried out in accordance with the submitted Greatham NE FAS Methodology Report dated 25/02/2025 (received by the Local Planning Authority 16/04/2025) and Appendix K - Environmental Action Plan (EAP) (updated 14/02/2025) of the Environmental Statement Volume 3 (dated 19/03/2025) (received by the Local Planning Authority 16/04/2025). To prevent the increased risk of surface water flooding from any sources, and pollution prevention in accordance with Local Plan Policy QP6 and the relevant provisions of the NPPF.

BACKGROUND PAPERS

1.235 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=165013>

1.236 Copies of the applications are available online:

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

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Land to the East, South & West of Greatham Works, Tees Road, Hartlepool



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THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

 Hartlepool Borough Council	DRAWN LH	DATE 22/07/2026
	Scale 1:15000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2025/0131	REV

No:	2.
Number:	H/2026/0134
Applicant:	CHARLY WILSON RADCLIFFE CRESCENT THORNABY STOCKTON-ON-TEES
Agent:	PERSIMMON HOMES TEESSIDE CHARLY WILSON RADCLIFFE CRESCENT THORNABY STOCKTON-ON-TEES
Date valid:	12/06/2026
Development:	Section 73 application to vary conditions 3 (Masterplan), 6 (Approved Plans), 8 (Elwick Grade Separated Junction), 10 (Roundabout Junction) and 19 (Detailed Landscaping) of planning permission H/2014/0428 (Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting).
Location:	LAND SOUTH OF ELWICK ROAD HIGH TUNSTALL HARTLEPOOL

PURPOSE OF REPORT

2.1 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

2.2 The following applications are considered to be most relevant to the current application:

Outline planning permission

H/2014/0428 - Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Approved 14/03/2019.

2.3 The application is subject to a completed s106 legal agreement which secured developer obligations/contributions towards;

- the Elwick bypass and A19 Grade Separated Junction (£14,400,000);
- a financial contribution towards improvements to the local road network (£1,075,000);
- a financial contribution towards ecological mitigation (£300,000);
- an obligation requiring the provision and implementation of a Conservation and Habitat Management Plan (including the delivery of 15ha of SANGS,

- the annual provision of a spring cereal/ autumn-winter stubble plot for twenty years and household information packs);
- the provision, maintenance and long term management of play facilities, community facilities, landscaping, open space (including SANGS) and permissive paths;
- the provision, maintenance and long term management of SuDS; an obligation relating to the provision of a suitable landscape buffer along the western boundary;
- an obligation to safeguard land for a 2-form primary school and playing pitches which will be for community use;
- an obligation to make provision of footpaths/cycle links/access to Summerhill Country Park;
- an obligation to safeguard land for the future provision for a link road between this site and the South West Extension;
- an obligation relating to securing a training and employment charter/local labour agreement;
- an obligation to deliver and implement a travel plan;
- the s106 legal agreement also includes a 'recycling clause' in respect to the specific contributions identified above to be recycled and used to meet the other obligations such as affordable housing, built sports and education provision, should they not be required to meet the original purpose (in whole or part).

D/2019/0068 - Discharge of condition 4 (phasing plan/programme) of Outline permission H/2014/0428/ with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Approved 13/03/2020.

H/2020/0108 - Non material amendment to planning application H/2014/0428 (for outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting) for changes to wording of conditions 10 (Elwick Road roundabout junction and secondary accesses), 11 (Elwick Road speed limits), 12 (Elwick Road street lighting) and 13 (connections to public highway) to reflect proposed phasing of development. Approved 17/04/2020.

D/2026/0002 - Discharge of condition 4 (phasing plan) of planning permission H/2014/0428 Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Pending consideration.

2.4 For the reasons set out within the committee report below, it is recommended that Condition 4 (Phasing Plan) be amended to require the submission and approval of a revised Phasing Plan. In the event that planning permission is granted pursuant to application H/2026/0134, the details submitted under application D/2026/0002 would no longer correspond with the approved

condition wording and phasing strategy. Accordingly, a revised submission would be required to reflect the amended planning permission.

Reserved matters for phase 1a

H/2020/0048 - Approval of reserved matters relating to access, appearance, landscaping, layout and scale for the erection of 162 no. residential dwellings and associated engineering works pursuant to outline planning permission H/2014/0428. Approved 06/11/2020.

H/2020/0459 - Section 96a (Non-material amendment) application to vary approved plans (condition 1) of reserved matters planning permission H/2020/0048 (for the erection of 162 no. residential dwellings and associated engineering works) to allow for plot swaps, shifting of detached garages, changes to plot boundary lines, shifting of dwellings/plots, omission of substation and associated minor alterations to hard and soft landscaping and boundary treatments. Approved 04/03/2021.

H/2021/0372 - Section 73 application to vary condition 1 (approved plans) of planning permission H/2020/0048 (for approval of reserved matters relating to the erection of 162 no. residential dwellings pursuant to outline planning permission H/2014/0428) to allow for house type substitutions and associated amendments. Approved 15/12/2021.

D/2021/0088 - Discharge of conditions 5, 9, 10, 14, 15, 16 PART A, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34 and 35 (*for the 1st phase*) of planning permission H/2014/0428 - Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting (*relating to H/2021/0372 and the 1st phase of development*). Approved 27/09/2022.

H/2023/0096 - Section 73 application to vary condition 1 (approved plans) of planning permission H/2021/0372 (Section 73 application to vary condition 1 (approved plans) of planning permission H/2020/0048 for approval of reserved matters relating to the erection of 162 no. residential dwellings pursuant to outline planning permission H/2014/0428) to allow for house type substitutions and associated amendments. Approved 10/01/2024.

Reserved matters for Phases '1b and 2a'

H/2025/0346 - Approval of all reserved matters for the erection of 116 dwellings, together with associated access, landscaping and infrastructure, pursuant to Outline Planning Permission H/2014/0428 and associated with application H/2026/0134 seeking to vary Conditions 3, 6, 8, 10 and 19 of permission H/2014/0428. This application is Pending consideration and forms part of the same committee agenda as the current application (H/2026/0134).

D/2026/0032 - Partial Discharge of conditions 17 (foul water) and 18 (surface water) of planning permission H/2014/0428 (Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half

storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting) relating to phase 1b and 2a (116no. dwellings, access, landscaping and associated infrastructure). Pending consideration.

2.5 For the reasons set out within the committee report below, any future submissions seeking to discharge conditions attached to the outline planning permission would need to reflect the planning permission as amended by this current pending application H/2026/0134, if approved. Accordingly, the details submitted pursuant to application D/2026/0032 may require amendment and resubmission to ensure consistency with the amended planning permission and approved phasing strategy.

2.6 The following applications are considered to be relevant in respect to the surrounding areas;

Land at Quarry Farm (beyond Elwick Road to the north)

H/2014/0215 – Planning permission was allowed on appeal on 18/02/2015 for the erection of 81 dwellings on land at Quarry Farm, Elwick Road (Appeal Ref APP/H0724/A/14/2225471). The associated reserved matters were approved on 03/11/2015 (reference H/2015/0351) and subsequently amended through H/2015/0535 (decision date 08/01/2016).

H/2015/0528 – Planning permission was granted on 12/10/2018 following the completion of a s106 legal agreement for up to 220 residential dwellings with associated access, all other matters reserved. The site is accessed from Reedston Road. The associated reserved matters were approved on 23/01/2020 (reference H/2019/0352). Both the outline permission and reserved matters approval have been subject to a number of further approvals through minor material amendments. The most recent approval to amend the outline permission was application reference H/2022/0347 (approved 12/05/2023) and the most recent approval to amend the reserved matters approval was application reference H/2020/0378 (approved 05/05/2021).

H/2020/0387 - 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. Members were minded to approve the application at the planning committee meeting of 22/04/2026, subject to the completion of a S106 legal agreement.

PROPOSAL

2.7 The application seeks planning permission under Section 73 of the Town and Country Planning Act 1990 for amendments to H/2014/0428 to vary conditions 3 (Masterplan), 6 (Approved Plans), 8 (Elwick Grade Separated Junction), 10 (Roundabout Junction) and 19 (Detailed Landscaping).

2.8 The application is supported by a Transport Assessment and Travel Plan, a Traffic Impact Assessment and Technical Note, and a Delay Impact Analysis. These

documents seek to demonstrate that the proposed increase of 72 dwellings (within proposed Phases 1b and 2a) from the 208 occupancy restriction applied to conditions 8 (grade-separated junction) and 10 (roundabout junction) would not result in a severe impact on highway capacity, or any significant delays.

2.9 The Traffic Impact Assessment and Technical Note sets out that:

- The increase of 72 dwellings is estimated to generate around 96 vehicle trips in the AM peak and 89 in the PM peak;
- Based on trip distribution, only around 13 two-way trips are expected to use the A179 during peak hours;
- The additional trips from the development represent an approximate 0.5% increase in existing peak hour flows, which is negligible and within typical traffic flow variation.

2.10 The submitted Traffic Impact Assessment states that changes in travel behaviour, including increased home working and pandemic effects suggest lower future trip rates, and that updated TRICS data and Census travel methods indicate the development of an additional 72 dwellings would generate fewer vehicle trips than earlier estimates.

2.11 The submitted Delay Impact Analysis indicates that traffic flow analysis shows a 4.43% growth from 2017 to 2028, with peak journey times increasing from 5 to 14 minutes and delays rising accordingly. Additional vehicle departures from proposed developments slightly increase delays. Assumptions include traffic data accuracy and unknown signal timings at key junctions.

2.12 The proposed conditions to be amended are as follows:

Condition 3 (Masterplan)

2.13 The application seeks to vary Condition 3 to substitute the approved masterplan with an updated version reflecting the proposed development strategy for the phases 1b, 2a and subsequent phases.

2.14 The revised masterplan reallocates an area previously shown indicatively for self-build development (previously proposed phase '1b') and instead identifies a development parcel capable of accommodating 116 dwellings (as proposed through pending reserved matters application H/2025/0346) to be delivered across proposed phases 1b and 2a.

2.15 The proposed change does not increase the approved development capacity of the strategic allocation and does not alter the approved maximum of 1,200 dwellings established under planning permission H/2014/0428, which is capped by condition 7.

Condition 6 (Approved Plans)

2.16 Condition 6 of H/2014/0428 sets out that the approved development shall accord with the following drawings:

- Existing Site Layout Rev G

- Proposed Master Plan Rev T
- Proposed Location Plan Rev F

2.17 Given that the Masterplan (as detailed in condition 3, above) is proposed to be amended through this application, it is proposed condition 6 is varied to include the amended Masterplan. The Proposed Location Plan is considered to be a superfluous plan (in effect, a version of the proposed masterplan) and it is therefore proposed that this plan is omitted from the condition.

Condition 8 (Grade-Separated Junction to the A19)

2.18 Condition 8 currently restricts occupation of the development beyond 208 dwellings until the scheme providing the grade-separated junction to the A19 has been fully opened to traffic.

2.19 This application seeks to amend this trigger to increase the number of dwellings 'cap' from 208 dwellings to 280 dwellings.

2.20 The amendment would allow for the delivery and occupation of proposed Phases 1b and 2a (116 dwellings as proposed through pending reserved matters application H/2025/0346) of development prior to completion of the grade-separated junction infrastructure.

Condition 10 (Roundabout Junction)

2.21 Condition 10 currently requires the delivery of highway infrastructure in accordance with the approved masterplan and submitted Transport Assessment documents. It is noted that the wording of this condition was amended by virtue of an approved non-material amendment application H/2020/0108, decision date 17/04/2020, to read as follows:

10. Notwithstanding the submitted plans, no phase of the development shall take place until a detailed scheme for the provision of access from Elwick Road as may be required to serve that phase (to be provided on a 1:500 scale plan, minimum) and a Phasing Plan/Programme for the implementation of such highway mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be provided in general conformity with Drawing No. P101 Rev T ('Proposed Master plan', date received 28.11.2018) and details included within the Transport Assessment Version 1.1 (dated 18.02.2016). Thereafter, the highway mitigation measures necessary for each phase shall be undertaken in accordance with the Phasing Programme/Plan so approved to the satisfaction of the Local Planning Authority, unless some variation is otherwise agreed in writing by the Local Planning Authority. To enable the Local Planning Authority to control details and in the interests of highway safety.

2.22 The proposed amendment seeks changes to the approved masterplan (as noted under Condition 3) and is supported by the updated Transport Assessment which seeks to demonstrate that it would be possible to allow the proposed 116 dwellings (across Phases 1b and 2a as proposed through pending reserved matters application H/2025/0346) to be served from the existing secondary access rather

than requiring the construction of the western roundabout junction and primary access road.

Condition 19 (Detailed Landscaping)

2.23 Condition 19 requires the submission of detailed landscaping drawings prior to commencement of each phase of development. Whilst the substantive requirements of Condition 19 are not proposed to change, the condition requires landscaping proposals to be in general conformity with the approved masterplan (as referenced under condition 3). Consequently, it is necessary to amend the condition to reference the revised masterplan proposed through this application.

2.24 The application is also supported by Nutrient Neutrality Budget Calculations and a Nutrient Statement which are discussed in further detail below as part of the Ecology section.

2.25 The application description was updated during the course of the application to capture the aforementioned proposed/required amendments to conditions 6 (approved plans) and 19 (landscaping). Given the nature of the updates which are primarily required to reflect the proposed updated masterplan (through condition 3), officers considered that it was not necessary in this instance to issue further consultations and members of the public are considered not to be prejudiced by the updated description in this instance.

2.26 The application has been referred to planning committee as more than two objections have been received, in line with the Council's Scheme of Delegation.

SITE CONTEXT

2.27 The application site comprises approximately 92 hectares of land to the south of Elwick Road. The site is primarily agricultural land. Towards the eastern extent of the site boundary are a large number of built and occupied residential properties that form part of approved 162 dwellings that form 'Phase 1a' (constructed by Duchy Homes) and are served by a secondary access from Elwick Road (towards the north east of the outline red line boundary).

2.28 Beyond the northern boundary of the site and Elwick Road are a small number of existing properties at Quarry Farm/Quarry Cottages (as noted above, an application with a 'minded to approve' recommendation for up to 475 dwellings at Quarry Farm relates to the land to the north of the application site, reference H/2020/0387). Existing residential properties are also present to the north east beyond Elwick Road consisting of the 81 dwellings on land at Quarry Farm (north east).

2.29 Beyond the south and western boundary of the application site is further agricultural land which is defined by field boundaries and hedgerows (that forms part of the wider site allocation and the red line boundary of the approved outline permission H/2014/0428 that this application seeks to amend). A number of farms and other properties are present beyond the south west boundary.

2.30 The topography of the sites slopes from the highest point in the north west corner down towards the southern boundary with the land undulating east to west. A major hazardous gas pipeline runs along the northern and eastern boundaries of the site (as discussed within the main body of the report). A public right of way also runs from north to south beyond the eastern boundary of the application site/Tunstall Farm down to Duchy Road (Footpath No. 25, Hartlepool) and a public right of way cuts through the middle of the application site, running from east to west (Footpath No 7, Hartlepool).

2.31 As detailed above, the site forms part of the approved High Tunstall development (approval reference H/2014/0428) which is a strategic allocated housing site in the Hartlepool Local Plan (as allocated through Policy HSG5).

PUBLICITY

2.32 The application has been advertised by way of notification letters to 156 neighbouring properties and local ward councillors, site notice and press advert. To date, there have been 12 objections received.

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

- Too many properties without supporting infrastructure and services (including schools, GP surgeries, dentists);
- Increase in traffic on local roads and through Elwick village;
- The occupancy restriction should not be raised because Elwick Road is already congested;
- Impacts on wildlife;
- Impacts to the village from development of 1200 properties.

2.34 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=169208>

2.35 The period for publicity expires on 03/09/2026 in respect to the outstanding consultation period for any response from Natural England, and on the 16/09/2026 in respect to the consultation issued to the Hartlepool Rural Plan Working Group. Members will be updated at the planning committee of any comments received. Any comments received after the committee meeting will subject to the consideration of officers. This is reflected in both the main considerations below and the officer recommendation.

CONSULTATIONS

2.36 The following consultation replies have been received:

HBC Traffic and Transport: There are strong concerns around this application, primarily due to the increase in traffic it will lead to on the A179.

Traffic modelling for the original application showed there would be a severe impact on the highway network after 208 dwellings at this site, and this application seeks a

further 70 dwellings over and above that figure. While the applicant has submitted a further transport note suggesting changing travel patterns since Covid, real life evidence shows otherwise and this is accepted by both National Highways and HBC as robust.

Long queues are regularly witnessed and reported on the A179, as is traffic queuing back onto the A19 main line from the northbound off-slip, with inherent safety risks associated with both. Surveys have shown a queue of 1.83km on the A179, with video surveys also identifying regular queues of more than a mile. We are aware that these are existing issues, and that these will be predominately resolved with the delivery of the bypass.

National Highways response is of course a matter for them, but they (and their North East operating agents Autolink) along with Cleveland Police, have expressed concerns on a number of occasions about traffic regularly backing up onto the A19 mainline and the associated safety risks.

While the impact from this application is relatively minimal (8 two-way vehicle trips in both the AM and PM peaks, equating to approximately 6 seconds), there is already a severe impact on the A179 and this demonstrates that the original cap on development prior to the GSJ/ Elwick Bypass was accurate.

There are also significant concerns that additional traffic (even relatively small numbers) on the local road network, will further impact junctions which are already approaching capacity at times.

While initial deliberations led to the view that the application should be refused on highway grounds, the fact that the application only results in a minimal increase (albeit on top of an existing situation where a severe impact exists), and that the GSJ/ Elwick Bypass is anticipated to commence on site in Summer 2027 (completing by the end of 2028), it is felt that a refusal on Highway grounds would be likely to be overturned on appeal. On this basis Highways do not object to the increase of 70 properties as the build out rate is likely to coincide with the delivery of the bypass, but ask that Members note the existing highway constraints.

National Highways: Recommended Conditions

National Highways have reviewed the documents submitted in support of this planning application.

The existing and proposed condition wording is understood to be:

Approved Condition 8: "Prior to the occupation of the 209th dwelling of the 1200 dwellings hereby approved, the scheme to provide a bypass of Elwick Village and a grade separated junction on the A19 shall be fully open to traffic, to the satisfaction of the Hartlepool BC, Durham BC and Highways England."

Proposed Amended Condition 8: "Prior to the occupation of the 281st dwelling of the 1200 dwellings hereby approved, the scheme to provide a bypass of Elwick Village

and a grade separated junction on the A19 shall be fully open to traffic, to the satisfaction of the Hartlepool BC, Durham BC and Highways England”.

To summarise, the proposals seek to allow a greater number of dwellings (+72 dwellings) within the High Tunstall Strategic Site to be occupied prior to the A19 Elwick Bypass Junction being fully open to traffic.

At the pre-application stage for this case, we provided our agreement that an additional 69 dwellings could be occupied at this site, above the 46 dwellings that remain within the defined threshold (i.e. a total of 115 dwellings could be occupied prior to the opening of the Elwick Bypass). This was based on the evidence contained in the Transport Assessment [TA] and Travel Plan [TP], prepared by Milestone Transport Planning [MTP] (both dated April 2025).

The evidence submitted to accompany this S.73 application has not changed since the pre-application stage and we would therefore maintain our position of support. We would, however, request that the amended condition wording is altered slightly to reflect updated naming terminology:

National Highways’ requested wording for the amended Condition 8: “Prior to the occupation of the 281st dwelling of the 1200 dwellings hereby approved, the scheme to provide a bypass of Elwick Village and a grade separated junction on the A19 shall be fully open to traffic, to the satisfaction of the Hartlepool BC, Durham BC and the highway authority for the A19(T)”.

Reason: To ensure the safe and continued operation of the SRN.

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 visionled 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.

Elwick Parish Council: Elwick Parish Council wishes to submit its strong objection to the above application to vary the conditions relating to the High Tunstall development. The Parish Council considers that the proposed increase in the number of dwellings from 209 to 281 would have a significant and unacceptable impact on Elwick Village, its residents, and the surrounding local road network.

The additional 72 dwellings could result in approximately 150 extra vehicle movements on Elwick Road each day. A substantial proportion of this traffic is likely to pass directly through Elwick Village, either to access the A19 southbound or to return to High Tunstall from the A19. Elwick Village is already experiencing

significant pressure from traffic using the village as a route to the A19, and the proposed increase would further worsen that position.

Elwick Road was not designed to accommodate the current level, frequency, or weight of traffic. Its condition is already fragile, and any further increase in vehicle movements before the bypass is open and before the necessary highway improvements have been completed is likely to increase congestion, intensify pressure on residents, and accelerate deterioration of the road surface.

For these reasons, Elwick Parish Council respectfully urges the planning authority to refuse the application. In the alternative, the Parish Council submits that any approval should be deferred until the bypass is fully operational and all required highway improvements have been completed. Without these safeguards, the proposal would impose an unacceptable and avoidable burden on Elwick Village and its residents.

Hartlepool Civic Society: Hartlepool Civic Society object to the proposed variation of the planning condition that would allow occupation of an additional 72 dwellings before completion of the Elwick Bypass.

Whilst it is disappointing that the self-build allocation has been removed, as it would have provided greater architectural diversity and character than a conventional volume housebuilder development, our principal objection relates to the proposed amendment to the occupation restriction.

The existing condition limiting occupation to 208 dwellings prior to completion of the Elwick Bypass was imposed for a clear reason: to mitigate the highway impacts of the development until the necessary infrastructure is in place. The developer's decision to alter its build programme or phasing should not justify weakening a condition that was considered necessary when planning permission was granted.

Allowing occupation of a further 72 dwellings represents an increase of approximately 35% over the existing threshold of 208 dwellings. This is a substantial increase and cannot reasonably be regarded as insignificant. It is impossible to accept that such an increase would have no material impact on the local highway network, particularly when the bypass remains unconstructed and no works have yet commenced.

The rural road network serving Elwick and the surrounding villages is already experiencing significant pressure from traffic using these routes. Residents regularly experience increased traffic volumes, congestion and reduced road safety on roads that were never designed to accommodate such high volumes of traffic. Additional traffic generated by a further 72 occupied dwellings will inevitably add to these cumulative impacts, both on the rural lanes and on roads leading into Hartlepool.

The Transport Assessment's conclusion that 72 additional dwellings would generate only eight twoway vehicle movements at the A179/A19 junction appears difficult to reconcile with everyday travel patterns. The A19 is the principal strategic route for journeys to the north, and developers routinely promote the site's excellent access to the A19 as a key selling point for prospective purchasers. It is therefore reasonable

to question whether the predicted traffic generation accurately reflects likely travel behaviour.

Furthermore, there are several residential developments progressing along the Elwick Road corridor. The cumulative impact of these developments should be carefully considered. Approving successive relaxations of occupation thresholds before the delivery of the promised highway infrastructure risks undermining the purpose of the original planning condition and sets an unwelcome precedent for future applications. Until the Elwick Bypass is completed and operational, or robust and independently verified evidence demonstrates that the additional occupations would not result in material harm to the local highway network, there is no compelling planning justification for varying the condition. We therefore urge the Council to retain the existing restriction limiting occupation to 208 dwellings prior to completion of the bypass.

Northern Gas Networks: We withdraw our objection.

Following our objection on to the proposed planning application in the area of LAND SOUTH OF ELWICK ROAD HIGH TUNSTALL, HARTLEPOOL, TS26, we are now willing to rely on our statutory powers and so withdraw our objection.

Should the authority be minded to approve the proposed development scheme to which this formal response relates, the company respectfully requests the complete text, as set out below, be added to the planning decision notice as an 'Informative Note'. This demonstrates due diligence on the part of both the authority and company in safeguarding both the land user and wider public from the implications of damage to gas pipelines resulting from the decision to approve the development by the authority.

The high pressure gas pipeline(s) in the vicinity of the proposed development is / are registered as a "Major Accident Hazard Pipeline (s)" and as such are subject to the HSE's Land Use Planning advice methodology, along with the Pipelines Safety Regulations 1996. The pipeline(s) is / are subject to industry standards which regulate activity and proximities of buildings in order to safeguard the attendant population and to also limit population growth within certain defined distances.

Any intrusion within these safety zones should not be taken lightly, and any intention to proceed must be accompanied by a Risk Assessment or provision of supporting evidence which should be available in the event of any legal proceedings at a later date.

I have attached a copy of our plans showing the pipeline(s) in relation to the development proposal.

Additionally, pipelines laid in private land are protected by a deed of grant, which prevents certain activities within the easement strip. This includes changes in levels and the addition of buildings and structures.

No part of the easement should be within private gardens or driveways, unless provision is made for future access by the pipeline operator in order to inspect, maintain and repair the pipeline.

If you have any questions, our Before You Dig Team will be able to help.

HBC Arboricultural Officer: There are no arboricultural concerns associated with this S73 application, based on the information provided.

Durham County Council: I have consulted Durham County Council's Highways team who advise they as the neighbouring Local Highway Authority raise no objection to the proposal. Following the above advice I can confirm that Durham County Council as Local Planning Authority raise no objection to the proposal.

Cleveland Police: With regards to your recent planning application H/2026/0134 for variation of conditions, Land South of Elwick Road, High Tunstall, Hartlepool. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

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

HBC Ecology: No objection. The variations do not materially alter the ecological impacts of the development.

Update 20/08/2026 following the submission of Nutrient Neutrality details:

Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment (AA) has been triggered. As

the competent authority, Hartlepool Borough Council has a legal duty to safeguard European Sites.

This assessment is undertaken under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment

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

Teesmouth and Cleveland Coast SPA and Ramsar
Northumbria Coast SPA and Ramsar
Durham Coast SAC

That HRA stage 1 screening screened in the following LSE:

Nutrient enrichment
Increased recreational disturbance

This AA assesses whether nutrient enrichment and increased recreational disturbance cause an Adverse Effect on Integrity of the Site (AEIOI) and, if so, whether this can be removed through mitigation.

Assessment basis

This assessment has considered the current conservation objectives for the European Sites and various documents relating to both the variation and the original submission.

The Teesmouth and Cleveland Coast SPA was classified in its extended form in January 2020. The original HRA assessed the then proposed SPA extension. The relevant SPA and Ramsar interest comprises qualifying breeding and non-breeding waterbirds, the waterbird assemblage and the habitats and supporting processes on which those features rely.

Northumbria Coast SPA/Ramsar supports qualifying coastal birds, and Durham Coast SAC supports vegetated sea-cliff habitat.

Nutrient neutrality background

Natural England has identified nutrient enrichment as a pressure affecting the Teesmouth and Cleveland Coast SPA and Ramsar. The development lies within the Tees Lower and Estuary nutrient catchment and the full 1,200 dwelling development has therefore been assessed.

The applicant's August 2026 Nutrient Neutrality Statement assesses a 92ha site. The assessment uses the pre-development land-use baseline for the full permitted scheme:

92 ha of cereals, compared with 55.2 ha of residential urban land and 36.8 ha of greenspace in the future condition.

Foul water will discharge through the public sewerage network to Seaton Carew Wastewater Treatment Works (WwTW).

The applicant's statement also concludes that the development produces a reduction in nitrogen loading.

The 0.56 people per dwelling input is the robust locally derived rate identified by the April 2023 Tees catchment study. No nutrient removal through SuDS has been relied upon to reach the result though Conditions 17 and 18 of H/2014/0428 separately require phase-specific foul-water and surface-water/SuDS details.

Nutrient neutrality conclusion

The completed nutrient budget is negative and the total annual nitrogen load to mitigate is 0 kg TN/year. No nutrient credits or other additional nutrient mitigation are required. The project will not cause an Adverse Effect on Integrity of the Teesmouth and Cleveland Coast SPA or Ramsar through nutrient enrichment, either alone or in combination with other plans or projects.

Increased recreational disturbance background

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.

Hartlepool Borough Council submitted an HRA covering the full 1,200 dwellings to Natural England in October 2018. It comprised HRA stage 1 screening and HRA stage 2 Appropriate Assessment. The stage 1 assessment screened four European Sites within 12 km and found an LSE for recreational disturbance affecting the Teesmouth and Cleveland Coast SPA, Ramsar and then proposed SPA extension.

Natural England concurred with the HRA on 5 October 2018:

"I can confirm that Natural England concur with the findings of the submitted HRA for the above site and have no further comment to make."

The subsequent classification of the extended Teesmouth and Cleveland Coast SPA does not alter the applicability of that assessment because the then proposed SPA extension was expressly assessed and the mitigation safeguards qualifying birds and their supporting habitats.

The original High Tunstall HRA recorded recreational LSE only for the Teesmouth and Cleveland Coast SPA/Ramsar and then proposed SPA extension. This updated HRA adopts the precautionary approach used in current HBC HRAs and also takes

recreational effects on the Northumbria Coast SPA/Ramsar and Durham Coast SAC to Appropriate Assessment.

The on-site SANGS intercepts routine walking and dog-walking visits at source, irrespective of which coastal site could otherwise be visited. The site-specific contribution manages residual pressure at Teesmouth and Summerhill, while the wider Hartlepool coastal mitigation framework addresses cumulative growth. Northumbria Coast and Durham Coast are more distant receptors, and the same at-source SANGS measure is applicable to them.

Mitigation

The original HRA concluded that the identified residual impact of the development is mitigated by the availability of an acceptable amount and distribution of SANGS (15 ha across 6 areas), a commitment to provide promotional material (householder information packs) and a financial contribution (£300,000) to wardening the Teesmouth and Cleveland Coast SPA and Ramsar. The complete recreational-disturbance package is:

A total of 15 ha SANGS that will encourage daily dog walking. This is distributed across six areas:

- A large parcel of open space to the west of the site (approximately 4.18 ha);
- A central area of open space to the south-west corner of application H/2015/0551 (1.07 ha);
- A green corridor running along the eastern boundary of the site (2.14 ha);
- A large parcel of open space to the south-east corner of the site (2.1 ha);
- A strip of open space to the south-west corner of the site (0.51 ha); and
- A large parcel of open space beyond the southern boundary of the main built development (5 ha).

A financial contribution of £300,000 (£250 per Unit, including Self-Build Plots) to cover additional costs associated with Summerhill Country Park and coastal wardening and management.

Provision to each household of an information pack highlighting on-site recreational opportunities and the importance of safeguarding European Sites.

Footpath/cycle links and access to Summerhill Country Park.

The Section 106 Agreement also secures the annual provision of a 1 ha spring cereal/autumn-winter stubble plot for twenty years as a separate, wider habitat-management obligation. That measure remains applicable but is not relied upon to mitigate recreational disturbance.

The Section 73 application does not increase the development above 1,200 dwellings. The submitted revised masterplan retains the amount, distribution and function of the SANGS and green-infrastructure package. The changes to the masterplan and highway occupation/access triggers do not remove or reduce the recreational mitigation or its effectiveness.

Securing the mitigation

The Section 106 Agreement dated 14 March 2019 secures the mitigation for the full development.

Increased recreational disturbance conclusion

The SANGS, wardening and management contribution, household information packs and Summerhill links form a coherent package which provides attractive day-to-day recreation within and close to the development and manages residual visits to the coast. With these measures, increased recreational disturbance will not cause an Adverse Effect on Integrity of the Teesmouth and Cleveland Coast SPA/Ramsar, Northumbria Coast SPA/Ramsar or Durham Coast SAC, either alone or in combination with other plans or projects.

In-combination assessment

The original HRA assessed the full 1,200 dwelling development and its contribution to cumulative housing growth. The current Section 73 application does not add dwellings beyond that assessed maximum. Relevant planned and committed housing, including the wider High Tunstall phases, is addressed through the Hartlepool Local Plan HRA/coastal mitigation framework and, for this development, the site-specific package set out above.

The nutrient assessment identifies no positive nitrogen load requiring mitigation. For recreation, the 15 ha SANGS and the £250 Per Unit Ecology Contribution (up to £300,000 for 1,200 Units) were calculated for the full development. There is therefore no unmitigated residual effect from H/2026/0134 which could combine with another plan or project to undermine a European Site's conservation objectives.

Conclusion

The HRA stage 1 screening identified likely significant effects from nutrient enrichment and increased recreational disturbance. Those effects have been assessed against the conservation objectives and qualifying features of the relevant European and Ramsar sites.

The completed current Nutrient Budget Calculator demonstrates a negative nutrient budget and a requirement for 0 kg TN/year mitigation. No nutrient credits or additional nutrient mitigation are required.

The original recreation package was designed for the full 1,200 dwelling development and remains effective. On the basis of the information available, Hartlepool Borough Council can conclude beyond reasonable scientific doubt that the project will not adversely affect the integrity of any European or Ramsar site, either alone or in combination with other plans or projects.

The project is compliant with the Habitats Regulations. Natural England must be consulted on the HRA Appropriate Assessment.

HBC Engineering Consultancy: In regard to contaminated land, the above application seeks to vary conditions but none of these relate to contaminated land. Therefore, we have no comments to make on the application but would advise that condition 15 of the original planning permission (H/2014/0428) is re-imposed on any new permission.

Tees Archaeology: We have no objection to the proposed variation provided that the archaeological condition on H/2014/0428 is maintained.

Anglian Water: This application is outside of Anglian Water's sewerage boundary – we have no comments to make thereon.

Northern Powergrid: 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.

No comments received.

National Grid; Regarding planning application H/2026/0134, there are no National Grid Electricity Transmission assets affected by the proposal.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://lsbud.co.uk/>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

Natural England; *comments are awaited at the time of writing in respect to the consultation issued to Natural England regarding the Habitat Regulations*

Assessment (appropriate assessment). This is reflected in the main body of the report and the overall officer recommendation.

Hartlepool Rural Plan Working Group; *the consultation period expires on 16/09/2026 and any comments received after the committee date will be subject to the consideration by officers. This is reflected in the overall officer recommendation.*

No comments were received from the following consultees;

- HBC Building Control Management
- HBC Countryside Access Officer
- HBC Estates
- HBC Heritage and Countryside Conservation
- HBC Landscape Architect
- HBC Public Protection
- Active Travel England
- Northumbrian Water
- Chief Fire Officer
- Tees Valley Wildlife Trust
- Cleveland Emergency Planning Officer
- Environment Agency
- Clerk to the Parish Council of Dalton
- Clerk to the Parish Council of Greatham
- Clerk to the Parish Council of Hart
- Clerk to the Parish Council Newton Bewley

PLANNING POLICY

2.37 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

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

LS1: Locational Strategy
 CC1: Minimising and Adapting to Climate Change
 CC2: Reducing and Mitigating Flood Risk
 INF1: Sustainable Transport Network
 INF2: Community Facilities
 INF4: Planning Obligations
 QP1: Planning Obligations
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 HSG1: New Housing Provision
 HSG5: High Tunstall Strategic Housing Site

NE1: Natural Environment
 NE2: Green Infrastructure
 NE3: Green Wedges
 SUS1: The Presumption in Favour of Sustainable Development

Hartlepool Rural Neighbourhood Plan (HNRP, 2018)

2.39 Having regard to the proximity of part of the site to the area covered by the Hartlepool Rural Neighbourhood Plan, the following policy is considered relevant;

GEN1- Development Limits

Tees Valley Joint Minerals and Waste Development Plan (2011)

2.40 The Tees Valley Minerals DPDs (TVMW) form part of the Development Plan and includes policies that need to be considered for all major applications, not just those relating to minerals and/or waste developments. The following policies in the TVMW are relevant to this application:

MWP1 –Waste Audits

Other relevant Local Development Plan Documents

Planning Obligations SPD June 2026
 High Tunstall Masterplan 2018
 Residential Design Code 2026

National Planning Policy Framework (NPPF) (August 2026)

2.41 The National Planning Policy Framework (NPPF), published in August 2026, sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in the determination of planning applications and provides the national policy framework for both plan-making and decision-taking. The Framework should be read as a whole.

2.42 The Framework promotes sustainable development through economic, social and environmental objectives which are mutually supportive and interdependent. It places significant weight on housing delivery, economic growth and development in sustainable locations, whilst seeking to protect and enhance the natural, built and historic environment.

2.43 At the heart of the Framework is a presumption in favour of sustainable development. Relevant policies of the NPPF have been taken into account in the assessment of this application and are referenced where appropriate throughout this report.

2.44 **HBC Land Use Policy comments:** HBC Land Use Policy have no concerns over the proposed amendments to condition 3, 8 and 10.

PLANNING CONSIDERATIONS

2.45 The principle of residential development (and the proposed access) has already been established through the extant outline planning permission (H/2014/0428). This section 73 application seeks to vary a number of highway conditions as well as amending the layout of the development in the form of the approved masterplan to allow for a phase of dwellings to be built on an area previously considered and approved for self-builds. A section s73 application cannot amend the operative part of the permission and therefore the overall quantum of development (up to 1200 dwellings), red line boundary, and location of the junction from Elwick Road to serve the initial phase(s) of the development would not be amended through this S73 application. The application site is also an allocated housing site within the Hartlepool Local Plan (2018) as identified by Policy HSG5 (High Tunstall Strategic Housing Site).

2.46 It is understood that a relatively small section of the north-western/western part of the wider High Tunstall Strategic Housing Site allocation, together with a corresponding part of the red line boundary associated with the approved outline planning permission (H/2014/0428), falls within the 'Rural Area' boundary identified on the Hartlepool Rural Neighbourhood Plan Policies Map. However, the majority of the allocated High Tunstall Strategic Housing Site, and the approved red line boundary of permission H/2014/0428, is understood to lie outside the 'Development Limits' boundary defined by Policy GEN1 of the Hartlepool Rural Neighbourhood Plan. The area understood to be situated between the Rural Area boundary and the Development Limits is shown as unallocated 'white land', with no specific policy designation. This appears to reflect the allocation of the site for residential development under Policy HSG5 of the Hartlepool Local Plan (2018) and the extent of the strategic housing allocation.

2.47 Notwithstanding the above, and given the proximity of the site to the rural area covered by the Hartlepool Rural Neighbourhood Plan (HRNP), regard has been had to the policies and objectives of the HRNP in the assessment of this application. At the time of writing, comments from the Hartlepool Rural Plan Working Group remain outstanding as the consultation period has not yet expired, as referenced elsewhere within this report. However, the proposed amendments relate to an extant planning permission on a site allocated for development under Policy HSG5 of the Hartlepool Local Plan (2018) and do not materially alter the principle, extent or overall nature of the approved strategic housing allocation. Accordingly, it is considered that the proposal would not give rise to any significant conflict with the policies or objectives of the Hartlepool Rural Neighbourhood Plan.

2.48 The original outline planning application (H/2014/0428) was accompanied by extensive technical assessments and was subject to detailed consideration of matters including the principle of development, strategic and local highway impacts, ecology, landscape, drainage, infrastructure provision and residential amenity. Those matters were considered to be acceptable, subject to planning conditions and obligations secured through the associated Section 106 Agreement. Whilst the previous assessments remain material considerations, the scope of the current Section 73 application is limited to the proposed amendments to Conditions 3, 6, 8, 10 and 19 and the implications arising from those changes.

2.49 In view of the above, the principle of development remains acceptable as established by planning permission H/2014/0428. Accordingly, the main issues for consideration are limited to whether the proposed changes to Conditions 3, 6, 8, 10 and 19 are acceptable when assessed against the policies of the Hartlepool Local Plan (2018) and the National Planning Policy Framework (2026). In particular, the principal considerations relate to highway and pedestrian safety; the visual amenity of the application site and the character and appearance of the surrounding area; the amenity and privacy of existing and future occupiers; landscaping and tree protection; ecology and nature conservation; and flood risk and drainage. These matters, together with all other relevant planning considerations, are assessed below.

Updated NPPF (2026)

2.50 Following the government's publication of the updated NPPF on 17th August 2026, the previously referenced NPPF and associated paragraph numbers that were referenced under the Planning Policy section of the associated committee and delegated officer reports with respect to the original outline application H/2014/0428, have been amended, reflective of the updated content and format to the new NPPF where paragraph numbers have been replaced with 'policies'. Overall and for the reasons set out below, it is considered that the changes to the NPPF (2026) do not materially impact upon the consideration of the original outline approval H/2014/0428 (and associated applications) or the officer recommendation in this instance.

HIGHWAY AND PEDESTRIAN SAFETY

2.51 It is acknowledged that concerns have been raised by members of the public, Elwick Parish Council and Hartlepool Civic Society with respect to the impact on the local highway network and in particular on traffic through nearby country lanes and villages, and at the A19 junction(s). These objections also maintain that the grade-separated junction is required before any further occupation takes place beyond the currently approved threshold.

2.52 Policy QP3 of the Hartlepool Local Plan (2018) seeks to ensure that development is safe and accessible along with being in a sustainable location or has the potential to be well connected with opportunities for sustainable travel.

2.53 Policy TR6 (Assessing highways impacts) of the NPPF (2026) requires that development proposals that are likely to generate significant amounts of movement are supported by appropriate Transport Assessment/Statement and/or a Travel Plan. Policy TR6(3) states that:

3. In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).

2.54 Policy TR6(4) states:

4. Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

Proposed amendments

2.55 The application seeks amendments to condition 3 (masterplan) to revise the layout of the development, and conditions 8 (grade-separated junction) and 10 (roundabout and access), to allow the occupation trigger in both conditions to be raised to 280 dwellings from 208 dwellings. These conditions are required to facilitate the proposed development of 116 dwellings across phases 1b and 2a, as proposed through the associated pending reserved matters application, ref. H/2025/0346 (that forms part of the same committee agenda as the current application). As a result of the revised masterplan, conditions 6 (approved plans) and 19 (landscaping) would also be amended, albeit the thrust of these conditions would not change including in terms of highway related considerations.

2.56 The Council's Traffic and Transport team have responded to the consultation on the proposed amendments and have raised concerns in respect of the existing traffic on the local road network, with junctions that are already approaching capacity, and queues witnessed or reported on the A179 and A19 trunk roads, which are anticipated to be eased through the delivery of the grade-separated junction to the A19. On this basis, the Council's Traffic and Transport team have concerns with the proposed increase of the occupancy restriction from 208 to 280 dwellings (prior to the completion of the grade-separated junction and roundabout junction).

2.57 The Council's Traffic and Transport team acknowledge that National Highways have confirmed no objections to the application and give consideration to the relatively minimal delay of approximately 6 seconds that would occur if the occupancy restriction for these two conditions is increased, although they note that there are existing capacity constraints and queuing issues on the A179 and consider that these broadly reflect the concerns that informed the original occupation threshold.

2.58 Further consideration is given to the expectation that the grade-separated junction (by virtue of extant planning permission H/2025/0363, decision date 21/01/2026) is understood to commence in Summer 2027, and the anticipated "build out rate" of the additional dwellings is such that they would be spread out over time, which would have the potential to reduce the above noted minimal delays to some extent. Overall, the Council's Traffic and Transport team consider that a refusal of the application on highway grounds would be unlikely to be upheld at appeal. On this basis, HBC Traffic and Transport do not object to the increase of 72 dwellings (and in effect the proposed amendment to the highways related conditions 8 and 10) as the build out rate is likely to coincide with the delivery of the grade separated junction but ask that Members note the existing highway constraints.

2.59 Based on the evidence contained in the submitted Transport Assessment and Travel Plan, National Highways, as the highway authority for the Strategic Road Network and the A19(T), have confirmed that they raise no objection to the proposed amendment to condition 8 (grade-separated junction) to allow the occupancy restriction to be raised from prior to the 209th dwelling to prior to the 281st dwelling, as the proposed amendment would not result in a severe impact on the Strategic Road Network.

2.60 Durham County Council have been consulted on the application and have confirmed no objections on highway safety grounds.

Other highways matters and related conditions

2.61 The application relates solely to the amendments described above to conditions 3 (masterplan), 8 (grade-separated junction) and 10 (roundabout junction), and the updating of the relevant masterplan in conditions 6 (approved plans) and 19 (landscaping).

2.62 Other matters with respect to the impact of the development on the strategic and local road networks were considered in detail and, where appropriate, mitigation was secured by virtue of planning conditions and obligations within the s106 legal agreement associated with the parent planning permission H/2014/0428, as amended by the S96a application (non-material amendment) H/2020/0108 (approved 17/04/2020), for changes to wording of conditions 10 (Elwick Road roundabout junction and secondary accesses), 11 (Elwick Road speed limits), 12 (Elwick Road street lighting) and 13 (connections to public highway) to reflect the proposed phasing of development).

2.63 In addition to conditions 8 and 10, the parent application (H/2014/0428) is subject to a number of conditions relating to highway and pedestrian safety, including;

- Condition 11 – requiring that no phase is occupied until the existing speed limit on Elwick Road has been assessed and mitigation measures for that phase are identified and thereafter implemented in accordance with the agreed phasing programme.
- Condition 12 – requiring that no phase is occupied until a scheme for street lighting along Elwick Road relevant to that phase and a phasing programme for its implementation are agreed.
- Condition 14 – requiring a Construction Traffic Management Plan to be submitted and agreed prior to commencement of each phase.
- Condition 29 – requiring a Construction Management Plan to be submitted and agreed prior to commencement of each phase.

2.64 This application to amend H/2014/0428 remains bound by these conditions and obligations and, these matters are not revisited through this application. It is therefore recommended that the planning conditions 11, 12, 14 and 29 are re-attached as amended through H/2020/0108.

2.65 Condition 9 of the H/2014/0428 required improvements to Sheraton Interchange and the closure of central reserve gaps on the A19. These works have long since been completed and the condition was discharged pursuant to application D/2021/0088 (decision dated 27 September 2022). Condition 9 is therefore no longer necessary and is not recommended to be re-imposed on any planning permission granted pursuant to this permission.

2.66 The currently approved Phasing Plan for the development as required by condition 4 of the original outline permission and subsequently approved pursuant to application D/2019/0068, stipulates that “access to the wider site will be principally taken via the new distributor road passing through the site and linking to Elwick Road at the North West corner of the site in the form of a three-leg roundabout. A secondary access [serving phase 1a] will be taken from Elwick Road towards the north east corner of the site, with roads continuing into the wider development.” The original approved phasing plan (through D/2019/0068) identified Phase 1 for up to 208 dwellings (made up of Phase 1a for circa 153 dwellings and Phase 1b for up to 55 self builds).

2.67 As a result of this current application and the associated reserved matters application currently under consideration for 116 dwellings (H/2025/0346) on what would become proposed Phases 1b and 2a, such phasing (in the form of a revised Phasing Plan) would need to be amended. The access to Phase 1a (serving the Duchy Homes development for 162 dwellings) of the overall outline development has now been constructed and is taken from the adopted highway on Elwick Road towards the north eastern boundary of the application site. Although the approved Phasing Plan indicates that this road would initially provide access to Phase 1 (comprising up to 208 dwellings), the current application seeks to amend the masterplan (Condition 3) to allow proposed Phases 1b and 2a (116 dwellings) to also be served from this secondary access. Accordingly, up to 280 dwellings could be served from the existing access prior to the delivery of the grade-separated junction.

2.68 This is also articulated on the submitted plans and supporting information under consideration for the reserved matters approval of 116 dwellings which would form Phases 1b and 2a (under consideration as part of pending application H/2025/0346), with the secondary access road extending through the proposed site for 116 dwellings where it is currently proposed to stop at the western site boundary of Phase 2a. A second access would be formed with the adjacent future phase to the west, which in turn would continue into the wider development and provide the primary access for subsequent phases (after Phase 2a).

2.69 Notwithstanding the Phasing Plan approved pursuant to application reference D/2019/0068 (decision dated 13/03/2020), and the subsequently submitted Phasing Plan currently pending consideration pursuant to application reference D/2026/0002, it is recommended that Condition 4 (Phasing Plan) be amended to require the submission of a revised Phasing Plan for approval by the Local Planning Authority. This is necessary to ensure that the approved phasing strategy accurately reflects the amendments proposed to the outline planning permission through the current Section 73 application, should it be approved, including the revised masterplan and the delivery strategy associated with the proposed reserved matters

application H/2025/0346. The requirement for a revised Phasing Plan is considered necessary in the interests of certainty and the proper planning of the wider strategic allocation.

2.70 In addition to the above, the signed Section 106 legal agreement which the outline planning permission is subject to includes the following planning obligations;

- £12,000 per dwelling towards the Elwick Bypass/Grade Separated Junction and A19 Gap Closures work
- Travel Plan to be submitted and agreed prior to occupation of any unit.

2.71 As above, this application would remain bound by the planning conditions of the outline planning permission where not amended through this application as well as the planning obligations within the s106 legal agreement (and any Deed of Variation as required and as a result of this application) and these must be complied with where relevant, and as such it is recommended that the above noted planning conditions are secured.

Highway Safety Conclusion

2.72 Whilst the concerns of the Council's Traffic and Transport team, members of the public, Elwick Parish Council and the Hartlepool Civic Society are acknowledged, the original occupation restriction (of 208 dwellings) was imposed having regard to the transport evidence available at the time H/2014/0428 was determined, and the current application is supported by updated transport evidence.

2.73 National Highways raise no objection to the proposal and are satisfied that the amendment would not result in a severe impact on the Strategic Road Network, and the Council's Traffic and Transport team, whilst raising concerns regarding the existing capacity of local highways, raise no objection overall to the proposed amendment.

2.74 The submitted traffic modelling identifies a limited additional impact arising from the occupation of the additional dwellings prior to delivery of the grade-separated junction. Furthermore, the grade-separated junction is anticipated to commence in 2027 and the occupation of the additional dwellings would occur progressively in line with the anticipated build-out rate of the development. Taken together, these factors are considered to weigh in favour of the proposed amendment to the occupation restriction.

2.75 Overall, and on balance, it is considered that the evidence submitted demonstrates that the increase in the occupation threshold would not result in a severe residual cumulative impact on the highway network and would not give rise to an unacceptable impact on highway safety, when considered against the requirements of Policy QP3 of the Hartlepool Local Plan and Policy TR6 of the NPPF (2026). As such, the proposed amendments to vary conditions 8 and 10 of the original approval are, on balance, considered to be acceptable.

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

2.76 Policy QP4 (Layout and Design of Development) of the Local Plan 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.

2.77 Policy DP3(1) (Key principles for well-designed places) of the NPPF (2026) stipulates that *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets”*.

2.78 It is considered that the proposed amendments to the approved development do not fundamentally alter the overall scale, layout or appearance of the development, with the arrangement of roads, footpaths and public open spaces remaining largely similar to those in the previously approved masterplan (and planning permission H/2014/0428) and provisions of Policy HSG5 (High Tunstall Strategic Housing Site) of the Hartlepool Local Plan (2018).

2.79 As considered in full in the pending reserved matters application H/2025/0346 (which forms part of the same committee agenda as this application), the proposed house types for Phases 1b and 2a are two storey in scale and are similar in form and appearance to original approved masterplan or those approved through the reserved matters (H/2023/0096) for Phase 1a. The proposed layout is broadly similar to the adjacent phase of development with the main highway retaining the position of the previously approved masterplan, albeit the overall density of plots is increased to accommodate 116 dwellings within an area formerly depicting 55 self builds, whilst the 55 self builds are now understood to be proposed to be built in future Phase 5b (that would be secured through the recommendation for condition 4 being amended to secure a revised Phasing Plan to be submitted). Given that the northern boundary would retain the proposed landscaping areas/strips (as considered through the parent application H/2014/0428), it is therefore considered that the proposed amendments to the layout would not result in a significant impact on the character and appearance of the development proposed or the wider area.

2.80 It is considered that the amendments to the occupancy restriction afforded by conditions 8 (grade-separated junction) and 10 (roundabout junction) and the update to conditions 6 (approved plans) and 19 (landscaping) to update the approved masterplan, would not materially detract from the appearance of the development or the surrounding area.

2.81 Whilst removed from the area proposed for Phases 1b and 2a, self-build plots remain incorporated within the wider masterplan (and intended for a future phase) and therefore Condition 36 (relating to a design code for the self builds) remains reasonable and necessary.

2.82 Due to the nature of the proposed amendments in the context of the scale of the overall development, it is considered these changes would not have a significant detrimental impact on the visual amenity of the site or the character and appearance of the area.

2.83 In view of the above, the application is considered to be acceptable with respect to the impact on the visual amenity of the site and the character and appearance of the area, in accordance with the Policies HSG5 and QP4 of the Hartlepool Local Plan (2018) and Policy DP3 of the NPPF (2026).

AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS AND FUTURE OCCUPIERS

2.84 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates 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.

2.85 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly adversely affected, and sets out minimum separation distances between dwellings;

- Principal elevation to principal elevation 20 metres.
- Gable to principal elevation 10 metres.

2.86 These requirements are reiterated in the Council's adopted Residential Design Code SPD (2026) which requires;

- 20m between principal elevations.
- 10m between gable and principal elevations.

2.87 Policies P3 (Living conditions and pollution) and L2 (Making effective use of the land) of the NPPF (2026) stipulate that planning decisions should ensure developments are appropriate for their location, taking into account likely effects on the living conditions of occupiers of neighbouring properties. Paragraph P3(2)(b) seeks to ensure that proposed development does *“not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers”*. Paragraph L2(1)(d)(ii) requires that proposals *“maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space”*.

2.88 With respect to the amenity and privacy of existing neighbouring occupiers, including residents of Phase 1a, and future occupiers of the wider development and beyond the main highway of Elwick Road to the north, and future occupiers of properties that will come forward in reserved matters applications in subsequent phases, it is considered that the proposed layout, as proposed to be amended by the

revised masterplan (condition 3), remains broadly consistent with the layout and masterplan considered under the parent outline planning permission H/2014/0428.

2.89 The proposed development continues to comprise a series of residential cul-de-sacs branching from the main internal spine road, which extends southwards through the site from the principal access and roundabout junction on Elwick Road at the northern boundary, and the secondary access from Elwick Road (on the eastern extent of the northern boundary). This spine road continues through the development towards the southern part of the site, leading to the proposed SuDS pond and the relocated area allocated for self-build plots. It is considered that the overall structure of the development remains in accordance with the principles established under the parent permission.

2.90 In respect of the relationship between proposed Phases 1b and 2a, the assessment of separation distances and the resulting residential amenity impacts has been considered under the associated reserved matters application H/2025/0346 (that forms part of the same planning committee agenda as the current application), and as such does not form part of the consideration of this application.

2.91 It is therefore considered that the proposed amendments to conditions 3 (masterplan), 6 (approved plans), 8 (grade-separated junction), 10 (roundabout junction) and 19 (landscaping) would not result in any significant adverse impacts on the amenity or privacy of existing and future occupiers of neighbouring properties as to warrant a refusal of the application.

2.92 With regard to construction related impacts, these matters were considered through the outline planning application and are controlled by condition 14, which requires a Construction Traffic Management Plan to be agreed prior to the commencement of development. This condition is still required and it is recommended that it is re-applied. The Council's Public Protection section has been consulted on the proposed amendments and has not raised any objections or comments.

2.93 In view of the above, the application is considered to be acceptable in respect of the impact on the amenity and privacy of neighbouring land users and future occupiers, subject to the identified conditions, in accordance with Policy QP4 of the Hartlepool Local Plan (2018) and the relevant provisions of the NPPF (2026).

LANDSCAPING AND TREE PROTECTION

2.94 Policy HSG5 (High Tunstall Strategic Housing Site) of the Local Plan relates to the wider outline site and stipulates that approximately 12.00ha of multifunctional green infrastructure shall be provided, including the required level of Suitable Alternative Natural Green Space (SANGS). The policy also requires a landscape buffer to be created between the site and Elwick Road. HLP Policy NE3 (Green Wedges) of the Local Plan does however allocate the area of SANGS along the eastern boundary of the site as 'green wedge', protecting this area from any further development that would harm its integrity.

2.95 Policy N2 (Improving the natural environment) of the NPPF (2026) requires that proposals contribute positively to the natural environment. Paragraph N2(1)(d) requires that proposals:

d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings.

2.96 The proposed amendments do not fundamentally alter the approved layout of the development, aside from the replacement of an area of self builds with more densely arranged plots through phases 1b and 2a, and the relocation of the self build area to a later phase (indicated as Phase 5b on the Phasing Plan under consideration through D/2026/0002, albeit it is recommended that condition 4 amended to secure a revised Phasing Plan), and therefore areas of amenity open space / green space are retained as approved.

2.97 The Council's Arboricultural Officer and Landscape Architect have both been consulted and have confirmed no objections. Notwithstanding this, details of proposed soft landscaping works for each phase are secured by virtue of condition 19 which is required to be updated to reflect the amendments proposed as part of this application should it be approved. Furthermore, the signed Section 106 legal agreement requires a Phase Landscaping and Open Space Management Plan and Phase Conservation and Habitat Management Plan to be submitted and agreed with the Local Planning Authority prior to occupation of any unit. This requirement would remain.

2.98 Furthermore, the agreed tree protection measures for each phase are also secured by virtue of condition 21 of the parent application H/2014/0428, and it is recommended that this condition is re-secured.

2.99 In view of the above, the proposals are considered to be acceptable with respect to matters of landscaping and tree protection and in accordance with Policies QP4, NE2 and NE3 of the Hartlepool Local Plan (2018) and the relevant provisions of the NPPF (2026).

ECOLOGY AND NUTRIENT NEUTRALITY

2.100 It is acknowledged that objections have been received regarding the impact on wildlife.

2.101 The impact of the wider proposals on ecology were comprehensively considered during the parent planning application stage. The signed Section 106 legal agreement also secures £250 per dwelling to mitigate the ecological effects of the recreational disturbance (from future occupants) on The Teesmouth and Cleveland Coast SPA/Ramsar sites, in accordance with the Hartlepool Local Plan Mitigation Strategy and Delivery Plan.

2.102 In addition, 15ha of SANGS is required to be provided as part of the Conservation and Habitat Management Measures. The legal agreement also requires a Phase Landscaping and Open Space Management Plan and Phase

Conservation and Habitat Management Plan to be submitted and agreed with the Local Planning Authority prior to occupation of any unit.

2.103 In addition to the above, bat and bird mitigation features are required to be provided by virtue of conditions 25 and 26 of the parent planning permission, respectively. Condition 28 requires details of hedgehog access holes within dividing garden fences. Tree protection measures and ecological buffers are secured by virtue of conditions 21 and 24 of the parent planning permission, respectively. Condition 27 of the parent planning permission protects against clearance of vegetation during the bird breeding season, unless agreed by the Local Planning Authority.

2.104 This amended masterplan continues to include the provision of a large stretch of SANGS along the eastern boundary of the site.

2.105 The Council's Ecologist has been consulted on the application and confirmed no objections. Subject to the reinstatement of the above mentioned planning conditions and any required Deed of Variation (as required) to the signed s106 legal agreement, the application is considered to be acceptable in this respect.

Nutrient Neutrality

2.106 Since the original outline permission was approved, the matter of nutrient neutrality has come to the fore. Although the principle of development has previously been established, determination of the application constitutes a new decision and the nature of the scheme is in scope for nutrient neutrality, and the Council's Ecologist (as the appropriate authority) has carried out a Habitat Regulations Assessment (HRA).

2.107 Foul water from the site would be disposed of via public sewers at Seaton Carew Waste Water Treatment Works and therefore this matter is screened out.

2.108 Surface water, however is to be dealt with via detention basins on site, flow controls to restrict flows to predevelopment greenfield rates and a downstream defender to remove pollutants and silts from stormwater runoff, and therefore must be screened in, triggering the need for an Appropriate Assessment which has been duly carried out. The HRA Appropriate Assessment concludes that nutrient pollution would be adequately mitigated by the delivery of the proposed measures and consequently an insignificant level of additional nutrients would enter the hydrological catchment of the River Tees and the project will not therefore harm in interest features of the T&CC SPA, Ramsar and SSSI designated sites.

2.109 The Appropriate Assessment concludes that the agreed mitigation measures should be secured by a planning condition. In this instance, the surface water details are to be considered for each phase as part of condition 18 of the parent permission (H/2014/0428), and it is recommended that this planning condition is secured on this variation to reflect this requirement.

2.110 The Appropriate Assessment (AA) has been consulted upon with Natural England and their response is awaited at the time of writing. Any comments received

will be considered by officers and Members will be updated at the committee meeting (in the event comments are received). This is reflected in the officer recommendation of the report. Subject to no objections being received from Natural England, the proposal is considered to be acceptable in this respect.

Ecology Conclusion

2.111 In view of the above, subject to no objections being received from Natural England in respect to the AA, and subject to the inclusion of recommended planning conditions as set out above, the proposals are considered to be acceptable with respect to matters of ecology and nature conservation and in accordance with Policy NE1 of the Hartlepool Local Plan (2018) and Policy N2 of the NPPF (2026).

FLOOD RISK AND DRAINAGE

2.112 The application site sits within Flood Zone 1 (low probability of flooding), with a very low risk of flooding from rivers, and a limited risk of flooding from surface water. The parent application (H/2014/0428) includes drainage layout plans, and includes details of proposed attenuation ponds in the centre and to the south of the site, forming part of the Sustainable Drainage System (SuDS).

2.113 Final details of foul and surface water drainage measures for each phase are required to be provided and agreed prior to commencement of development by virtue of conditions 17 and 18 respectively of the parent planning permission, and these conditions are recommended to be re-secured.

2.114 The long term maintenance and management of the SuDS is secured by virtue of the Section 106 legal agreement associated with the parent planning permission.

2.115 Notwithstanding the above, the Council's Engineering Consultancy has been consulted and has confirmed that they have no comments with respect to surface water management. No comments or objections have been received from the Environment Agency, Northumbrian Water or Anglian Water.

2.116 In view of the above, the proposals are considered to be acceptable with respect to the impact on flood risk and drainage and in accordance with the relevant policies of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2026).

OTHER PLANNING MATTERS

Planning Obligations

2.117 The parent outline planning permission (H/2014/0428) was subject to a Section 106 Agreement which secured a number of planning obligations and financial contributions as detailed in the planning 'background' section to this report. This application will continue to be subject to these requirements. It is anticipated that a Deed of Variation to the existing S106 Agreement will be required as a result of the proposed amendments (including to the proposed masterplan that is also

appended to the s106 legal agreement) to ensure that the obligations associated with planning permission H/2014/0428 continue to apply to any planning permission granted pursuant to this application. This is reflected in the officer recommendation of the report.

Heritage Assets and Archaeology

2.118 The application site is not within a conservation area and is not in proximity to any known heritage assets. Both the Council's Head of Service for Heritage and Open Spaces, and Tees Archaeology have been consulted on the application. No objections have been received from either, subject to the inclusion of condition 16 of the parent planning permission which requires a programme of archaeological works for each phase to be submitted to and agreed by the Local Planning Authority prior to commencement of development on that phase. The re-inclusion of this planning condition is duly recommended.

2.119 In view of the above, the proposals are considered to be acceptable in this respect.

Public Rights of Way and Footpath Connections

2.120 The Council's Countryside Access Officer has been consulted and no comments or objections have been received, nor from the Rambler's Association.

2.121 In view of the above, the proposals are considered to be acceptable with respect to the impact on public rights of way and in accordance with the relevant policies of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2026).

Crime and Fear of Crime

2.122 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder.

2.123 This is further supported by Policy TR4 (Street design, access and parking) of the NPPF (2026), whereby paragraph TR4(1)(c) states *"Proposals should... Ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users (particularly for women and girls, for other groups who may be vulnerable to crime or the fear of crime, and for those with limited mobility)."*

2.124 Cleveland Police have provided comments in respect to Secured By Design Principles which can be relayed to the applicant via an Informative.

2.125 No comments or concerns have been received from the Council's Community Safety and Engagement team.

2.126 In view of the above, the proposals are considered to be acceptable in this respect.

Contaminated Land

2.127 The Council's Engineering consultancy has confirmed that they have no objections to the application. No comments or objections have been received from the Environment Agency.

2.128 It is noted that condition 15 of the parent planning permission requires a scheme to deal with any risks associated with contamination of the site to be submitted to and approved in writing by the Local Planning Authority, prior to commencement of each phase of development. Such a condition is recommended to be secured as part of this s73 application. In view of the above, the proposals are considered to be acceptable in this respect.

Waste Management

2.129 No comments or concerns have been received from the Council's Waste Management section. A waste audit for each phase is required to be submitted and approved prior to commencement by virtue of condition 34 of the outline planning permission. Final details of waste storage will be secured by virtue of planning condition 35 of the outline planning permission. Both of these planning conditions are recommended to be re-secured. In view of this, the proposals are considered to be acceptable in this respect.

Hazardous Installation and Pipelines

2.130 A Northern Gas Networks Gas Pipeline runs along the northern boundary adjacent to Elwick Road. Landscaping has been used to safeguard these areas from development and create a suitable buffer from the pipeline, as per the previous approval.

2.131 The case officer has run the proposals through the Health and Safety Executive's (HSE) web app, which has concluded that HSE does not advise, on safety grounds, against the granting of planning permission. HSE have highlighted however that Northern Gas Networks should be consulted.

2.132 Whilst Northern Gas Networks initially objected to the application, following discussions with the applicant, they have since withdrawn their objection.

2.133 Northern Powergrid has also been consulted and no comments or objections have been received.

2.134 In view of the above, the proposals are considered to be acceptable in this respect.

Updated planning conditions

2.135 Some planning conditions have been updated to reflect that Phases have come forward since the original granting of the outline planning permission H/2014/0428. The most pertinent are condition 1 (time limit) and condition 4 (phasing

plan). In addition, condition 9 (A19/A179 works) of the original outline planning permission is no longer necessary as the required highway works have been completed and the condition has been discharged.

2.136 Some further conditions have been updated to correctly reference updated Policies in the NPPF, which was revised in August 2026, and, where appropriate, references have been updated from Highways England to “the highway authority for the A19”, in accordance with the advice of National Highways.

2.137 In respect to planning conditions that refer to commercial uses comprising A1 (shops), A3 (café or restaurant) and A4 (drinking establishment or public house) uses, as these have been substantially amended through the revision to the Use Classes Order in September 2020, these have been updated to the appropriate and relevant current classes (e.g. E Use Class or Sui Generis), in order to preserve their original meaning and consideration.

RESIDUAL MATTERS

Fire Safety and Access

2.138 Cleveland Fire Brigade have been consulted and have not provided any comments or objections.

Non-material objections

2.139 Objections have been received regarding a lack of need for large scale housing development, and the impacts on supporting infrastructure, such as schools, GP surgeries and drainage infrastructure. The principle of the residential development has been established by the parent planning permission H/2014/0428, and therefore these concerns have already been considered as part of the parent application.

CONCLUSION

2.140 Whilst the original occupation restriction (of 208 dwellings) was imposed having regard to the transport evidence available at the time H/2014/0428 was determined, the current application is supported by updated transport evidence. National Highways raise no objection to the proposal and are satisfied that the amendment would not result in a severe impact on the Strategic Road Network, and the Council's Traffic and Transport team, whilst raising concerns regarding the existing capacity of local highways, raise no objection overall to the proposed amendment.

2.141 The submitted traffic modelling identifies a limited additional impact arising from the occupation of the additional dwellings prior to delivery of the grade-separated junction. Furthermore, the grade-separated junction is anticipated to commence in 2027 and the occupation of the additional dwellings would occur progressively in line with the anticipated build-out rate of the development. Taken together, these factors are considered to weigh in favour of the proposed amendment to the occupation restriction.

2.142 The application would not increase the maximum number of dwellings approved under planning permission H/2014/0428, nor would it alter the established principle of development. The development would remain subject to the requirements of the existing Section 106 Agreement (as may be varied by Deed of Variation) and the planning conditions attached to the outline permission, save where amended through this application.

2.143 In view of the above, the application is considered, on balance, to be acceptable with respect to the abovementioned relevant material planning considerations and is considered to be in accordance with the relevant identified policies of the adopted Hartlepool Local Plan (2018) and relevant paragraphs of the NPPF (2026). The proposed variation of conditions is therefore recommended for approval subject to the planning conditions set out below.

EQUALITY DUTY

2.144 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

2.145 In this instance, there are no Section 17 implications.

REASON FOR DECISION

2.146 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 of comments received by Natural England in respect to the Habitat Regulations Assessment (Appropriate Assessment) and any comments received from the Hartlepool Rural Plan Working Group; subject to the completion of a Deed of Variation to the existing S106 legal agreement (as required), and subject to the following conditions:

1. Applications for the approval of the reserved matters for all remaining phases of development not already approved pursuant to this permission shall be made to the Local Planning Authority no later than 10 years from the decision date of the original outline planning permission (application reference H/2014/0428, decision date 14/03/2019). Development of each phase shall begin no later than two years from the date of the final approval of the last reserved matters relating to that phase.
For the avoidance of doubt.

2. Approval of the details of the access, internal pedestrian and highway layout, 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. HRT-TUN-MAS-001 REV B (Masterplan June 2026) received by the Local Planning Authority on 12th June 2026 and Hartlepool Local Plan 2018 Policy HSG5 (criterion 8 - 'High Tunstall Strategic Housing Site' and associated 'Diagram 3 High Tunstall Concept Plan').
In the interests of the proper planning of the area and to be in general conformity with Hartlepool Local Plan 2018 Policy HSG5 (criterion 8).
4. The permission hereby granted shall permit the phased development of the site and unless otherwise indicated all other conditions shall be construed accordingly. Notwithstanding the Phasing Plan approved pursuant to application reference D/2019/0068 (decision dated 13/03/2020), within one month of the date of this permission, a revised Phasing Plan shall be submitted to the Local Planning Authority for approval. The revised Phasing Plan shall be approved in writing by the Local Planning Authority prior to the commencement of any phase of development not already commenced or substantially completed. The revised Phasing Plan shall identify the sequencing and phasing of the development, including the provision of infrastructure, landscaping (including strategic landscaping), vehicular access, footways and cycleways, boundary treatments, public and amenity open space, Suitable Alternative Natural Greenspace (SANG), play facilities and sports pitches. Thereafter, the undeveloped and unimplemented phases of the development shall be carried out in accordance with the approved revised Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.
To ensure the coordinated and timely delivery of development, infrastructure, landscaping, open space and community facilities in the interests of the proper planning of the area.
5. No development of any phase of the development for which outline planning permission is hereby approved shall commence until detailed proposals for the treatment of the green wedge (to be provided in general conformity with Hartlepool Local Plan 2018 Policy HSG5, criterion 4) within that phase including details of any phasing, play/sports facilities, the means of access/pathways/cycleways, enclosures and gates, footbridges, lighting, benches, bins, street furniture, landscaping (incorporating ecological mitigation and enhancements in accordance with Naturally Wild Environmental Statement Ecology Chapter Addendum Report (received by the Local Planning Authority on 1st April 2016) (except as may be varied with the agreement of the Local Planning Authority) and a timetable for its provision have been submitted to and approved in writing by the Local Planning Authority. The green wedge shall be provided in accordance with the details and timetable so approved.
In the interests of visual amenity and in order to ensure that the green wedge is provided in a planned and appropriate manner.

6. The development hereby approved shall be carried out in accordance with the following drawing no(s); P100 Revision G (Existing Site Layout, date received on 1st August 2017 by the Local Planning Authority) and Dwg. No. HRT-TUN-MAS-001 REV B (Masterplan June 2026, date received by the Local Planning Authority on 12th June 2026).
For the avoidance of doubt.
7. The total development hereby approved shall not exceed the following maxima:
Up to 1,200 residential dwellings (Use Class C3).
2.4 hectares of land allocated for the following neighbourhood facilities:
Up to 500 sqm gross floorspace of a community centre (Use Class F2(b));
Up to 500 sqm gross floorspace of a medical centre (Use Class E(e));
Up to 100 sqm gross floorspace of a crèche/day nursery (Use Class E(f));
Up to 250 sqm gross floorspace for retail purposes (Use Class E(a));
Up to 600 sqm gross floorspace of a public house/drinking establishment (Sui Generis use).
Up to 2.05 hectares of land for a Primary School Site and playing pitches.
For the avoidance of doubt, and to ensure general conformity with Policy HSG5 (criterion 3) of the Hartlepool Local Plan 2018.
8. Prior to the occupation of the 281st dwelling of the 1200 dwellings hereby approved, the scheme to provide a bypass of Elwick Village and a grade separated junction on the A19 shall be fully open to traffic, to the satisfaction of Hartlepool Borough Council, Durham County Council and the highway authority for the A19(T).
To ensure the safe and continued operation of the SRN, in the interests of highway safety and to accord with the provisions of policies HSG5 and INF2 of the Hartlepool Local Plan 2018.
9. Prior to the commencement of development on each phase, a Construction Traffic Management Plan shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the highway authority for the A19 to agree the routing and movement of all construction traffic associated with the construction phases. Thereafter, the development of the site shall accord with the requirements of the approved Construction Traffic Management Plan to the satisfaction of the Local Planning Authority in consultation with the highway authority for the A19.
In the interests of highway safety and to accord with the provisions of policies HSG5 and INF2 of the Hartlepool Local Plan (2018).
10. Notwithstanding the submitted plans, no phase shall take place until a detailed scheme for the provision of access from Elwick Road as may be required to serve that phase (to be provided on a 1:500 scale plan, minimum) and a Phasing Plan for the implementation of such highway mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be provided in general conformity with Dwg. No. HRT-TUN-MAS-001 REV B (Masterplan June 2026, date received by the Local Planning Authority on 12th June 2026) and details included within the Transport Assessment Version 1.1 (dated 18.02.2016), 2025-04 High Tunstall Transport Assessment and Travel Plan 25015-N (dated April 2025) and 2025-04 High

Tunstall Transport Assessment and Travel Plan Appendices 25-015-N (dated April 2025), all received by the Local Planning Authority on 12th June 2026. Thereafter, the highway mitigation measures necessary for each phase shall be undertaken in accordance with the Phasing Plan so approved to the satisfaction of the Local Planning Authority, unless some variation is otherwise agreed in writing by the Local Planning Authority.

To enable the Local Planning Authority to control details and in the interests of highway safety.

11. No phase of the development shall be occupied until the existing speed limit has been assessed along Elwick Road (within the vicinity of the relevant phase), and any required mitigation measures for each phase identified with a scheme and a Phasing Plan for the implementation of such highway mitigation measures to be first submitted to and approved in writing by the Local Planning Authority. Thereafter the highway mitigation measures necessary for each phase shall be undertaken in accordance with the Phasing Programme so approved to the satisfaction of the Local Planning Authority, unless some variation is otherwise agreed in writing by the Local Planning Authority. In the interests of highway and pedestrian safety.
12. No phase of the development shall be occupied until a scheme for a system of street lighting along Elwick Road which covers the relevant extent of the roundabout junction and along the section of Elwick Road adjacent to the northern boundary of the site (including any secondary access(s)) as necessary for the delivery of the phase and a Phasing Plan for the implementation of such street lighting has been first submitted to and agreed in writing with the Local Planning Authority. Thereafter the street lighting necessary for each phase shall be provided in accordance with the Phasing Programme so approved to the satisfaction of the Local Planning Authority, unless some variation is otherwise agreed in writing by the Local Planning Authority. In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area.
13. No part of the development shall be occupied until vehicular and pedestrian access connecting the proposed phase of development to the public highway has been constructed to the satisfaction of the Local Planning Authority. In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area. In the interests of highway and pedestrian safety.
14. 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.

15. (A) No demolition/development in any phase shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation for that phase 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.
 - (B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under (A).
 - (C) No phase of the development shall be occupied until the site investigation and post investigation assessment relevant to that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- In order to ensure that the archaeology of the site is adequately investigated.

16. Development shall not commence on any phase of the development until a detailed scheme for the disposal of foul water from that phase of the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.
To prevent the increased risk of flooding from any sources in accordance with the NPPF.

17. No development on any phase shall take place until a scheme for a surface water management system for that phase including the detailed drainage/SuDS design, has been submitted to and approved in writing by the Local Planning Authority. The scheme must ensure that the existing Greenfield run off rate for the site be achieved as a minimum and bettered where possible as well as 100 year store return period (+ 40% climate change allowance) being contained within the red line boundary of the site. It must be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development and should, where possible, make space for water above ground through the use of the open space on the site to provide multiple SuDS solutions. The scheme shall include details of the plant and works required to adequately manage surface water; detailed proposals for the delivery of the surface water management system including a timetable for its implementation; and details of how the surface water management system will be managed and maintained thereafter to secure the operation of the surface water management system. With regard to management and maintenance of the surface water management system, the scheme shall identify parties responsible for carrying out management and maintenance including the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the surface water management system throughout its lifetime. The scheme shall be fully implemented prior to the occupation of any part of that phase of the development and subsequently managed and maintained for the lifetime of the development in accordance with the agreed details.
To prevent the increased risk of flooding, both on and off site and to ensure that the impacts on trees are taken into account in any design.

18. Prior to the commencement of each phase, a detailed scheme of landscaping, tree, hedge and shrub planting (in general conformity with Dwg. No. HRT-TUN-MAS-001 REV B (Masterplan June 2026, date received by the Local Planning Authority on 12th June 2026) and incorporating ecological mitigation and enhancements in accordance with the Naturally Wild Environmental Statement Ecology Chapter Addendum Report (received by the Local Planning Authority on 1st April 2016) (except as may be varied with the agreement of the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority before the phase is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme and timetable of the works to be undertaken, and be implemented in accordance with the approved details and programme/timetable of works.
In the interests of visual amenity, ecology and to ensure any species planted within the easement of the high pressure pipeline are appropriate.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development of that phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
20. Notwithstanding the submitted information and prior to the commencement of any phase of the development, an Arboricultural Impact Assessment and Method Statement for the removal and protection of any trees and hedgerows within that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the approved Arboricultural Impact Assessment and Method Statement, unless some variation is otherwise agreed in writing by the Local Planning Authority.
In order to ensure that any impact on trees is minimised in the interest of visual amenity and the ecology of the area.
21. Notwithstanding the submitted details, no development of any phase shall commence until detailed proposals for the provision of public open space and 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.
22. Notwithstanding the submitted details no development of any phase shall commence until detailed proposals for the provision of sports pitches including details of their phasing, location and design/specification, equipment, landscaping, 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 sports pitches 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 sports pitches are provided in a planned and appropriate manner.
23. Prior to the commencement of each phase of the development a scheme for the provision and management of a 10m wide buffer zone alongside the existing watercourses and ponds, woodland belt, wildlife corridors and SUDS, and a 5m wide buffer to the existing hawthorn stand and existing hedgerows (where retained) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in

accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping except where infrastructure is required by the local planning authority. The scheme shall include:

- a) plans showing the extent and layout of the buffer zones;
- b) details of any proposed planting scheme (for example, native species);
- c) details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan;
- d) details of any proposed footpaths, fencing, lighting etc.

In the interests of the environment and ecology of the area and the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Northumbria River Basin Management Plan.

24. Prior to the commencement of development on any phase of the development 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 shall be submitted to and approved in writing by the Local Planning Authority. These shall include bat nesting bricks to be built into 10% of buildings, including the proposed primary school, with the selection of buildings facing onto the larger open spaces to be prioritised. The bat mitigation features shall thereafter be provided in accordance with the approved timetable and details, unless some variation is otherwise approved in writing by the Local Planning Authority.

To ensure that the site is developed in a way that contributes to the nature conservation value of the site in accordance with the NPPF.

25. Prior to the commencement of development on any phase of the development a scheme to provide bird mitigation features within that phase to provide long term nesting sites for the local bird population, including details of the features and a timetable for their provision, shall be submitted to and approved in writing by the Local Planning Authority. These shall include house martin nest cups and integral swift nesting bricks to be built into 10% of buildings, including the proposed primary school, with the selection of buildings facing onto the larger open spaces to be prioritised. The bird mitigation features shall thereafter be provided in accordance with the approved timetable and details, unless some variation is otherwise approved in writing by the Local Planning Authority.

To ensure that the site is developed in a way that contributes to the nature conservation value of the site in accordance with the NPPF.

26. The clearance of any vegetation, including trees and hedgerows (as agreed) and arable land, shall take place outside the bird breeding season unless the site is first checked, within 48 hours prior to the relevant works taking place, by a suitably qualified ecologist who confirms that no breeding birds are present, and a report confirming this is submitted to the Local Planning Authority prior to

the clearance of any vegetation. The bird breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority.

In the interests of the ecology of the area.

27. Notwithstanding the submitted information and prior to the commencement of each phase details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the phase is commenced. Each phase details shall 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 approved details.
In the interests of visual amenity and the ecology of area.
28. 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, wheel cleansing measures to reduce mud on highways (to include bath washing facilities), roadsheeting of vehicles, offsite dust/odour monitoring, communication with local residents and measures to prevent the queuing of construction vehicles prior to the opening of the site.
In the interests of the amenity of the occupiers of adjacent and nearby premises and highway safety.
29. Prior to the commencement of each phase of the development a detailed scheme of noise insulation measures for the residential properties directly adjacent to the access and spine roads of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme of noise insulation measures 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". The approved scheme shall be implemented, and verification that the measures identified in the scheme have been implemented shall be provided by a suitably qualified engineer, 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.
In the interests of the amenity of future occupiers of the development.
30. Prior to the commencement of any phase of the development hereby approved, details of any proposed pumping station(s) shall be submitted to and approved in writing by the Local Planning Authority. The pumping station(s) shall thereafter be in accordance with the details so approved.
In the interests of visual amenity.

31. No development shall commence on any phase until details of existing and proposed levels within and outwith the site including any earth retention measures within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority, the phase shall thereafter proceed in accordance with the agreed levels unless some variation is otherwise approved in writing by the local planning authority.
In the interests of the amenities of the occupants of neighbouring properties.
32. Notwithstanding the submitted information and prior to the first unit of each phase being constructed above damp proof level details of all external finishing materials and hardstandings shall be submitted to and approved by the Local Planning Authority, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
33. Prior to the commencement of each phase of development, a site specific Waste Audit shall be submitted to and approved in writing by the Local Planning Authority. The Waste Audit 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. 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.
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.
34. Prior to the commencement of each phase of development, details for the storage of refuse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
To ensure a satisfactory form of development.
35. Prior to the submission of Reserved Matters applications relating to any self-build phase, the applicant shall submit a Design Code identifying the parameters and general design principles of the self-build area. Once approved all plot specific Reserved Matters applications shall be in accordance with the Design Guide, unless otherwise agreed in writing with the Local Planning Authority. No development on any individual plot shall commence until the boundaries of all the individual plots have been identified and demarcated on site in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The scheme identifying and demarcating the plots shall thereafter be maintained as approved during the construction phase unless some variation is otherwise agreed in writing by the Local Planning Authority.
In the interest of the proper planning of the area to ensure plots can be clearly identified and relationships assessed when reserved matters applications are submitted

36. 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 wall of that dwellinghouse which fronts onto a road, 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
37. The commercial premises/uses (retail and public house/drinking establishment as defined by condition 7 of this decision notice) 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 in accordance with Policy RC16 of the Hartlepool Local Plan 2018.
38. Deliveries to the commercial premises/uses (retail and public house/drinking establishment as defined by condition 7 of this decision notice) hereby approved shall only take place between the hours of 07:00 and 23:30 on any day.
In the interests of the amenities of the occupants of neighbouring properties in accordance with Policy RC16 of the Hartlepool Local Plan 2018.
39. None of the commercial uses (public house/drinking establishment as defined by condition 7 of this decision notice) hereby approved shall commence until details of ventilation, filtration and fume extraction equipment to control cooking odours have been submitted to and approved in writing by the Local Planning Authority, and the approved equipment has been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises.
In the interests of the amenities of the occupants of neighbouring properties.
40. No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 8.00 am and 1.00 pm on Saturdays. There shall be no construction or demolition activity on Sundays or on Bank Holidays.
To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

BACKGROUND PAPERS

2.147 Background papers can be viewed by the 'attachments' on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=169208>

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

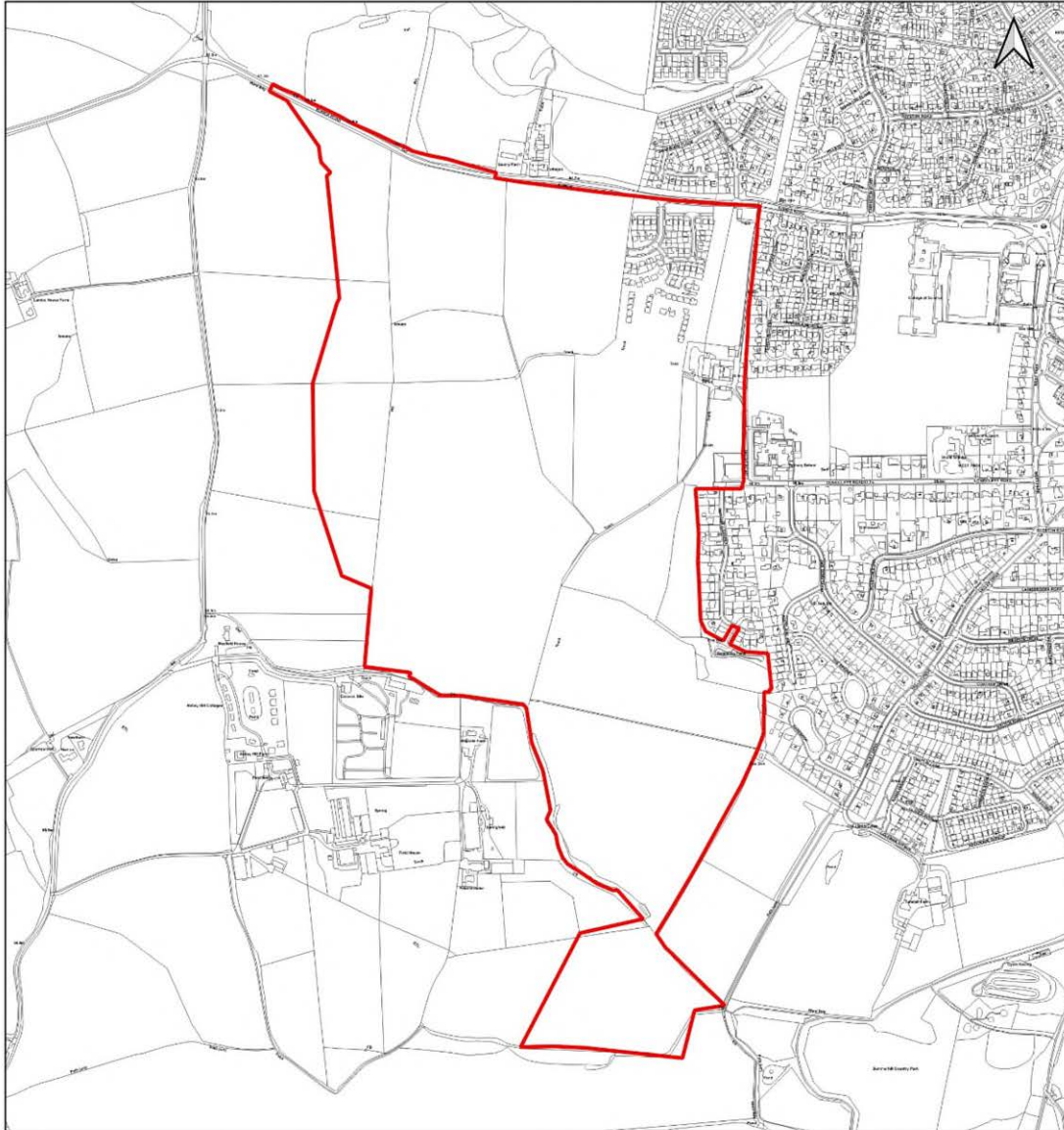
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Land South of Elwick Road High Tunstall



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THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

 Hartlepool Borough Council	DRAWN LH	DATE 18/08/2026
	Scale 1:10500	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2026/0134	REV

No:	3.
Number:	H/2025/0346
Applicant:	PERSIMMON TEESSIDE RADCLIFFE CRESCENT THORNABY STOCKTON ON TEES TS17 6BS
Agent:	PERSIMMON TEESSIDE CHARLY WILSON RADCLIFFE CRESCENT THORNABY STOCKTON ON TEES TS17 6BS
Date valid:	10/02/2026
Development:	Approval of all reserved matters for the erection of 116 dwellings, together with associated access, landscaping and infrastructure, pursuant to Outline Planning Permission H/2014/0428 and associated with application H/2026/0134 seeking to vary Conditions 3, 6, 8, 10 and 19 of permission H/2014/0428.
Location:	LAND SOUTH OF ELWICK ROAD HIGH TUNSTALL 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:

Outline planning permission

H/2014/0428 – Outline planning permission with all matters reserved was granted on 14th March 2019 for *residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting* on land to the south of Elwick Road, High Tunstall, Hartlepool.

3.3 This outline planning permission is subject to a number of conditions, as well as a signed s106 legal agreement which secured developer obligations/contributions towards;

- the Elwick bypass and A19 Grade Separated Junction (£14,400,000);
- a financial contribution towards improvements to the local road network (£1,075,000);
- a financial contribution towards ecological mitigation (£300,000, equating to £250 per dwelling);
- an obligation requiring the provision and implementation of a Conservation and Habitat Management Plan (including the delivery of 15ha of SANGS,

- the annual provision of a spring cereal/ autumn-winter stubble plot for twenty years and household information packs);
- the provision, maintenance and long term management of play facilities, community facilities, landscaping, open space (including SANGS) and permissive paths;
- the provision, maintenance and long term management of SuDS; an obligation relating to the provision of a suitable landscape buffer along the western boundary;
- an obligation to safeguard land for a 2-form primary school and playing pitches which will be for community use;
- an obligation to make provision of footpaths/cycle links/access to Summerhill Country Park;
- an obligation to safeguard land for the future provision for a link road between this site and the South West Extension;
- an obligation relating to securing a training and employment charter/local labour agreement;
- an obligation to deliver and implement a travel plan;
- the s106 legal agreement also includes a 'recycling clause' in respect to the specific contributions identified above to be recycled and used to meet the other obligations such as affordable housing, built sports and education provision, should they not be required to meet the original purpose (in whole or part).

D/2019/0068 - Discharge of condition 4 (phasing plan/programme) of Outline permission H/2014/0428 with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Approved 13/03/2020.

H/2020/0108 - Non material amendment to planning application H/2014/0428 (for outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting) for changes to wording of conditions 10 (Elwick Road roundabout junction and secondary accesses), 11 (Elwick Road speed limits), 12 (Elwick Road street lighting) and 13 (connections to public highway) to reflect proposed phasing of development. Approved 17/04/2020.

D/2026/0002 - Discharge of condition 4 of planning permission H/2014/0428 Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Pending consideration.

3.4 For the reasons set out within the committee report for H/2026/0134 which forms part of the same committee agenda as this application, it is recommended that Condition 4 (Phasing Plan) be amended to require the submission and approval of a revised Phasing Plan. In the event that planning permission is granted pursuant to application H/2026/0134, the details submitted under application D/2026/0002 would no longer correspond with the approved condition wording and phasing strategy.

Accordingly, a revised submission would be required to reflect the amended planning permission.

H/2026/0134 - Section 73 application to vary conditions 3 (Masterplan), 6 (Approved Plans), 8 (Elwick Grade Separated Junction), 10 (Roundabout Junction) and 19 (Detailed Landscaping) of planning permission H/2014/0428 (Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting). Pending consideration.

D/2026/0032 - Partial Discharge of conditions 17 (foul water) and 18 (surface water) of planning permission H/2014/0428 (Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting) relating to phase 1b and 2a (116no. dwellings, access, landscaping and associated infrastructure pursuant to application H/2025/0346). Pending consideration.

3.5 For the reasons set out within the committee report for application H/2026/0134, which forms part of the same committee agenda, any future submissions seeking to discharge conditions attached to the outline planning permission would need to reflect planning permission H/2014/0428 as amended by application H/2026/0134, should that application be approved. Accordingly, the details submitted pursuant to application D/2026/0032 may require amendment and resubmission to ensure consistency with the amended planning permission and any approved phasing strategy.

Reserved matters for phase 1a

H/2020/0048 - Approval of reserved matters relating to access, appearance, landscaping, layout and scale for the erection of 162 no. residential dwellings and associated engineering works pursuant to outline planning permission H/2014/0428. Approved 06/11/2020.

H/2020/0459 - Section 96a (Non-material amendment) application to vary approved plans (condition 1) of reserved matters planning permission H/2020/0048 (for the erection of 162 no. residential dwellings and associated engineering works) to allow for plot swaps, shifting of detached garages, changes to plot boundary lines, shifting of dwellings/plots, omission of substation and associated minor alterations to hard and soft landscaping and boundary treatments. Approved 04/03/2021.

H/2021/0372 - Section 73 application to vary condition 1 (approved plans) of planning permission H/2020/0048 (for approval of reserved matters relating to the erection of 162 no. residential dwellings pursuant to outline planning permission H/2014/0428) to allow for house type substitutions and associated amendments. Approved 15/12/2021.

D/2021/0088 - Discharge of conditions 5, 9, 10, 14, 15, 16 PART A, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34 and 35 (*for the 1st phase*) of planning

permission H/2014/0428 - Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting (*relating to H/2021/0372 and the 1st phase of development*). Approved 27/09/2022.

H/2023/0096 - Section 73 application to vary condition 1 (approved plans) of planning permission H/2021/0372 (Section 73 application to vary condition 1 (approved plans) of planning permission H/2020/0048 for approval of reserved matters relating to the erection of 162 no. residential dwellings pursuant to outline planning permission H/2014/0428 to allow for house type substitutions and associated amendments. Approved 10/01/2024.

3.6 The following applications are considered to be relevant in respect to the surrounding areas;

Land at Quarry Farm (beyond Elwick Road to the north)

H/2014/0215 – Planning permission was allowed on appeal on 18/02/2015 for the erection of 81 dwellings on land at Quarry Farm, Elwick Road (Appeal Ref APP/H0724/A/14/2225471).

H/2015/0528 – Planning permission was granted on 12/10/2018 following the completion of a s106 legal agreement for up to 220 residential dwellings with associated access, all other matters reserved. The site is accessed from Reedston Road. The associated reserved matters were approved on 23/01/2020 (reference H/2019/0352). Both the outline permission and reserved matters approval have been subject to a number of further approvals through minor material amendments. The most recent approval to amend the outline permission was application reference H/2022/0347 (approved 12/05/2023) and the most recent approval to amend the reserved matters approval was application reference H/2020/0378 (approved 05/05/2021).

H/2020/0387 - 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. Minded to approve at the planning committee meeting of 22/04/2026, subject to the completion of a S106 legal agreement. Members were minded to approve the application at the planning committee meeting of 22/04/2026, subject to the completion of a S106 legal agreement.

PROPOSAL

3.7 Approval is sought for reserved matters for the erection of 116 residential dwellings and associated engineering works, relating to access, appearance, landscaping, layout and scale, pursuant to Outline Planning Permission H/2014/0428 and associated with pending application H/2026/0134, seeking to vary Conditions 3, 6, 8, 10 and 19 of permission H/2014/0428. These 116 dwellings would comprise Phases 1b (46 dwellings) and 2a (70 dwellings).

3.8 The proposed access to the site is taken from Chasewater Way, which is the approved and constructed access to Phase 1a of the development, which is taken from the adopted highway on Elwick Road. Although the approved Phasing Plan (approved pursuant to application D/2019/0068) indicates that this road would initially form the principal access into Phase 1 only, pending application H/2026/0134 seeks to amend the masterplan and associated highway conditions to allow the proposed 116 dwellings within Phases 1b and 2a to be served from this access too. A principal access would be formed with the adjacent phases to the west, which would continue into the wider development, and this would provide the primary access for subsequent phases (after proposed Phase 2a).

3.9 The area of Phases 1b and 2a is concentrated within the northern extent of the site, adjacent to the west of the built area of Phase 1a (approved by virtue of reserved matters approval H/2020/0048 and later amended through H/2023/0096, decision date 10/01/2024). The proposed development does not accord with the currently approved masterplan and phasing plan secured under planning permission H/2014/0428 (and associated discharge of condition application H/2019/0068). As such, the acceptability of this reserved matters application is contingent upon the approval of pending application H/2026/0134, which seeks amendments to the approved masterplan, access arrangements and associated conditions.

3.10 With respect to the layout of the development, the scheme comprises a number of cul-de-sacs branching out from a curved internal access road (Chasewater Way, leading through Phase 1a from Elwick Road at the north of the site). These include four separate blocks of dwellings in Phase 1b (the northern section), with one block to the east, one block in the centre, and two blocks to the west of this part of the site.

3.11 Within Phase 2a (the southern section), the proposed layout would feature an arc of plots running from the eastern extent facing the internal spine road. A row of plots back onto the eastern boundary (with the development at Phase 1a), and a row of plots backs onto the southern boundary (and public open space and footpath area) flanked by a pair of plots facing these areas. A small cluster of plots are located on the western boundary, and a small cluster is located within the centre of this parcel (Phase 2a).

3.12 With respect to the landscaping proposals, the scheme includes a narrow landscaping strip in the northern section of the eastern boundary, with a landscaping strip providing a buffer to the north, a landscaping buffer to the west, and an area of open space and footpath links to the south west and southern boundary. To the south east corner, the scheme features a small area of open space which fronts onto the open space and adjacent to an area of open space/SUDS within Phase 1a. In accordance with the High Tunstall Master Plan, there are no areas of SANGS proposed as part of these Phases. The proposed landscaping to the western boundary would be part of a northeast - southwest green corridor that would connect into future phases of development.

3.13 With respect to the scale of the development, the application provides details for 116 dwellings, within the parameters set out by the outline planning permission, policy HSG5 (High Tunstall Strategic Housing Site) of the Hartlepool Local Plan

(2018). All of the proposed dwellings are 2 storeys and a mix of 4 and 5 bedroom detached dwellings across the site. The density of the plots is approximately 23.23 dwellings per hectare (as detailed in the submitted Compliance Statement).

3.14 With respect to the appearance of the development, the proposed dwellings are largely traditional in form and appearance, featuring a mixture of red, buff and grey brick, buff stone and white render facades with contrasting feature brickwork, with some corner turner properties. The house types feature predominantly dual pitched roof forms with side facing gables, albeit front facing gable features are a characteristic of the development. Other design elements such as stone quoins, projecting bays, canopies, timber framing and decorative stones/brickwork are also used throughout the site. The scheme includes a minimum of three parking spaces per dwelling together with two visitor parking spaces.

3.15 Amended plans were received during the course of the application following a request from the Council's Arboricultural Officer in respect to the proposed landscaping, and again following case officer concerns in respect to the position and orientation of some properties, to include the proposed plots to the southern boundary which would back onto the footpath and open space/SUDs area to the south and south east, and the prevalence of parking/hard standing to the front. A Planning Statement Addendum was also received during the course of the application to clarify the inherent association between the application in its current form being dependent on the approval of the associated S73 application to amend the outline planning permission H/2014/0428 (by virtue of pending application H/2026/0134, which forms part of the same committee agenda).

3.16 The application has been referred to Planning Committee in accordance with the Council's Scheme of Delegation owing to the receipt of more than two objections.

SITE CONTEXT

3.17 The application site relates to a parcel of land measuring approximately 7.14 hectares within the overall 92 hectare parcel of land, to the south of Elwick Road, approved for residential development for up to 1200 dwellings by virtue of outline planning permission H/2014/0428. The application site is primarily agricultural land serving the existing High Tunstall farm (east of the site boundary) with some ancillary outbuildings.

3.18 Immediately to the east of the application site lies the completed Phase 1a development comprising 162 dwellings, approved under reserved matters application H/2020/0048 (as subsequently amended), which is accessed from Elwick Road via Chasewater Way.

3.19 Beyond the northern boundary of the site and Elwick Road are a small number of existing properties at Quarry Farm/Quarry Cottages (as noted above, an application with a 'minded to approve' recommendation for up to 475 dwellings at Quarry Farm relates to the land to the north of the application site, reference H/2020/0387). Existing residential properties are also present to the north east beyond Elwick Road consisting of the 81 dwellings on land at Quarry Farm (north east).

3.20 Beyond the south and western boundary of the application site is further agricultural land which is defined by field boundaries and hedgerows (that forms part of the wider site allocation and the red line boundary of the approved outline permission H/2014/0428 that this application seeks to amend). A number of farms and other properties are present beyond the south west boundary.

3.21 As detailed above, the site forms part of the approved High Tunstall development (H/2014/0428, and associated application H/2026/0134 which is pending consideration at the time of writing but with which this scheme is reliant upon) which is a strategic allocated housing site in the Local Plan (HSG5).

3.22 The topography of the wider site slopes from the highest point in the north west corner down towards the southern boundary with the land undulating east to west. A major hazardous gas pipeline runs along the northern boundaries of the current reserved matters site (as discussed within the main body of the report) as well as to the main eastern and northern boundaries of the overall outline permission red line boundary. A public right of way also runs from north to south beyond the eastern boundary of the application site/Tunstall Farm down to Duchy Road (Footpath No. 25, Hartlepool) and a public right of way cuts through the middle of the application site, running from east to west (Footpath No 7, Hartlepool).

PUBLICITY

3.23 The application has been publicised by means of neighbour notification letters to 65 neighbouring properties and local ward councillors, site notices and a press advertisement. Reconsultation was undertaken on three occasions following the submission of landscaping details, amended plans and a Planning Statement Addendum. The latter was accompanied by an amendment to the application description to clarify that the proposed reserved matters scheme is reliant upon the approval of associated application H/2026/0134, which seeks to vary conditions attached to outline planning permission H/2014/0428.

3.24 To date, there have been 16 objections received (including instances where more than one objection has been received from the same person/household).

3.25 The concerns/objections raised can be summarised as follows:

- Traffic, speeding, junction safety and congestion, particularly on Elwick Road;
- Narrow highways on Elwick Road and Duchy estate;
- Access from Chasewater Way;
- Increased traffic would create a "rat run" through existing residential areas;
- Pedestrian safety, particularly for children, elderly residents and vulnerable users;
- Construction traffic, including HGVs;
- The grade-separated junction should be completed before further housing is developed;
- Loss of the current cul-de-sac character;
- Loss of agricultural land and open countryside;

- Urban sprawl between Hartlepool and Elwick;
- Erosion of the rural character of the area;
- Preference for redevelopment of brownfield sites instead of greenfield land;
- Infrastructure (including school places, GP and NHS services, drainage and sewerage systems);
- Construction impacts including noise, air pollution and vehicle emissions, dust and vibration from building works; long-term disruption from construction vehicles;
- The development should have its own direct access from Elwick Road;
- There is insufficient evidence of housing need and Hartlepool is experiencing excessive housing growth;
- Harm to wildlife habitats and hedgerows;
- Loss of biodiversity;
- Impacts on landscape character and public footpaths;
- Reduction in house values;
- Increased noise and disturbance;
- Loss of outlook and countryside views;
- Reduced quality of life for existing residents.

3.26 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=166796>

3.27 The period for publicity expires on 9th September 2026. Any responses received before the committee date will be subject to the consideration by officers, and Members will be updated at the committee meeting. Any comments received after the committee meeting will subject to the consideration of officers. This is reflected in the officer recommendation.

CONSULTATIONS

3.28 The following consultation replies have been received:

HBC Traffic and Transport: The proposed layout is being constructed in accordance with the Tees Valley design guide and specification, and there are no objections with regards to the layout.

This application extends across phase 1b and 2a of the High Tunstall Outline application. The original outline planning application for the High Tunstall site (H/2014/0428) allowed 208 properties to be occupied prior to the Elwick Bypass being operational. It was considered at this time that there would be a severe detrimental impact on the surrounding local highway network, particularly the A179. Since the traffic signals at A179 Sheraton junction have been introduced and the closure of the central carriageway gaps on the A19 at Dalton and Elwick severe queuing has been experienced on the A179.

Phase 1 consists of 162 properties. This application would therefore be allowed to construct 46 properties prior to the opening of the Elwick Bypass. The remaining 70 properties cannot be constructed until the bypass is open.

The developer has since in a separate section 73 application proposed to amend the above figures to allow all the properties in this application to be constructed. The report details that the extra housing will have a minimal impact on queuing on the A179 (8 two-way vehicle trips in both the AM and PM peaks, equating to approximately 6 seconds).

While initial deliberations led to the view that the application should be refused on highway grounds, the fact that the application only results in a minimal increase (albeit on top of an existing situation where a severe impact exists), and that the GSJ/ Elwick Bypass is anticipated to commence on site in Summer 2027 (completing by the end of 2028), it is felt that a refusal on Highway grounds would be likely to be overturned on appeal. On this basis Highways do not object to the increase of 70 properties as the build out rate is likely to coincide with the delivery of the bypass, but ask that Members note the existing highway constraints.

A construction management plan should be conditioned which should detail access to the site, a temporary access should be considered for construction traffic to separate site and residential traffic, routing of site traffic, site traffic should be routed through Hartlepool and be prohibited from travelling through Elwick Village. Managing the spread of mud on the highway and the provision of parking for site operatives. The CMP should also detail measures to minimise disruption for existing residents.

HBC Arboricultural Officer: An Arboricultural Report comprising a Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree Protection Plan by Elliots consultancy has been submitted. The proposals require the removal of Tree 12, Tree 16, Tree Group 9, a section of Tree Group 10, and parts of Hedgerows 2 and 4. Tree 12 is already significantly affected by ash dieback and is expected to continue deteriorating; although its loss is regrettable, removal is justified in this instance. Tree 16 and the stems within Group 9 are immature ash with substantial dieback and decline, and would require removal in the near future regardless of the development due to their poor condition and ongoing ash dieback infection.

The removal of hedgerow sections, particularly along the western boundary, is more regrettable, as these hedges meet the criteria of protected hedgerows and contribute meaningfully to the site's ecological value and landscape character. It is therefore essential that all remaining hedgerows are robustly protected throughout construction and that the appropriate compensatory planting is secured. While long term mitigation planting will help offset these losses, the immediate impact on site structure and biodiversity will be significant losing the connection to the northern hedgerow.

The submitted arboricultural documentation should be secured by condition to ensure full compliance during construction and to safeguard the retained trees and hedgerows.

In terms of planting only a Landscape Strategy has been provided at this stage. The full suite of planting information, including detailed species specifications, planting plans, and a Landscape Management and Maintenance Plan, must be submitted and assessed at the reserved matters stage. The tree planting proposed within the outline application is not optimal for the locations in which the trees are intended to be established. The same narrow palette of species continues to be put forward across schemes, with limited consideration given to climate resilience, long term viability, or the suitability of those species for local site conditions. To ensure the development benefits from a robust, future proof treescape capable of delivering meaningful ecosystem services, the proposed species mix should be revised and diversified in line with contemporary best practice.

A successful planting scheme should prioritise climate resilient species and maintain a balanced species mix informed by future climate modelling. To ensure strong biosecurity and minimise vulnerability to pests and diseases, the planting palette should adhere to widely accepted diversity thresholds:

- No more than 5% of any single cultivar
- No more than 10% of any single species
- No more than 20% of any single genus
- No more than 30% of any single plant family

The species diversity thresholds applied here follow the widely accepted Santamour diversity guideline (5,10,20,30 rule), which is standard practice in urban forestry for building biosecurity and long term resilience. In addition, the TDAG ,Tree Species Selection for Green Infrastructure, Guide (v1.3) provides a robust evidence based framework supporting the need for greater species diversification, climate resilient selection, and reduced reliance on traditional or over used genera. Reference to this guidance should be standard practice, as it supports informed species choice and helps avoid repeated reliance on a narrow, vulnerability prone palette.

In addition to improving diversity, the current scheme would benefit from the inclusion of large canopy species, particularly where space permits. Larger trees make a materially greater contribution to urban cooling, carbon sequestration, stormwater interception, and biodiversity value. Their absence represents a missed opportunity to strengthen green infrastructure performance across the site.

Taking the above into account, and to significantly enhance climate resilience, the following species should ideally be incorporated into the scheme:

- *Gleditsia triacanthos* Skyli
- *Ulmus* New Horizon
- *Zelkova serrata*
- *Liquidambar styraciflua* ¿Worplesdon¿
- *Acer* × *freemanii* Autumn Blaze
- *Sequoia sempervirens* (open spaces)
- *Metasequoia glyptostroboides* (open spaces)
- *Pinus pinea*
- *Tilia tomentosa* Brabant
- *Ginkgo biloba* Fastigiata

- Paulownia tomentosa (open spaces)

The proposed species collectively represent a resilient, diverse, and future focused tree palette well suited to a new housing estate. As a group, they demonstrate strong tolerance to the challenges typical of modern residential environments, including compacted soils, exposure, variable moisture conditions, and the increasing climatic pressures of hotter summers and more extreme weather. Collectively, these trees offer excellent climate resilience, strong pest and disease tolerance, and a varied architectural character, ensuring that the development benefits from long term environmental performance, improved livability, and a diverse, future proof treescape.

While planting trees is relatively straightforward, securing their successful establishment is the more challenging and resource intensive stage. Appropriate early years maintenance significantly reduces the likelihood of tree failure and avoids unnecessary replacement costs. Adopting the principle of ‘do it once and do it right’ should underpin the planting strategy to ensure long term resilience and to prevent escalating future management liabilities.

Update 23/04/2026 following receipt of landscaping and planting details:

Updated landscape drawings and planting schedule have now been submitted. The absence of a Landscape Management and Maintenance Plan at this stage can be appropriately addressed through the use of a pre commencement or pre occupation planning condition. Securing the plan by condition ensures that the detailed arrangements for establishment, aftercare, and long term management are agreed prior to implementation, while allowing the development to progress in principle.

The submitted planting schedule proposes a total of 171 trees comprising a diverse range of species, genera, and families. The breadth of the palette represents a significant improvement compared to the earlier outline approach and demonstrates a clear move away from a narrow or repetitive species mix. In quantitative terms, no single species forms an excessive proportion of the overall planting, and the distribution across genera and families provides a good level of inherent resilience to pests, diseases, and climate related pressures.

The schedule includes a wide mix of taxa incorporating Acer, Alnus, Betula, Carpinus, Crataegus, Malus, Metasequoia, Pinus, Populus, Prunus, Pyrus, Salix, Sequoia, Sorbus, Taxus, Tilia, and Zelkova. This degree of diversity aligns well with the principles set out in the Santamour 5/10/20/30 guideline and reflects contemporary best practice guidance, including the TDAG Tree Species Selection for Green Infrastructure guide, in seeking to reduce reliance on a limited number of traditional or vulnerability prone groups.

The inclusion of several large and long lived canopy species is particularly welcomed. The presence of trees such as Sequoia sempervirens, Metasequoia glyptostroboides, Pinus pinea, Tilia cordata, Carpinus betulus, and Zelkova serrata will significantly enhance the long term structural, environmental, and visual value of the site. These species provide materially greater contributions to urban cooling, carbon sequestration, stormwater interception, and biodiversity than smaller stature

trees alone and address earlier concerns regarding missed opportunities for large canopy provision where space allows.

The planting schedule also demonstrates appropriate variation in stock sizes, including selected standards, heavy standards, extra heavy standards, and leader or feathered forms. This approach should assist with early visual impact while allowing for phased canopy development and reducing the risk associated with uniform age and size classes.

While not every aspirational climate resilient species previously suggested has been incorporated, the overall species selection is considered suitable for the site context and sufficiently robust in light of projected climatic conditions. The balance now struck between ornamental, native, and non native climate adapted species is reasonable and defensible.

At this stage, A detailed Landscape Management and Maintenance Plan has not been provided and will be essential to secure the successful establishment and long term performance of the trees. Given the scale of planting and the inclusion of large and long lived species, early years maintenance; particularly watering, mulching, weed control, formative pruning, inspection, and replacements will be critical. The principle of “do it once and do it right” remains central to ensuring the proposed treescape delivers lasting benefits and does not become a future management liability.

In summary, the planting schedule represents a robust and well diversified tree planting strategy and is considered acceptable. The scheme demonstrates clear progression toward a resilient, future focused treescape and should be conditioned for its compliance. Submission and approval of a full Landscape Management and Maintenance Plan should be secured at the appropriate stage to ensure that the quality and intent of the planting is successfully implemented and sustained over the long term.

Update 02/07/26 following amended landscaping details:

The revised submission includes three additional trees within the planting schedule, which is a positive enhancement to the proposed landscaping scheme. The implementation of the approved planting schedule should be secured through an appropriately worded planning condition.

The absence of a Landscape Management and Maintenance Plan at this stage is not considered a significant concern and can be satisfactorily addressed by a pre-commencement or pre-occupation planning condition. Securing the plan by condition will ensure that detailed arrangements for the establishment, maintenance, aftercare and long-term management of the landscaping are agreed prior to implementation, whilst allowing the development to proceed in principle.

Furthermore, Landscape Drawing 7 includes a Schedule of Landscape Maintenance, which states that landscape maintenance should be undertaken in accordance with the approved Management Plan (not yet submitted). The drawing specifies that maintenance visits will generally be undertaken on a monthly basis (12 visits per

annum) and will include the prescribed maintenance operations. A satisfactory certificate of completion is also required following each visit. This provides a clear framework for the future management and maintenance of the landscaped areas, subject to the submission and approval of the detailed Management Plan.

HBC Building Control Management: A Building Regulation application will be required for 'Part two storey, part single storey extension to the rear (including installation of 2no. dormer windows to the side elevations and 5no. roof lanterns to the rear elevations)

Update 18/06/2026:

I can confirm that we have received a Building Regulation application

HBC Engineering Consultancy (Contaminated Land): The original application references a 'Part 1 Geo Environmental (Contaminated Land) Appraisal' which was commissioned by Prism Planning to be used for submission to the Local Authority as part of the Environmental Impact Assessment. Although this report has not been seen there was however, an Environmental Statement which included a Ground Conditions chapter.

The Ground conditions chapter used a Groundsure Report to gain its information and was extensive, detailing the site location, existing site levels, geology, mining, site history, a CSM and qualitative risk assessment. It concluded that there was a low to moderate risk with respect to ground contamination (mainly due to gravel pits and farmyards historically being on the site and a nearby offsite landfill). The chapter recommended further investigation to assess potential contamination within made ground and the installation of boreholes for ground gas monitoring. It also recommended a watching brief during the redevelopment to identify any potential visual or olfactory evidence during the works.

Given the above we would still agree with the recommendation above for further site investigation and a watching brief and say that this should then be followed with conditions for remediation and verification reporting if identified as part of the GI works.

HBC Engineering Consultancy (Drainage): No drainage information has been submitted as part of this application. We cannot confirm acceptability of the layout until the detailed drainage has been reviewed against application D/2026/0032 (Condition 18 attached to H/2014/0428).

HBC Heritage and Countryside Conservation: No listed or locally listed buildings, nor any conservation areas will be impacted by this proposal. No objections.

HBC Landscape Architect: A landscape strategy has been provided with generic planting information. Full landscape details, including tree pit details, should be provided as part of the reserved matters application.

Update 17/04/2026 following receipt of landscaping and planting details:

Soft landscape details have been provided and are acceptable.

Update 19/06/2026 following amended landscaping details:

Landscape details have been revised to address layout revisions that are acceptable.

Tees Archaeology: Evaluation work has previously been undertaken across the wider development site (Events 1233, 1234, 1241, & 1262), revealing archaeological remains within the proposed development area; as such, an archaeological condition was placed on H/2014/0428 to mitigate the impact of development upon the archaeological remains. The archaeological condition on H/2014/0428 still applies and the archaeological mitigation work for this area should be undertaken prior to any development or groundworks taking place. The mitigation work should take the form of archaeological strip, map and record exercise over the known archaeological features followed by post-excavation analysis, reporting and archiving. We are happy to discuss the extent/scope of the SMR with the applicant or their agents.

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 1:2019, Section B5 for 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 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.

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

Cleveland Police: 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, 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 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.
- I would recommend the permeability throughout this proposal be reduced.
- 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.
- This is particularly relevant in this proposal to the rear of Plots 86-94.
- Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.
- This does not appear to be proposed in this instance, I recommend the siting of side protection gates/fences be brought forward towards front elevations.
- 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, as appears to be the proposal in this instance.
- 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.
- This again is relevant to the rear of Plots 86-94, if possible houses should be re orientated to incorporate this pathway into the active street frontage.
- 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.

HBC Waste Management: Provision of Waste and Recycling Collection and Storage Facilities to new properties

Developers are expected provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/ receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time.

Developers can choose to enter an undertaking to pay the Council for delivery and associated administration costs for the provision of bins/ receptacles required for each new development. These charges are a one-off cost and the bins remain the property of the Council. Alternatively, developers are required to source and provide containers which meet the specifications necessary for the required bins/ receptacles to be compatible with the Councils waste collection service and vehicle load handling equipment.

Please see our 'Developer Guidance Waste and Recycling for new properties' document which can be found at <https://www.hartlepool.gov.uk/usingyourbins> for further information.

We require that suitable waste provision is in place at the site. This includes, but is not limited to, provision for general waste (minimum of 240 litres per dwelling), recycling (minimum of 240 litres per dwelling) and food waste (minimum of 23 litres per dwelling). Therefore, storage space must be adequate to accommodate the above requirements. Waste must be stored within the property boundary, and must only be placed out for collection on the day stated by the Council. Waste must not be stored on the highway, including in a back street.

Residents must ensure that bins are presented at the required collection point, at the kerbside, for 7.30am on the day of collection and returned to the property after they have been serviced.

Environmental Agency: Thank you for consulting us on the above application, on 13 February. We have reviewed the submitted information that is relevant to our remit and set out our position and comments below.

Environment Agency Position

We have no objections to the reserved matters application however we have the following comments to offer:

Decision Notice - Information for LPA

In accordance with the Planning Practice Guidance (Determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or if the application is withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Anglian Water: This application is outside of Anglian Water's sewerage boundary – we have no comments to make thereon.

Please note Anglian Water will only comment on drainage/surface water within our boundaries.

Natural England: Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

National Grid: Regarding planning application H/2025/0346, there are no National Grid Electricity Transmission assets in the application area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://lsbud.co.uk/>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

Northern Power Grid: 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.

Northumbrian Water: 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/developers.aspx>.

At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development.

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

How to Satisfy the Condition

The applicant should develop their foul water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

Rural Neighbourhood Plan Group: Thank you for consulting Hartlepool Rural Neighbourhood Plan Group. The application site is just outside of the Rural Neighbourhood Plan Boundary. The development will however have a significant impact on the rural area, particularly the villages of Elwick and Dalton Piercy.

The outline planning approval (ref. H/2014/0428) for this development site is subject to a condition that the Elwick Bypass and the A19 Interchange must be FULLY OPEN to traffic prior to the occupation of the 209th dwelling. The Elwick

Bypass and the A19 Interchange currently only exist on paper. The highways restriction imposed by Condition 8 of the outline planning application (ref. H/2014/0428) should under no circumstances be varied. The impact on the rural area is already excessive.

Given the effect on the rural area between Hartlepool and the A19 the improvements listed in Rural Neighbourhood Plan Policy T1 below should be considered alongside the Elwick Bypass for financial contributions.

POLICY T1 - IMPROVEMENTS TO THE HIGHWAY NETWORK

Where development proposals are shown, through evidence to be required to contribute towards any of the following schemes so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation:

- improvement of the A179/A19 junction
- the dualling of the A179
- improved village approach roads and junctions to the A179, A689 and A19
- alleviating the impact on the villages of the increase in traffic arising from new development in Hartlepool
- appropriate measures to discourage traffic related to any new development on the edge of Hartlepool from using minor roads through the villages in the Plan
- Measures that promote good driver behaviour, such as speed cameras.

The above improvements must be designed, as far as possible, to be in keeping with the rural setting.

The proximity of the new developments on the edge of Hartlepool to the villages will result in pressures on existing community facilities in the villages. Community infrastructure in the rural area is easily accessed and often offers the only community facilities prior to any being provided on new estates, if they ever are. The community infrastructure in the villages should be considered for support from 106 contributions.

POLICY PO1: PLANNING OBLIGATIONS - CONTRIBUTIONS TOWARDS MEETING COMMUNITY INFRASTRUCTURE PRIORITIES

Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

Developer contributions will be determined on a site by site basis in accordance with Hartlepool Borough Council's Supplementary Planning Document on Planning Obligations and due consideration should be given to priorities listed in Appendix 5 of the Neighbourhood Plan.

Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a

requirement for the provision of ‘overage’ payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.

The following policy should offer good practice and guidance for any development that is proposed on the urban/rural boundary.

POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

- create distinct new communities designed to instil a sense of place, with an attractive community hub, located in the centre of the development, containing a community centre, shops and other local services on a scale that meets the needs of the new community;
- incorporate a diverse housing mix with a variety of house types, sizes and tenures;
- provide an open and attractively landscaped development with the gross density of the development of about 25 dwellings per hectare;
- include a strong landscape buffer where the development adjoins the countryside to reduce the visual impact of the development and create a continuous habitat for wildlife linked into existing natural areas and wildlife habitats;
- include landscaped open spaces, roads and footpaths, incorporating children’s play areas, throughout the development linked to the peripheral landscape buffer to provide green routes through the housing areas that enhance the quality of the development and provide wildlife habitats;
- link new footpath and cycleway routes through the development to routes in the countryside, to existing adjacent communities, to schools, community facilities and the town centre;
- retain existing farmsteads, trees, hedgerows, ditches, watercourses, and heritage assets within the development;
- not compromise the Green Gaps between the urban area and villages;
- address any significant impacts arising from an increase in traffic on the road network between Hartlepool and the A19 as a result of the new development. This should include mitigation measures identified by Transport Assessments which may include improvements to the junctions from the villages to the A19, A179 and A689 as well measures to discourage traffic from the new development using minor roads through the villages in the Plan area and sympathetic traffic calming where necessary. Adequate measures should be discussed as part of the application and not delegated to a condition and in some instances measures should be put in place prior to the occupation of the first dwelling in the relevant proposal.
- avoid areas at risk of flooding and incorporate sustainable drainage measures to manage rain water run-off from the development.
- assist in meeting Hartlepool Borough’s housing need for 6000 additional homes within the next 15 years by supporting new developments on the edge of Hartlepool which take into consideration their rural fringe

locations and which do not compromise the Green Gaps, subject to design, layout, environmental and traffic impact considerations.

Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.

The Rural Neighbourhood Plan Group have no comment to offer regarding the reserved matters as such. The Group does very strongly object to any suggestion that the highway restriction imposed by condition 8 be varied or eased. The Elwick Bypass and the A19 Interchange must be FULLY OPEN prior to the occupation of the 209th dwelling.

National Highways: Reserved Matters Application H/2025/0346 seeks approval for 116 dwellings (Phase 1B and Phase 2A) at High Tunstall, Hartlepool, under the wider outline permission for up to 1,200 dwellings and associated infrastructure.

The site is located approximately 2 km east of the A19, with potential impacts on the Strategic Road Network (SRN), particularly the A19/A179 (Sheraton) junction. Outline planning permission (H/2014/0428) was granted in March 2019; Phase 1A (162 dwellings) was approved in November 2020.

A separate Section 73 application (H/2026/0134) seeks to vary conditions attached to the outline consent. The proposals seek to allow a greater number of dwellings (+72 dwellings) within the High Tunstall Strategic Site to be occupied prior to the A19 Elwick Bypass Junction being fully open to traffic.

Condition 8 of outline planning permission H/2014/0428 requires the Hartlepool Western Link (Elwick Bypass) and a grade-separated A19 junction to be fully open before occupation of the 209th dwelling.

The current application would increase the number of dwellings from 162 to 278.

The Transport Assessment retains the same trip generation and distribution assumptions agreed at outline stage and concludes that forecast background traffic growth is lower than previously estimated.

The reserved matters application itself is within the scope of the approved outline permission, with trip generation and distribution broadly consistent with previous assessments.

For the construction phase, a Construction Logistics Plan, Construction Traffic Management Plan, and Construction Environmental Management Plan should be secured to minimise traffic impacts during peak periods.

The reserved matters application for 116 dwellings is consistent with the scale and transport assumptions of outline planning permission H/2014/0428. We recommend that National Highways should raise no objection to application H/2025/0346 subject

to the updated Planning Condition 8 that prevents occupation beyond 280 dwellings until the Elwick bypass and A19 grade-separated junction are operational and are fully open to traffic once approved. In addition we suggest the need for appropriate construction traffic management measures.

No comments were received from the following consultees;

- **HBC Countryside Access Officer.**
- **HBC Ecology**
- **HBC Estates**
- **HBC Public Protection**
- **HBC Community Safety and Engagement**
- **HBC Commercial Team**
- **HBC Education**
- **HBC Housing Management**
- **HBC Economic Development**
- **Dalton Parish Council**
- **Elwick Parish Council**
- **Ramblers Association**

PLANNING POLICY

3.29 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

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

LS1: Locational Strategy
 CC1: Minimising and Adapting to Climate Change
 CC2: Reducing and Mitigating Flood Risk
 CC3: Renewable and Low Carbon Energy Generation
 INF1: Sustainable Transport Network
 INF2: Community Facilities
 INF4: Planning Obligations
 QP1: Planning Obligations
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 HSG1: New Housing Provision
 HSG2: Overall Housing Mix
 HSG5: High Tunstall Strategic Housing Site
 HSG9: Affordable Housing
 NE1: Natural Environment
 NE2: Green Infrastructure

NE3: Green Wedges

SUS1: The Presumption in Favour of Sustainable Development

Other relevant Local Plan Policy

High Tunstall Masterplan (2018)

Residential Design Code SPD (2026)

Hartlepool Rural Neighbourhood Plan (HRNP, 2018)

2.151 No policies of the Hartlepool Rural Neighbourhood Plan are considered to be directly relevant to the determination of this reserved matters application.

National Planning Policy Framework (NPPF) (August 2026)

3.31 The National Planning Policy Framework (NPPF), published in August 2026, sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in the determination of planning applications and provides the national policy framework for both plan-making and decision-taking. The Framework should be read as a whole.

3.32 The Framework promotes sustainable development through economic, social and environmental objectives which are mutually supportive and interdependent. It places significant weight on housing delivery, economic growth and development in sustainable locations, whilst seeking to protect and enhance the natural, built and historic environment.

3.33 At the heart of the Framework is a presumption in favour of sustainable development. Relevant policies of the NPPF have been taken into account in the assessment of this application and are referenced where appropriate throughout this report.

3.34 **HBC Land Use Policy comments:** The principle of development has already been established by virtue of Local Plan policy HSG5 (High Tunstall Strategic Housing Site) and the previous outline application, therefore development of the site for residential purposes is acceptable.

3.35 Policy HSG2 (Overall Housing Mix) sets out that new housing contributes to achieving an overall balanced housing stock that meets local needs and aspirations, as such the High Tunstall site is required to deliver a full range of house types. This application proposes only 4 and 5 bedroomed detached homes, which is not considered to constitute a full range of house types. It is acknowledged that this application constitutes only a part of a larger allocation for housing development and therefore a wider range of house types could be delivered elsewhere in future phases, however it would be preferable for the housing mix to be distributed throughout the site rather than specific types being brought forward in particular areas only.

3.36 In terms of design, the following comments are made:

- It is considered there are good walking links across the site, but that this could be improved if a link were introduced in the vicinity of plots 53 and 54 to make a more direct walking route to the main spine road and beyond, although it is acknowledged this may necessitate the loss of a unit in order to do so.
- It is not considered appropriate for units 85-93 to back onto the footpath and open space/SUDs area to the south and south east, rather it is considered these areas should benefit from direct overlooking to minimise opportunities for anti-social behaviour.
- The majority of plots have parking to the front, with a smaller proportion having parking to the side or rear. This creates the potential for large amounts of hard standing to the front. It is requested that this is reconsidered and so that more units have parking to the side of the property.

Update 09/06/2026 following amended layout:

3.37 The revised layout for High Tunstall has addressed the majority of the points previously raised, in particular, the relationship to the green space to the south-east and more uniform edges to the development parcels. A revised landscape plan indicating heavy planting along the fence line of units 84 -93 will be required.

3.38 Having reviewed the submitted materials plan, house type elevations, compliance statement and the existing properties on phase 1. I would advise that the Hovingham Riven red brick and Cusworth Riven buff brick are changed to a multi-brick with variations in their shade, similar to ones used on phase 1. This would ensure there is a positive correlation between the different phases of the development and a continuation of the character at High Tunstall.

3.39 The compliance statement also sets out the use of focal buildings which are welcome and address the long distant view termination points, however, the materials plan and elevations don't show any variation in the treatment of the properties to distinguish them as 'focal buildings.' The introduction of an alternative material treatment would aid in legibility and act as a distinguishing feature to these properties.

Update 10/08/2026 following details of amended materials:

3.40 The amended Materials Plan (HRT-TUN-CC-002 Rev F), has addressed previous comments regarding the materials of the proposal.

PLANNING CONSIDERATIONS

3.41 The principle of development and overall scale of development, including housing need, were established through the extant outline planning permission (H/2014/0428, as proposed to be varied by the associated S73 application H/2026/0134, which is pending consideration at the time of writing), and are not matters capable of reconsideration through this reserved matters application.

3.42 The application site forms part of the High Tunstall Strategic Housing Site allocation and is allocated for residential development under Policy HSG5 of the Hartlepool Local Plan (2018).

3.43 The development proposed through this reserved matters application is dependent upon the approval of pending application H/2026/0134. In the absence of that permission, the proposed development would not accord with the approved masterplan, phasing strategy and highway arrangements secured through outline planning permission H/2014/0428. Consequently, whilst the applications are being considered in parallel, any reserved matters approval could not lawfully be implemented unless and until planning permission H/2026/0134 has first been granted.

3.44 The reserved matters application site lies outside the designated Hartlepool Rural Neighbourhood Plan area. Nevertheless, representations received in respect of impacts upon the surrounding rural area have been taken into account where material to the determination of this application.

3.45 Notwithstanding the above, the principle of development remains acceptable and therefore the main issues for consideration in this instance are the impact of the proposals on highway and pedestrian safety, the amenity and privacy of existing and future occupiers of the application site and neighbouring properties, the visual amenity of the application site and the character and appearance of the surrounding area, landscaping and tree protection, ecology and nature conservation, heritage assets and archaeology, public rights of way, land contamination and flood risk and drainage. These and all other planning and residual matters are set out and considered in detail below.

HIGHWAY AND PEDESTRIAN SAFETY

3.46 Policy QP3 of the Hartlepool Local Plan (2018) seeks to ensure that development is safe and accessible along with being in a sustainable location or has the potential to be well connected with opportunities for sustainable travel.

3.47 Policy TR6 (Assessing highways impacts) of the NPPF (2026) requires that development proposals that are likely to generate significant amounts of movement are supported by appropriate Transport Assessment/Statement and/or a Travel Plan. Policy TR6(3) states that:

3. In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).

3.48 Policy TR6(4) states:

4. Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

3.49 Concerns have been raised by the Hartlepool Rural Neighbourhood Plan Group with respect to the impact on the local highway network and in particular on traffic through nearby country lanes, Elwick village and at the A19 junction(s). These objections also maintain that the bypass road around Elwick Village is required before the occupation of the 209th dwelling (as secured through Condition 8 of outline planning permission H/2014/0428).

3.50 Similar objections have also been received from neighbours, citing concerns including the impact on highway and pedestrian safety locally due to poor access to the site and increased traffic (in particular, lack of capacity for Elwick Road to handle additional traffic and absence of an Elwick bypass), speeding and traffic, the potential for a “rat run”, as well as the impact on the strategic road network (including the A19/A179 junction).

3.51 Matters relating to the impact of the development on the strategic and local highway networks were considered in detail through the determination of outline planning permission H/2014/0428 and subsequent amendments, including application H/2020/0108. Where necessary, mitigation has been secured through planning conditions and obligations contained within the associated Section 106 agreement.

3.52 As set out within the accompanying report for application H/2026/0134, the amended planning permission would remain subject to the relevant conditions and obligations attached to the original outline planning permission, except where specifically varied through that application.

3.53 Accordingly, this reserved matters application remains subject to the planning conditions and Section 106 obligations attached to the outline planning permission. The current application relates solely to the detailed matters of access, appearance, landscaping, layout and scale for Phases 1b and 2a and does not provide an opportunity to revisit the principle of the development or the wider strategic highway impacts previously assessed through outline planning permission H/2014/0428.

3.54 The concerns raised by the Hartlepool Rural Neighbourhood Plan Group are acknowledged. However, the Group confirms within its consultation response that it has “no comment to offer regarding the reserved matters as such”. The matters raised primarily relate to any proposed amendment to Condition 8 of outline planning permission H/2014/0428 and the timing of delivery of the Elwick Bypass and A19 grade separated junction. These matters are considered in detail as part of the assessment of application H/2026/0134 and are not matters that can be revisited through the determination of this reserved matters application.

Access and layout

3.55 It is acknowledged that objections have been received regarding the access to the development via the access through Phase 1a/Chasewater Way from Elwick Road.

3.56 The currently approved Phasing Plan, discharged under application D/2019/0068, stipulates that “access to the wider site will be principally taken via the new distributor road passing through the site and linking to Elwick Road at the North West corner of the site in the form of a three-leg roundabout. A secondary access [serving phase 1a] will be taken from Elwick Road towards the north east corner of the site, with roads continuing into the wider development.” The original approved phasing plan (through D/2019/0068) identified Phase 1 for up to 208 dwellings (made up of Phase 1a for circa 153 dwellings and Phase 1b for up to 55 self builds).

3.57 As a result of this current application and the associated section 73 application currently under consideration (H/2026/0134) on what would become proposed Phases 1b and 2a, the approved phasing strategy would need to be amended through a revised Phasing Plan. The access to Phase 1a (serving the Duchy Homes development for 162 dwellings) of the overall outline development has now been constructed and is taken from the adopted highway on Elwick Road towards the north eastern boundary of the application site. Although the approved Phasing Plan indicates that this road would initially provide access to Phase 1 (comprising up to 208 dwellings), the associated Section 73 application seeks to amend the approved masterplan and phasing strategy to allow proposed Phases 1b and 2a (116 dwellings) to also be served from this access. Should application H/2026/0134 be approved, up to 280 dwellings would therefore be capable of being served from the existing access prior to the delivery of the grade-separated junction.

3.58 The submitted reserved matters plans show the secondary access road extending through Phases 1b and 2a, terminating at the western boundary of Phase 2a where it would connect into future phases of development. It is anticipated that future phases would provide a connection, ultimately linking into the wider development and providing the principal route for subsequent phases.

3.59 Notwithstanding the Phasing Plan approved pursuant to application reference D/2019/0068 (decision dated 13/03/2020), and the subsequently submitted Phasing Plan currently under consideration pursuant to application reference D/2026/0002, as part of the consideration of application H/2026/0134, it is recommended that Condition 4 (Phasing Plan) be amended to require the submission of a revised Phasing Plan for approval by the Local Planning Authority. This is necessary to ensure that the approved phasing strategy accurately reflects the amendments proposed to the outline planning permission through the current associated Section 73 application, should it be approved, including the revised masterplan and the delivery strategy associated with the proposed reserved matters through this application (H/2025/0346). The requirement for a revised Phasing Plan is considered necessary in the interests of certainty and the proper planning of the wider strategic allocation.

3.60 Whilst concerns regarding the ongoing use of the existing Phase 1a access are acknowledged, the Council's Traffic and Transport team has confirmed that the access has been constructed to adoptable standards and raises no objection to its use in serving Phases 1b and 2a.

3.61 In addition to the above, National Highways has been consulted and has provided comments to the effect that this phase of the development must comply

with the original conditions contained within the outline planning permission, to include securing construction management details in the form of a Construction Traffic Management Plan. As above, this reserved matters application remains bound by the conditions and obligations of the outline planning permission (H/2014/0428 as proposed to be amended by H/2026/0134) and these must be complied with where relevant, as set out above, and as such there is no requirement for any of these conditions to be re-imposed in the event this application is approved.

3.62 Whilst the concerns raised by local residents and the Hartlepool Rural Neighbourhood Plan Group are acknowledged, those concerns primarily relate to the wider strategic highway impacts of the development and the delivery of the Elwick Bypass and A19 grade-separated junction, matters which are controlled through the outline planning permission and associated Section 73 application. The strategic transport implications of the wider development have already been assessed through the outline planning permission and associated legal agreement and conditions.

3.63 No objection has been raised by either the Council's Traffic and Transport Team or National Highways to the access arrangements proposed through this reserved matters application. The proposals are therefore considered acceptable in respect of highway and pedestrian safety and are considered to accord with Policies QP3 and HSG5 of the Hartlepool Local Plan (2018) and Policy TR6 of the NPPF (2026).

AMENITY AND PRIVACY OF EXISTING AND FUTURE OCCUPIERS OF THE APPLICATION SITE AND NEIGHBOURING PROPERTIES

3.64 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates 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.

3.65 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;

- Principal elevation to principal elevation 20 metres.
- Gable to principal elevation 10 metres.

3.66 These requirements are reiterated in the Council's adopted Residential Design Code SPD (2026) which requires;

- 20m between principal elevations.
- 10m between gable and principal elevations.

3.67 Policies P3 (Living conditions and pollution) and L2 (Making effective use of the land) of the NPPF (2026) stipulate that planning decisions should ensure developments are appropriate for their location, taking into account likely effects on

the living conditions of occupiers of neighbouring properties. Paragraph P3(2)(b) seeks to ensure that proposed development does “*not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers*”. Paragraph L2(1)(d)(ii) requires that proposals “*maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space*”.

Amenity and Privacy of Existing and Future Occupiers

3.68 Concerns have been received from members of the public that the proposed development would have a potential to impact the amenities of existing occupiers.

3.69 With respect to the amenity and privacy of existing neighbouring occupiers, including residents within Phase 1a, existing occupiers beyond Elwick Road to the north, and future occupiers of adjoining phases of the wider development, it is considered that the proposed layout broadly accords with the development framework established through outline planning permission H/2014/0428 and the associated masterplan. Whilst the application is reliant upon the approval of application H/2026/0134, the proposed development would maintain satisfactory relationships with existing and planned development in the surrounding area.

3.70 The most notable change is that the area of the phases (Phases 1b and 2a) of the development proposed through this application is for the development of 116 dwellings in an area formerly depicting 55 self build properties.

Impact on properties within Phase 1a (Chasewater Way), to the east

3.71 The proposed area of Phases 1b and 2a is concentrated within the northern extent of the overall site, adjacent to the west of Phase 1a (which is currently under construction albeit some of the dwellings are built and occupied), with a narrow landscaping strip between these developments. The proposed layout is such that properties fronting Elwick Road to the north and properties along Chasewater Way would form a contiguous street with the existing properties on this street (which are part of Phase 1a).

3.72 The closest of these properties would be No. 15 Chasewater Way, which would have a side to side relationship with proposed plot 53, and a separation distance of approximately 5.3m remaining between the western side of No. 15 Chasewater Way and the double garage serving proposed plot 53 of the proposed development. Side to side separation distances of approximately 10.5m between No. 2 Chasewater Way and proposed plot 9 would be approximately 10.5m, and separation distances between No. 14 Chasewater Way and proposed plot 1 would be approximately 14.7m.

3.73 A separation distance of approximately 13.7m would remain between the rear of proposed plot 76 of the proposed development and the side elevation of proposed plot 49 of the approved development within Phase 1a. Separation distances of a minimum of 28m would be achieved in the rear to rear relationships between proposed plots 77-82 (inclusive) and neighbouring plots within Phase 1a to

the east. A separation distance of approximately 16.8m would remain between the gable side elevation of plot 84 and the rear of plot 55 within Phase 1a (east).

Impact on properties to the north within Quarry Farm and Quarry Cottages, Quarry Farm Phases 1 and 3.

3.74 A strip of landscaping along the northern boundary of the site, abutting Elwick Road, provides a further buffer between the site and the nearest residential properties at Quarry Farm and Quarry Cottages (1 and 2) located to the north west of the current application site. A satisfactory separation distance of approximately 60m would remain between proposed plots 29-35 (inclusive) in the north west corner of the application site and the nearest identified properties on the opposite side of Elwick Road to the north.

3.75 The nearest residential areas to the north east are those on Woodhouse Lane and Fontburn Close (known as 'Elwick Grove'/Quarry Farm Phase 1) whilst the land immediate to the north relates to a parcel of land known as Quarry Farm Phase 3 (as set out in the Background section, this has a 'minded to approve' recommendation for an application for up to 475 dwellings).

3.76 In view of the above, a minimum satisfactory separation distance of approximately 60m would be maintained between the front elevations of the closest of the proposed dwellings to the north of the site (proposed plot 9) and the rear and side elevations of existing dwellings on the opposite side of Elwick Road at Fontburn Close and Woodhouse Lane. Whilst specific details of any future development on land to the north are not currently before the Local Planning Authority (given the minded to approve status of the outline application), the proposed development would maintain substantial separation distances from existing residential development on the opposite side of Elwick Road.

Impact on future phases of the development to the south and west

3.77 To the south, the adopted High Tunstall Masterplan (2018) indicates that future phases of the development will include a school site and further residential area on the opposite side of the proposed SUDS pond / open space. There are currently no reserved matters details for any future phases to the south of the current application site, however given the size and location of the proposed SUDS pond, it is evident from the proposed layout plans and Masterplan documents that adequate separation distances of approximately 70-100m can be maintained to neighbouring development to the south.

3.78 To the west, as above, the proposed Masterplan under consideration of the S73 application to amend the outline planning permission H/2014/0428 (H/2026/0134), with which this application is predicated upon, indicates that phases 2b and 3, both comprising further residential development, would abut the application site. Although no reserved matters details are available for these adjacent phases at this time, it is clear from the proposed layout plans that those dwellings with principal (front and rear) elevations abutting the western boundaries of the site are set back sufficiently from the site boundary with substantial landscaping

in place. This would ensure a reasonable distance can be maintained between the proposed dwellings and any future development to the west of the site.

3.79 The above separation distances in all instances to both existing and potentially future surrounding neighbouring properties would meet or exceed the minimum separation distance requirements set out in the Hartlepool Local Plan (2018) and Residential Design Code SPD (2026), and it is therefore considered that the proposal would not result in a significant adverse impact on the amenity and privacy of existing and future neighbouring land users to the north, east, south and west of the proposed development.

Impact on amenity and privacy of future occupants of the proposed Phase 1b and 2a (internal relationships)

3.80 The application is supported by a Separation Distances Plan which demonstrates that the proposed development achieves the principal to principal separation distances of 20m, and principal to gable separation distances of 10m, as required by Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Code SPD (2026).

3.81 In some instances, the proposed development features corner-turner housetypes, namely Bamburgh and Seacombe, which feature habitable room windows in one or both gable side/secondary elevations. A number of these relationships are typically oblique in nature or the two dwellings are separated by an intervening estate road (as opposed to being over a shared, private space such as a rear garden). In such instances, the separation distances achieve or exceed the minimum 10m principal-to-gable standard and are therefore considered acceptable in the context of the overall layout and design of the development.

3.82 Other relationships include side elevations facing private rear gardens of other plots. In instances where such side elevations feature a bathroom or en-suite at first floor level (and face private rear gardens), it is considered prudent to ensure that these windows are treated with obscure glazing (and be of limited opening), and a planning condition is recommended to safeguard the privacy of the identified and affected plots as set out in the recommended planning condition (no 2).

Construction related impacts

3.83 Concerns have been raised by objectors that the proposals will result in undue noise, traffic, dust and dirt during construction. Suggestions have been put forward by an objector that construction access should be taken directly from Elwick Road rather than via Chasewater Way.

3.84 The Council's Public Protection section have been consulted on the application and have not provided any comments or objections to the application, albeit it is noted that the outline planning permission (H/2014/0428) is subject to a number of planning conditions including construction hours restrictions and the requirement for a construction management plan. These matters are controlled by the relevant planning conditions which are proposed to be retained under the associated S73 application H/2026/0134, and which this phase of the development

would remain subject to, if approved. Accordingly, no additional conditions are considered necessary in respect of construction impacts.

Amenity Conclusion

3.85 In view of the above, the proposed development would maintain satisfactory levels of privacy and amenity for existing and future occupiers. The proposal would achieve the minimum separation standards required by Policy QP4 and the Residential Design Code SPD, subject to the recommended condition requiring the identified first floor windows to be obscure glazed. Construction impacts would remain controlled through conditions attached to the outline planning permission. Accordingly, the application is considered acceptable in respect of residential amenity and accords with Policy QP4 of the Hartlepool Local Plan (2018) and the relevant provisions of the NPPF (2026).

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

3.86 Policy QP4 (Layout and Design of Development) of the Local Plan 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.

3.87 Policy DP3(1) (Key principles for well-designed places) of the NPPF (2026) stipulates that *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets”*.

3.88 As noted above, the application site is understood to lie beyond the boundary of the Rural Neighbourhood Plan area, however it is of note that HRNP Policy H5 (New Housing Development on the Edge of Hartlepool) seeks to ensure that development, where appropriate, should be designed to include landscaped open spaces, and place great emphasis on the design, layout as well as other considerations.

3.89 The application site currently forms a wider housing development site (as allocated through HSG5 of the Hartlepool Local Plan, 2018) of former agricultural land that is situated on the urban/rural fringe of the main area of Hartlepool, with the application site immediately adjacent to the earlier extant planning approval for Phase 1a (H/2023/0096), which is currently being constructed to the east of the application site.

3.90 It is acknowledged that objections have been received in respect of the loss of agricultural land and open countryside, urban sprawl between Hartlepool and Elwick, erosion of the rural character of the area, loss of the existing cul-de-sac character and the preference for brownfield development. However, the principle of

residential development on the site was established through its allocation under Policy HSG5 and the grant of outline planning permission H/2014/0428. The remaining consideration is therefore whether the detailed layout, scale and appearance of the proposal would result in unacceptable visual impacts.

Character and Appearance of the Surrounding Area

3.91 Concerns have been raised by neighbouring objectors with respect to the impacts of the proposal on the rural landscape setting, including concerns that the proposals constitute overdevelopment of the site.

3.92 The application site is currently agricultural land and is situated on the urban/rural fringe of the main urban area of Hartlepool, with the site adjacent to existing residential development beyond Elwick Road to the north and directly adjoining the site to the east, together with further residential development to the south east.

3.93 The immediate area is characterised by relatively contemporary suburban housing developments, with the housing site to the north east ('Quarry Farm phase 1' / 'Elwick Grove') having been completed in recent years by Bellway Homes. Further to the north-east of the site lies a large late 20th century (c. 1980s) housing development ('Naisberry Park'), and to the east a more recent (c. 2000) housing development ('Elwick Rise'). South-east of the site is a recently completed residential development of 39 dwellings ('Coniscliffe Rise') and beyond this the West Park area of the town, comprising a large number of executive size homes. These neighbouring areas comprise predominantly of detached and semi-detached dwellings of varying sizes and designs, largely arranged in cul-de-sacs branching out from a main estate road and are mainly 'open plan' in character. As above, to the south and west of the site is currently agricultural land reserved for future phases of the wider High Tunstall development.

3.94 Building materials locally are mixed although predominantly brick in various shades of red, brown and buff, with secondary elements of render appearing throughout. The urban area adjacent therefore does not have a uniform or unambiguous character, although it is undeniably suburban in nature, and is perforated by pockets of incidental open space, landscaping and footpaths.

3.95 Further to the west/south-west of the site (approx. 2km) lies the village of Elwick. The village comprises a mix of 18th, 19th and 20th century dwellings, branching out from a village green, with those older properties in the centre and southern parts of the village sitting within the Elwick Conservation Area. The earliest dwellings in the village are single and two storey, mostly constructed in rubble or stone, often white washed or rendered subsequently. Later 19th Century terraced dwellings in Elwick are constructed in brick (with contrasting brick detail) with roofs of welsh slate.

3.96 It is acknowledged that concerns have been received from objectors that the proposals constitute overdevelopment of the site.

3.97 It is inevitable that the introduction of an urban extension to the west of Hartlepool will change the character of the area somewhat, however given that the site is currently bounded by existing residential areas to the north and east (and will eventually be surrounded on all sides by residential development), and landscaped buffers to the north, south and east are to be maintained, in this context it is considered that the development would represent a logical extension of the urban area and that a residential development on this site would not necessarily appear unduly incongruous.

3.98 It is also noted that the amount of built development proposed for the site is in general conformity with the requirements of policy HSG5 (High Tunstall Strategic Housing Site) of the Hartlepool Local Plan (2018), the indicative details agreed by virtue of outline planning permission H/2014/0428 and the adopted High Tunstall Masterplan (2018). To this effect, the change in character of the land from agricultural land to residential development is anticipated and has been accepted.

3.99 That being said, whilst it is considered that a residential development could be accommodated on this site without significant detrimental impacts on the visual amenity of the site or the character and appearance of the surrounding area, the current application is to consider, amongst other reserved matters, the appearance, scale and layout of this particular proposal, which is set out in detail below.

Scale and Appearance of the Development

3.100 Whilst it is acknowledged that the proposed layout increases the number of dwellings within this parcel when compared to earlier iterations of the masterplan, the resulting density of approximately 23.23 dwellings per hectare broadly reflects the density envisaged by Policy H5 of the HRNP and the wider High Tunstall Masterplan and would therefore not be considered 'overdevelopment'. The proposal continues to provide the required areas of open space, landscaping and green infrastructure in accordance with the approved masterplan framework and associated planning obligations. Furthermore, whilst the land was previously identified for self-build plots, these have not been lost from the wider development and are instead proposed to be relocated elsewhere within the High Tunstall scheme. It is considered that the revised layout would not prejudice the overall objectives of the allocation.

3.101 With respect to the scale of the proposed dwellings, the house types include a range of 4 and 5 bedroom detached properties, all of which are 2 storey in height. The proposal includes a number of corner turner properties (in two different house types) that front onto open spaces and provides focal buildings.

3.102 The proposed dwellings are largely traditional in form and appearance, featuring a mixture of red and buff brick, buff stone and white render facades with contrasting feature brickwork. The house types feature predominantly dual pitched roof forms with side facing gables, albeit front facing gable features are a characteristic of the development, and two of the houstypes are corner turner properties, which feature windows on the side as well as their front and rear elevations. Other design elements such as canopies and decorative stones/brickwork are also used throughout the site.

3.103 Whilst it is considered that the proposed house types do not generally draw upon local vernacular to any large extent, particularly as they appear to be standard house types of the developer, it is noted that the immediate adjacent built up area is suburban in nature and does not have a strong local character. Furthermore, given the variety of the proposed housetypes, elements of the scheme inevitably reflect some of the characteristics of adjacent areas, such as the use of contemporary forms and brick finishes of the adjacent residential areas.

3.104 Ultimately, following the amendments sought by the case officer following discussions with the Council's Land Use Policy team, the proposed house types are considered to incorporate a number of positive design features and would provide sufficient variety and visual interest throughout the development, and it is considered that the appearance and scale of the dwellings is not significantly out of keeping with those of the adjacent recent developments.

3.105 It is therefore considered that the development falls comfortably within the parameters established by the outline planning permission H/2014/0428, as proposed to be amended by S73 H/2026/0134, which is pending consideration.

Layout and Appearance of the Development

3.106 The scheme comprises a number of cul-de-sacs branching out from Phase 1a of the development and the main internal access road leading from Elwick Road at the north of the site, through to the southern end of the site, where it meets the proposed SUDS pond. The development is 'open plan' in character, with each dwelling featuring an unenclosed area of private amenity space and/or driveway to the front. There is an amount of green open space provided on site, primarily comprising a landscaped buffer and frontage onto the adopted highway on Elwick Road (to the north), landscaping between the site and Phase 1a of the development to the east, a green corridor to the western boundary and an area of open space and footpath to the southern boundary (which continues into Phase 1a of the development, east).

3.107 Some minor issues with respect to separation distances and relationships between dwellings in some places, particularly with properties to the southern boundary of the site which would back onto the proposed footpath, and in respect of a proliferation of car parking/hardstanding to the front of properties, all of which could ultimately impact on the visual amenity of the development, were highlighted to the applicant through the application process and the applicant has addressed these through minor tweaks to the layout.

3.108 It is noted final details/samples of finishing materials and hard standing will be secured by virtue of condition 33 of the outline planning permission (as proposed to be varied through H/2026/0134, albeit the S73 application recommends the condition is included).

3.109 It is ultimately considered that the sequence of open spaces to the northern boundary, southern boundary, western boundary, south east corner and the small area within the centre of the site, the arrangement of plots to ensure the dwellings

face onto these public spaces where appropriate, the variety of carefully located house types and the materials palette would be acceptable when considering the character and appearance of the wider application site, including the adjacent Phase 1a of the development site, and adjacent residential estates.

3.110 The proposed house types for Phases 1b and 2a are two storey in scale and are of a similar form and appearance to those approved through H/2023/0096 for Phase 1a. The proposed layout is broadly similar to that previously approved in terms of the main highway retaining the position of the previously approved masterplan, albeit the overall density of plots is increased to accommodate 116 dwellings within an area formerly depicting 55 self builds, (whilst the 55 self builds are now proposed to be built in a later Phase 5b.

3.111 Given that the northern boundary would retain the proposed landscaping strips (as considered through the outline application H/2014/0428 as proposed to be amended through the S73 application H/2026/0134), it is therefore considered that the proposed amendments to the layout would not result in a significant impact on the character and appearance of the development proposed or the wider area.

Conclusion

3.112 In view of the above, the proposed development is considered to represent an appropriate form of residential development within the wider High Tunstall Strategic Housing Site. The proposed layout, scale, appearance and overall design approach would integrate satisfactorily with existing and planned phases of development and would not result in unacceptable harm to the visual amenity of the site or the character and appearance of the surrounding area. Accordingly, the application is considered to accord with Policies HSG5 and QP4 of the Hartlepool Local Plan (2018), and Policy DP3 of the NPPF (2026).

LANDSCAPING (AND TREE PROTECTION)

3.113 Objections have been received from neighbours citing concerns that the proposal will have a detrimental impact on the landscape and will result in the loss of green areas. Concerns have also been raised by objectors that the proposals result in the loss of greenfield land.

3.114 The application site is allocated for housing under Policy HSG5 of the Hartlepool Local Plan (2018) and benefits from an outline planning permission H/2014/0428, as proposed to be amended through S73 application H/2026/0134. Policy HSG5 (High Tunstall Strategic Housing Site) of the Local Plan relates to the wider outline site and stipulates that approximately 12.00ha of multifunctional green infrastructure shall be provided, including the required level of Suitable Accessible Natural Green Space (SANGS). The policy also requires a landscape buffer to be created between the site and Elwick Road.

3.115 The application is accompanied by detailed landscaping proposals, as well as an Arboricultural Impact Assessment and Arboricultural Method Statement. The submitted plans show pockets of open space to the southern boundary, running

along an existing public right of way, and to the north and west of the site, providing a landscaped buffer and frontage onto the adopted highway on Elwick Road and to future phases of the development to the west, respectively, as well as a narrow landscaping strip between the development and Phase 1a of the site to the east.

3.116 The Council's Landscape Architect has been consulted and has confirmed that they are satisfied with the submitted landscaping details. The Council's Arboricultural Officer has raised no objection to the proposals subject to the development being undertaken in accordance with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement. They have commented that a maintenance and management plan should be secured by planning condition. Details of proposed soft landscaping works would be secured by virtue of the required partial discharge of condition 19 of outline planning permission H/2014/0428 (as proposed to be amended through pending application H/2026/0134) for this phase. In respect of landscape maintenance, it is noted that condition 20 of the outline planning permission requires that any trees, plants or shrubs which die are removed or become seriously damaged or diseased within 5 years of completion of the phase must be replaced, as is standard whilst the agreed tree protection measures would also be secured by virtue of condition 21 of outline planning permission H/2014/0428 (both conditions are proposed to be secured through pending application H/2026/0134) for this phase.

3.117 In respect of landscape maintenance and management responsibilities, the signed Section 106 legal agreement associated with the outline planning permission contains a planning obligation that requires a 'Phase Landscaping and Open Space Management Plan' and 'Phase Conservation and Habitat Management Plan' to be submitted and agreed with the Local Planning Authority for each phase of development. In view of the existing obligations secured through the Section 106 Agreement and outline planning permission, it is not considered necessary or reasonable to impose any additional landscaping management condition on this reserved matters approval.

3.118 The Council's Land Use Policy section has also advised that the proposed landscaping helps to achieve the aspirations relating to sufficient green spaces set out the approved High Tunstall Masterplan (2018).

3.119 In view of the above, the proposals are considered to be acceptable with respect to matters of landscaping and tree protection and in accordance with Policies HSG5 and NE3 of the Hartlepool Local Plan (2018), the Residential Design Code SPD (2026) and the relevant provisions of the NPPF (2026).

ECOLOGY AND NATURE CONSERVATION

3.120 Concerns have been raised by objectors with respect to the impact of the proposals on local wildlife and ecology.

3.121 The ecological impacts of the wider development were comprehensively considered at the outline planning application stage. The signed Section 106 legal agreement also secures £250 per dwelling to mitigate the ecological effects of the recreational disturbance (from future occupants) on The Teesmouth and Cleveland

Coast SPA/Ramsar sites, in accordance with the Hartlepool Local Plan Mitigation Strategy and Delivery Plan. In addition, 15ha of SANGS is required to be provided as part of the Conservation and Habitat Management Measures. The legal agreement also requires a Phase Landscaping and Open Space Management Plan and Phase Conservation and Habitat Management Plan to be submitted and agreed with the Local Planning Authority prior to occupation of any unit.

3.122 In addition to the above, bat and bird mitigation features are required to be provided by virtue of conditions 25 and 26 of the outline planning permission, respectively. Condition 28 requires details of hedgehog access holes within dividing garden fences. Tree protection measures and ecological buffers will be secured by virtue of conditions 21 and 24 of the outline planning permission, respectively. Condition 27 of the outline planning permission protects against clearance of vegetation during the bird breeding season, unless agreed by the Local Planning Authority. The associated Section 73 application H/2026/0134 proposes to retain these ecological mitigation requirements through the conditions attached to any amended planning permission.

3.123 The application is also accompanied by an Arboricultural Impact Assessment and Arboricultural Method Statement, and a plan demonstrating bat, bird and hedgehog mitigation measures, as required through the planning conditions of the outline planning permission.

3.124 This amended masterplan through the S73 application H/2026/0134 (which is pending consideration at the time of writing) continues to include the provision of a large stretch of SANGS along the eastern boundary of the site.

3.125 The Council's Ecologist has been consulted on the proposals and has raised no objections (or comments). Natural England has also been consulted and have confirmed that it has no substantive comments to make on this reserved matters application.

Nutrient Neutrality

3.126 Whilst the outline planning permission (H/2014/0428) was granted prior to the introduction of nutrient neutrality requirements and associated Natural England guidance, the associated S73 application (H/2026/0134, which is pending consideration) has necessitated further consideration of nutrient neutrality matters (in accordance with the requirements of an application above EIA thresholds). In support of application H/2026/0134, the applicant has submitted a Nutrient Neutrality Budget Calculation (NNBC) and supporting Nutrient Neutrality Statement.

3.127 These documents have been reviewed by the Council's Ecologist, who has undertaken a Habitats Regulations Assessment (HRA) and Appropriate Assessment (AA) of the proposals. The HRA concludes that the development would not adversely affect the integrity of any designated European site, either alone or in combination with other plans or projects. The matter of nutrient neutrality falls to be considered through the associated Section 73 application H/2026/0134. Subject to the conclusions reached on that application, officers are satisfied that the requirements of the Habitats Regulations have been appropriately addressed.

3.128 In view of the above, and having regard to the ecological mitigation secured through the Section 106 Agreement, the conditions attached to the outline planning permission and the absence of any objection from the Council's Ecologist or Natural England, the proposal is considered acceptable in respect of ecology and nature conservation and accords with Policies HSG5, NE1 and NE2 of the Hartlepool Local Plan (2018) and the relevant provisions of the NPPF (2026).

HERITAGE ASSETS AND ARCHAEOLOGY

3.129 The application site is not within a conservation area and is not in proximity to any known heritage assets. The Council's Head of Heritage and Open Spaces and Tees Archaeology have been consulted on the application. No objections have been received from either.

3.130 It is noted that condition 16 of the outline planning permission H/2014/0428 requires a programme of archaeological works for each phase to be submitted to and agreed by the Local Planning Authority prior to commencement of development on that phase which would continue to apply to this reserved matters phase. This requirement would continue to apply to the development and is proposed to be retained through the associated Section 73 application H/2026/0134.

3.131 In view of the above, the proposals are considered to be acceptable in this respect.

FOOTPATHS AND PUBLIC RIGHTS OF WAY

3.132 The approved Phasing Plan (application D/2019/0068) requires public rights of way within the site to be retained, enhanced and incorporated into the wider green infrastructure framework, unless any diversion is secured through the appropriate legal processes. As set out elsewhere within this report, a revised Phasing Plan is proposed through the associated Section 73 application H/2026/0134.

3.133 Accordingly, the submitted plans demonstrate that the proposals include the retention of public footpath no.7, which runs from east to west across the site, from the adjacent farm at High Tunstall and through the centre of Phase 1a. This route will be enhanced through the site as a 2m wide tarmac footpath with dropped kerbs at highway crossing points and will run alongside the proposed area of open space within the centre of the site before exiting to the west of the site (into future Phase 3).

3.134 The Council's Countryside Access Officer has reviewed the submitted proposals and has not offered any objections or comments.

3.135 In view of the above, the proposals are considered to be acceptable with respect to the impact on public rights of way and in accordance with the relevant policies of the Hartlepool Local Plan (2018) and the provisions of the NPPF (2026).

LAND CONTAMINATION

3.136 The Council's Engineering consultancy have confirmed that they have no objections to the application in respect of contaminated land. The Environment

Agency has also advised that they do not have any comments to make on the application.

3.137 It is noted that condition 15 of the outline planning permission H/2014/0428 requires a scheme to deal with any risks associated with contamination of the site to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. This requirement is proposed to be retained through the associated Section 73 application H/2026/0134. In view of the above, the proposals are considered to be acceptable in this respect.

FLOOD RISK & DRAINAGE

3.138 Concerns have been raised in respect of the impact of the proposals on existing foul drainage infrastructure.

3.139 The application site sits within Flood Zone 1 (low probability of flooding), with a very low risk of flooding from rivers, and a limited risk of flooding from surface water.

3.140 Final details of surface water drainage measures are required to be provided and agreed prior to commencement of development by virtue of condition 18 of the outline planning permission. The long term maintenance and management of the SUDS is secured by virtue of the Section 106 legal agreement associated with the outline planning permission.

3.141 Notwithstanding the above, the Council's Engineering Consultancy have been consulted and have confirmed that they have no objections with respect to surface water management.

3.142 Northumbrian Water has also been consulted and have confirmed that they have no objections to the application but have requested a planning condition in respect to foul water. These drainage requirements are proposed to be retained through the associated Section 73 application H/2026/0134. As such, it is not considered necessary to include a planning condition on this reserved matters application in this respect.

3.143 The Environment Agency has confirmed they have no comments to make on the application.

3.144 In view of the above, the proposals are considered to be acceptable with respect to the impact on flood risk and drainage and in accordance with the relevant policies of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2026).

OTHER PLANNING MATTERS

Housing Mix

3.145 Policy HSG2 (Overall Housing Mix) sets out that new housing contributes to achieving an overall balanced housing stock that meets local needs and aspirations, as such the High Tunstall site is required to deliver a full range of house types.

3.146 This application for Phases 1b and 2a of the development does not include any affordable housing provision or bungalows, and proposes only larger (4 and 5 bedroomed) detached homes. Whilst the housing mix is considered to fall short of a full range of house types, it is acknowledged that these phases of the development constitute only a part of a larger allocation for housing development (of the 1,200 dwellings approved through outline planning permission H/2014/0428), and therefore a wider range of house types could be delivered elsewhere in future phases.

3.147 Whilst the housing mix within this phase alone would not satisfy the objectives of Policy HSG2, the policy must be considered in the context of the wider 1,200 dwelling allocation and the reserved matters application is not considered, in itself, to prejudice delivery of a policy-compliant mix across the strategic allocation as a whole. Although it would have been preferred for the housing mix to be distributed throughout the site rather than specific types being brought forward in particular areas only, the proposal is considered acceptable in this instance. The Council's Land Use Policy team support this view.

Waste Management

3.148 No comments or concerns have been received from the Council's Waste Management section. A waste audit for the phase is required to be submitted and approved prior to commencement by virtue of condition 34 of the outline planning permission. Final details of waste storage will be secured by virtue of planning condition 35 of the outline planning permission. Both of these planning conditions are retained through the associated S73 application H/2026/0134.

3.149 In view of this, the proposals are considered to be acceptable in this respect.

Safety and Security

3.150 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder.

3.151 No comments or concerns have been received from the Council's Community Safety and Engagement team. Cleveland Police have provided comments in respect to Secured By Design principles, including with respect to the proposed boundary treatments, and the physical security of windows and doors etc, which can be relayed to the applicant via an informative, which is recommended accordingly.

3.152 In view of the above, the proposals are considered to be acceptable in this respect.

Health and Safety

3.153 A Northern Gas Networks Gas Pipeline runs through the eastern side of the site and thereafter along the northern boundary adjacent to Elwick Road. In both instances the layout has been designed to avoid development within the relevant easement and consultation distances associated with the pipeline, with landscaping used to create an appropriate buffer. The case officer has run the proposals through the Health and Safety Executive's (HSE) web app, which has concluded that HSE does not advise, on safety grounds, against the granting of planning permission.

3.154 HSE have highlighted however that Northern Gas Networks should be consulted. Northern Gas Networks has been consulted and have provided no comments or objections, albeit it is noted that during consultation on the associated S73 application H/2026/0134, Northern Gas Networks confirmed that they have no objection to the application.

3.155 In addition to the above, no objections have been received from the National Grid or Northern Powergrid, although both have provided advice regarding their assets, which can be relayed to the applicant via an informative, which is recommended accordingly.

3.156 In view of the above, the proposals are considered to be acceptable in this respect.

RESIDUAL MATTERS

Fire Safety and Access

3.157 Cleveland Fire Brigade has commented that access and water supplies must comply with the relevant section of the Building Regulations. Similarly, the 'shared driveways' and 'emergency turning head' areas should meet the minimum carrying capacity requirements of the relevant section of Building Regulations.

3.158 A suitable informative note is recommended to be appended to any decision notice to notify the applicant of this advice, however these matters would ultimately be considered through the Building Regulations approval process.

Objections

3.159 Additional concerns have been raised by a number of objectors that are either not material to the determination of this reserved matters application, or relate to issues that were considered through the determination of outline planning permission H/2014/0428 and therefore fall outside the scope of the current application:

- Loss of agricultural land and open countryside;
- Urban sprawl between Hartlepool and Elwick;
- Erosion of the rural character of the area;
- Preference for redevelopment of brownfield sites instead of greenfield land;
- Infrastructure (including school places, GP and NHS services, drainage and sewerage systems);
- The development should have its own direct access from Elwick Road;

- There is insufficient evidence of housing need and Hartlepool is experiencing excessive housing growth;
- Reduction in house values.

CONCLUSION

3.160 Having regard to the scope of the reserved matters under consideration, the relevant planning policies, consultation responses and all representations received, the proposed development is considered to provide an acceptable form of residential development that accords with the approved strategic framework for the High Tunstall Strategic Housing Site. The proposal is considered acceptable in respect of highway and pedestrian safety, residential amenity, design, layout, landscaping, ecology and all other material planning considerations. Accordingly, the application is considered to accord with the relevant policies of the Hartlepool Local Plan (2018), the High Tunstall Masterplan (2018) and the relevant provisions of the NPPF (2026), and is therefore recommended for approval subject to the conditions set out below.

EQUALITY DUTY

3.161 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

3.162 In this instance, there are no Section 17 implications.

REASON FOR DECISION

3.163 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.

3.164 Notwithstanding the above, should Members be minded to approve the application, the decision notice shall not be issued unless and until planning permission H/2026/0134 has been granted and any required Deed of Variation associated with that permission has been completed.

3.165 Members are advised that the proposed reserved matters do not accord with the currently approved masterplan and phasing strategy secured under planning permission H/2014/0428 (and associated application H/2019/0068). Accordingly, the development proposed through this application is dependent upon the approval of application H/2026/0134, which seeks amendments to the approved outline planning permission. In the absence of that permission, the reserved matters scheme could not be implemented in the form proposed.

1st RECOMMENDATION – if the resolution of the Planning Committee is to be minded to approve the associated application H/2026/0134, then Officer's recommendation is to **APPROVE**, subject to completion of any required Deed of Variation to the Section 106 legal agreement associated with outline planning permission H/2014/0428 (through H/2026/0134), subject to the consideration by officers of any outstanding representations received following the expiry of the consultation period (9th September 2026), and subject to the following planning conditions:

1. The development hereby approved shall be carried out in accordance with the following approved plan(s) and details:

Dwg. No. HRT-TUN-CC-006 Rev C (Separation Distance),
Document Ref ARB/AE/3862 (Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan, document dated May 2024 by Elliot Consultancy Ltd), received by the Local Planning Authority on 12th June 2026;

Dwg. No. HRT-TUN-CC-000 Rev D (Location Plan, at a scale of 1:1250),
Dwg. No. HRT-TUN-CC-001 Rev O (Planning Layout),
Dwg. No. HRT-TUN-CC-002 Rev F (Materials Layout),
Dwg. No. HRT-TUN-CC-003 Rev F (Boundary Treatment Layout),

Dwg. No. Bam_Ma_Det_R24g 602 Rev B02 (The Bamburgh Detached First Floor Ga Mep Plan),
Dwg. No. Bam_Ma_Det_R24g 601 Rev B02 (The Bamburgh Detached Ground Floor Ga Mep Plan),
Dwg. No. Bam_Ma_Det_R24g 501 Rev -02 (The Bamburgh Detached Sections A-A),
Dwg. No. Bam_Ma_Det_R24g 502 Rev -02 (The Bamburgh Detached Sections B-B),
Dwg. No. Bam_Ma_Det_R24g 410 Rev A02 (The Bamburgh Detached Elevations – Village),

Dwg. No. BaR_Ma_Det_R24g 602 Rev B03 (The Barmouth Detached First Floor Ga Mep Plan),
Dwg. No. BaR_Ma_Det_R24g 601 Rev B03 (The Barmouth Detached Ground Floor Ga Mep Plan),
Dwg. No. BaR_Ma_Det_R24g 501 Rev A03 (The Barmouth Detached Sections A-A),
Dwg. No. BaR_Ma_Det_R24g 410 Rev A03 (The Barmouth Detached Elevations – Village),

Dwg. No. BrH_Ma_Det_R24g 602 Rev C03 (The Broadhaven Detached First Floor Ga Mep Plan),
Dwg. No. BrH_Ma_Det_R24g 601 Rev B03 (The Broadhaven Detached Ground Floor Ga Mep Plan),
Dwg. No. BrH_Ma_Det_R24g 501 Rev A03 (The Broadhaven Detached Sections A-A),

Dwg. No. BrH_Ma_Det_R24g 502 Rev A03 (The Broadhaven Detached Sections B-B),
Dwg. No. BrH_Ma_Det_R24g 410 Rev B03 (The Broadhaven Detached Elevations – Village),

Dwg. No. HeY_Ma_Det_R24g 602 Rev A02 (The Heysham Detached First Floor Ga Mep Plan),
Dwg. No. HeY_Ma_Det_R24g 601 Rev B02 (The Heysham Detached Ground Floor Ga Mep Plan),
Dwg. No. HeY_Ma_Det_R24g 501 Rev -02 (The Heysham Detached Sections A-A),
Dwg. No. HeY_Ma_Det_R24g 502 Rev -02 (The Heysham Detached Sections B-B),
Dwg. No. HeY_Ma_Det_R24g 410 Rev A02 (The Heysham Detached Elevations – Village),

Dwg. No. HoC_Ma_Det_R24g 602 Rev A02 (The Hollicombe Detached First Floor Ga Mep Plan),
Dwg. No. HoC_Ma_Det_R24g 601 Rev B02 (The Hollicombe Detached Ground Floor Ga Mep Plan),
Dwg. No. HoC_Ma_Det_R24g 501 Rev -02 (The Hollicombe Detached Sections A-A and Sections B-B),
Dwg. No. HoC_Ma_Det_R24g 410 Rev B02 (The Hollicombe Detached Elevations – Village)

Dwg. No. LaN_Ma_Det_R24g 602 Rev A03 (The Lancombe Detached First Floor Ga Mep Plan),
Dwg. No. LaN_Ma_Det_R24g 601 Rev B03 (The Lancombe Detached Ground Floor Ga Mep Plan),
Dwg. No. LaN_Ma_Det_R24g 501 Rev -03 (The Lancombe Detached Sections A-A),
Dwg. No. LaN_Ma_Det_R24g 502 Rev -03 (The Lancombe Detached Sections B-B),
Dwg. No. LaN_Ma_Det_R24g 410 Rev B03 (The Lancombe Detached Elevations – Village),

Dwg. No. SnW_Ma_Det_R24g 602 Rev A03 (The Sandwood Detached First Floor Ga Mep Plan),
Dwg. No. SnW_Ma_Det_R24g 601 Rev B03 (The Sandwood Detached Ground Floor Ga Mep Plan),
Dwg. No. SnW_Ma_Det_R24g 501 Rev A03 (The Sandwood Detached Sections A-A),
Dwg. No. SnW_Ma_Det_R24g 502 Rev -03 (The Sandwood Detached Sections B-B),
Dwg. No. SnW_Ma_Det_R24g 410 Rev B03 (The Sandwood Detached Elevations – Village),

Dwg. No. SeA_Ma_Det_R24g 602 Rev B03 (The Seacombe Detached First Floor Ga Mep Plan),

Dwg. No. SeA_Ma_Det_R24g 601 Rev B03 (The Seacombe Detached Ground Floor Ga Mep Plan),
 Dwg. No. SeA_Ma_Det_R24g 501 Rev A03 (The Seacombe Detached Sections A-A),
 Dwg. No. SeA_Ma_Det_R24g 410 Rev A03 (The Seacombe Detached Elevations – Village),

Dwg. No. Ga1.1_MA_R21 104 Rev B (Single Garage Elevation - Front Gable),
 Dwg. No. Ga1.1_MA_R21 103 Rev A (Single Garage Elevation - Side Gable),
 Dwg. No. Ga1.1_MA_R21 102 Rev A (Single Garage Floor Plan),

Dwg. No. Ga2.1_MA_R21 104 Rev B (Double Garage Elevation - Side Gable),
 Dwg. No. Ga2.1_MA_R21 103 Rev A (Double Garage Elevation - Side Gable),
 Dwg. No. Ga2.1_MA_R21 102 Rev A (Double Garage Floor Plan),

Dwg. No. Ga2.2_MA_R21 104 Rev A (Twin Garage Elevation - Side Gable),
 Dwg. No. Ga2.2_MA_R21 103 Rev A (Twin Garage Elevation - Side Gable),
 Dwg. No. Ga2.2_MA_R21 102 Rev A (Twin Garage Floor Plan),

Dwg. No. R21-SSG-WD-02 Rev D (Sales Garage - Double with Store),

Dwg. No. 402086/8001 Rev B (Landscape Softworks Sheet 1 of 7),
 Dwg. No. 402086/8002 Rev B (Landscape Softworks Sheet 2 of 7),
 Dwg. No. 402086/8003 Rev B (Landscape Softworks Sheet 3 of 7),
 Dwg. No. 402086/8004 Rev B (Landscape Softworks Sheet 4 of 7),
 Dwg. No. 402086/8005 Rev C (Landscape Softworks Sheet 5 of 7),
 Dwg. No. 402086/8006 Rev C (Landscape Softworks Sheet 6 of 7),
 Dwg. No. 402086/8007 Rev B (Landscape Softworks Sheet 7 of 7 – Schedule and Specification),

received by the Local Planning Authority on 23rd July 2026.

To define planning permission and for the avoidance of doubt.

2. Notwithstanding the submitted information, the windows within the side elevations of the following respective plots, as identified on the submitted and approved plan on Dwg. No. HRT-TUN-CC-001 Rev O (Planning Layout, received by the Local Planning Authority on 23/07/2026), shall be obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale or equivalent and shall have a restricted opening (max. 30 degrees). The application of translucent film to the window would not satisfy the requirements of this condition;

Broadhaven (first floor bathroom and/or first floor en-suite) – plots 8 (north and south), 20 (south), 28 (north), 52 (south west and north east), 76 (north), 82 (south), 87 (east) and 93 (west);

Hollicombe (first floor bathroom and/or first floor en-suite) – plots 17 (north), 25 (south), 36 (north) and 38 (north);

Lancombe (first floor bathroom and/or first floor en-suite) - plot 50 (south);

Barmouth (first floor bathroom and/or first floor en-suite) - plots 102 (north) and 111 (north and south);

Sandwood (first floor bathroom and/or first floor en-suite) – plot 116 (south west).

The identified windows shall be installed prior to the occupation or completion (whichever is sooner) of each dwelling and the windows shall thereafter be retained in accordance with the obscure and restricted opening detail for the lifetime of the development.

In the interest of the privacy of neighbouring properties.

3.166 Members should note the second recommendation set out below which addresses the scenario where application H/2026/0134 (which forms part of the same committee agenda) is refused or deferred. In such circumstances, Officers consider that application H/2025/0346 should also be deferred given the inherent relationship between the two proposals and the fact that the reserved matters scheme cannot be implemented in its current form unless application H/2026/0134 is approved.

2nd RECOMMENDATION – if the resolution of the Planning Committee is to refuse or defer the associated application H/2026/0134, then Officer recommendation is to **DEFER** consideration of application H/2025/0346 to allow further consideration by Officers and the applicant, as necessary.

BACKGROUND PAPERS

3.167 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166796>

3.168 Copies of the applications are available on-line:

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

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Land South of Elwick Road High Tunstall



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THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

 Hartlepool Borough Council	DRAWN LH	DATE 18/08/2026
	Scale 1:5000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2025/0346	REV

No: 4.
Number: H/2026/0094
Applicant: MR STEVE COCKRILL ELIZABETH WAY
 HARTLEPOOL TS25 2AZ
Agent: ASP SERVICES LTD JONATHAN LOUGHREY OFFICE
 5 33 CHURCH STREET HARTLEPOOL TS24 7DG
Date valid: 20/05/2026
Development: Part retrospective application for the installation of 6no.
 temporary cabins to provide changing facilities, toilet
 accommodation, a food servery and turnstile access, the
 installation of 6 No. 15 metre high LED flood light columns
 and associated landscaping/ecological mitigation.
Location: SEATON CAREW FC HORNBY PARK ELIZABETH
 WAY 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 relevant to the current application;

H/FUL/0401/93 - Erection of a rear entrance porch and a first floor kitchen extension. Approved 27/10/1993.

H/FUL/0440/04 - Siting of storage container to house scrummage machine. Approved 16/09/2004

H/FUL/0559/04 -Renewal of planning permission for the retention of 3 storage containers. Approved 16/09/2004

HFUL/2003/0324 - Retention of 3 storage containers (retrospective application)
 H/2009/0371 - Alterations and erection of a single storey changing rooms extension. Approved 11/09/2009.

H/2012/0328 - Provision of 2.5 metre high and 6 metre high fencing to part of western and southern boundary. Approved 03/09/2012.

H/2012/0397 - Provision of 4 x 15m high flood lighting columns, spectator safety barriers and 2 team shelters. Withdrawn.

H/2013/0016 - Amendment to planning application H/2012/0328 for provision of 2.5 metre high and 6 metre high fencing to part of western and southern boundary to alter the type and construction of fencing (retrospective). Approved 06/08/2013
 H/2013/0017 - Installation of four 15m high floodlighting towers, 2m high fencing, landscaping and two pitch side shelters to senior football pitch (resubmitted application) Approved 25/03/2013

H/2019/0523 - Erection of a first floor extension over existing sports changing facilities, single storey extension at the front including alterations to windows and rendered finish, replacement of existing balcony with terrace and extension to existing car park and new pedestrian access. Approved 03/07/2020.

H/2022/0416 - Part-retrospective application for erection of a first floor extension over existing sports changing facilities, single storey extension at the front including alterations to windows and rendered finish, replacement of existing balcony with terrace and extension to existing car park and new pedestrian access and erection of a first floor front extension above existing single storey flat at the front of the main building and first floor side extension above existing single storey flat roof at side of main building. Approved 13/07/2023.

PROPOSAL

4.3 The application seeks part retrospective planning permission for the installation of 6no. pre-fabricated cabin buildings to provide changing facilities, toilet accommodation, a food servery and turnstile access and the installation of 6 No. 15 metre high LED flood light columns.

4.4 The proposed food hut and respective changing facilities (for home, away and officials) provide four identical modular units, each measuring approximately 9.8 metres in length, by a depth of approximately 3 metres, with an overall flat roof height of approximately 2.4 metres.

4.5 A dedicated modular toilet unit is also provided, measuring approximately 4.9 metres in length, by approximately 2.4 metres in depth. The proposed toilet facility features an approximately 1-metre-high void below to accommodate plumbing and has an overall flat roof height of approximately 3.6 metre. The toilet facility features a raised stepped access and platform to the front of the building. The stepped raised access measures approximately 1 metre in depth by the length of the building (approximately 4.8 metres) and is situated above the ground level by approximately 1 metre. All five of the abovementioned buildings are located at the southern end of the playing pitch, directly behind the goal.

4.6 A further modular unit measuring approximately 6 metres in length, by approximately 2.4 metres in width, with a flat roof height of approximately 2.4 metres is proposed to function as a turnstile and entrance control facility. This unit will be positioned adjacent to the primary access point to the football enclosure at the northern end of the pitch. All six buildings are finished in a corrugated metal, coloured dark green. At the time of the case officer's site visit, it was noted that the buildings were in situ and therefore form the part-retrospective element of the proposed works.

4.7 The proposed development would also include the provision of six external floodlighting columns that would be located at each corner of the first team pitch and either side of the halfway line. The columns would be approximately 15 metres in height with the mounted flood light atop.

4.8 The proposals would also include associated landscaping/ecological mitigation, with the planting of 20 urban trees, proposed to be located in the south west corner of the overall site for the sports club.

4.9 It is also noted that the proposed buildings and floodlight structures are described as temporary fixtures, with the applicant seeking a ten year permission. This is discussed in further detail within the main body of the report.

4.10 Through the course of the planning application, part of the proposals for a seated stand was removed from the description of the proposed development, owing to a number of concerns raised. A further plan of the catering cabin was received to accurately reflect a window and a door contained within the side (western) elevation, not previously illustrated. Whilst no additional consultation was given to the substitution of the plan, it is considered that given the intervening boundary treatments providing screening and the sizable separation distances involved, no resident is prejudiced as a result.

4.11 The application has been referred to Planning Committee having been called in by a local Ward Member, whilst the application has also received a number of objections (more than 3) that would trigger consideration by planning committee, in line with the Council's scheme of delegation.

SITE CONTEXT

4.12 The application site is an established sports and social club, which comprises a club house/sports pavilion in the northeast corner of the site, with car parking areas to the west, north and east of the main building. The sports complex has a number of sport pitches that are primarily used for football, rugby and cricket, which are located to the rear/south and west of the club buildings. The redline boundary application site relates to the area of and immediately surrounding the first team playing pitch and a rectangular area of proposed landscaping/biodiversity enhancement to the south-west of the sports complex.

4.13 The site sits adjacent to the A178 Tees Road (to the east), which is considered to be a gateway site into and out of Seaton Carew. The highway of Elizabeth Way is located immediately to the north of the site. Residential properties bound the sports complex to the south-west by properties located on De Havilland Way; to the west by properties located Hawker Close and The Ashes respectively and a retirement home is located to the north-west (Meadowfield Court). To the north, the site is bounded by the properties located on Elizabeth Way. To the east, beyond the Tees Road is a golf course with the beach beyond. This area to the east of Tees Road is also a designated European protected site as the Teesmouth and Cleveland Coast Special Protection Area (SPA) and the Teesmouth and Cleveland Coast Ramsar Site.

PUBLICITY

4.14 The application has been advertised by way of 97 neighbour notification letters and the erection of two site notices. Through the course of the application, an element of the proposed works was removed from the proposals and does not now form part of the consideration of the planning application. As a result, a further consultation period was engaged for a 21-day period (the consultation period expiring on 09/09/2026).

4.15 To date, there have been objections received from 9 residential properties (with more than one objection from the same address received in some instances) and 7 objections received from no known address.

4.16 The comments of concerns raised can be summarised as follows:

- Parking and traffic related concerns;
- Obstruction of footpath access concerns;
- Noise and disturbance related matters;
- Floodlights would be an eyesore and cause light pollution;
- Impact on Internationally designated ecological site;
- Impact on residential amenity of neighbouring properties;
- The retrospective nature of works and the impact on ecology;
- Air Quality;
- Increased Litter.

4.17 Two letters of support were also received.

4.18 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=168847>

3.171 The period for publicity expires on 9th September 2026. Any responses received before the committee date will be subject to the consideration by officers, and Members will be updated at the committee meeting. Any comments received after the committee meeting will subject to the consideration of officers. This is reflected in the officer recommendation.

CONSULTATIONS

4.19 The following consultation replies have been received:

Sport England: - We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 104, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document':

www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

all or any part of a playing field, or
land which has been used as a playing field land remains undeveloped, or
land allocated for use as a playing field
unless, in the judgement of Sport England the development as a whole meets with
one or more of five specific exceptions. The exceptions are provided in the Annex to
this response.

The proposal and impact on playing field.

The proposal is a part retrospective application for the installation of a prefabricated covered spectator seating stand, the installation of six temporary cabins to provide changing facilities, toilet accommodation, a food servery and turnstile access, the installation of six 15 metre high LED flood light columns and associated landscaping/ecological mitigation. An area of Biodiversity Net Gain is proposed along the southern boundary of the playing field.



The Views of the National Governing Bodies for Sport

As part of the assessment of this consultation, Sport England has sought the views of the following National Governing Bodies for Sport. These Governing Bodies act as Sport England's technical advisors in respect of their sport and their sport facilities. The comments of the Football Foundation (FF), who provide observations to Sport England on behalf of the Football Association (FA) have been summarised as:
Premier League Stadium Fund (PLSF) officer has been to the site to meet with the club twice now.

The retrospective parts of this application made this a compliant ground at Regional Feeder level, whilst the addition of floodlights will bring it to be a compliant ground at Grade 6.

This is now a fundamental need for the new season as the club has been successful in being granted promotion and entry into the National League System at Step 6 for 2026/27.

PLSF have received a pending application from the club for funding for the floodlighting (which should've achieved planning by 31st March per The Football Association) which is awaiting planning consent to be able to award for the works. This will be further delayed as there are issues with this application.

The aspects relating to floodlighting, food servery, turnstile access and prefabricated covered spectator seating stand are considered to be compliant to NLS Grade 6. There are issues with the application because the players changing and officials changing spaces are non-compliant. However, PLSF officer has been to, and seen facilities already constructed which are reportedly compliant. Notwithstanding the floodlighting aspect which must be installed and operating by 30th September 2026, officers consider other facilities to be compliant hence the successful promotion.

Incorrect plans have been submitted to this application which are noncompliant and do not reflect the reality of existing facilities for which retrospective consent is being sought.

Changing room plans submitted meet the 18m² free changing space however are non-compliant due to direct sightlines possible into the rooms from pitch side, lack of interior shower facilities and toilet facilities on the plans. These have been developed and incorporate offset entrance lobbies to remove the welfare sightline issue.

Officials room plans submitted meet the 8m² free changing space however are non-compliant due to direct sightlines possible into the rooms from pitch side, lack of interior shower facilities and toilet facilities on the plans. These have been developed and incorporate offset entrance lobbies to remove the welfare sightline issue.

Two separate changing spaces are required to provide for male and female officials separately. In reality, the officials changing cabin has been split into two, requiring two entrance doors, to act as two smaller changing rooms. The plans show one very large room which is non-compliant.

The applicant should ensure ability to meet the required Stadia Accreditation requirements for at least Grade 7 - <https://www.thefa.com/get-involved/player/ground-grading>. Outwith this application, the applicant should note the following advisories to do so:

Pitch plans within this application do not show areas of hard standing around the perimeter of the pitch. FF has seen hard standing developed at the site, but the applicant should be aware the need to establish hard standing perimeter to at least two connected sides of the pitch at Grade 7.

The toilets pitch side do not include accessible toilet provision, which is provided within the main pavilion to the north of the site by the cricket pitch. This is not non-compliant to Grade 7 requirements, however there is no direct hard standing pathway from the pitch to the accessible toilets. FF understands the applicant plans to develop a pathway from the north of the site where the main pavilion is located, down the eastern perimeter to the NLS pitch hardstanding required. The applicant should ensure that this pathway does not prejudice or cause loss of playing field provision and that it is delivered in the fringe land on the perimeter. The applicant should also seek clarity on whether any planning consents are required to be secured for this planned works.

There is future scope to apply for PLSF funding to develop a new accessible toilet unit pitch side which the applicant should consider as best practice.

Assessment against Sport England's Playing Fields Policy and NPPF

Sport England considers proposals for changing facilities, spectator stands etc against Policy Exception E2 of Sport England's playing Fields Policy which states: 'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

In seeking the comments of the FF, acting as Sport England's technical advisors for football facilities, Sport England asked if the various elements of the proposal have

any impact on the pitches or their safety margins. The FF have not raised this as a concern.

The FF have commented that there is a fundamental need for the new season as the club has been successful in being granted promotion and entry into the National League System at Step 6 for 2026/27, In the detailed comments of the FF above it appears that the retrospective elements are reportedly compliant (a PLSF officer has been to, and seen facilities already constructed which are reportedly compliant) and it appears that there may be some issues in respect of the submitted plans where the FF states that incorrect plans have been submitted to this application which are non-compliant and do not reflect the reality of existing facilities for which retrospective consent is being sought.

Sport England uses the planning system as an opportunity to enhance the design of sport facilities. Sport England would not wish to see the applicant go to the expense of erecting facilities, which due to their current design, may create problems for the club or result in additional costs to make further alterations after it is constructed. The current design may also impact upon the ability to seek grant funding, if it does not accord with design guidance (these comments are made without prejudice to any decision that a grant funding body may make).

Sport England would be grateful if a copy of our comments can be forwarded to the applicant so that they can consider amending the plans/design or providing clarification over the design/plans in accordance with the comments raised by the FF above. Sport England would encourage the applicant to enter into direct discussions with the FF, so that they can address any design issues, and the contact is: paul.ashton@footballfoundation.org.uk

Notwithstanding the above, as the proposal does not negatively impact on the pitches and is an ancillary facility to support the use of the playing field and to allow the club promotion and entry into the National League System at Step 6 for 2026/27, having assessed the application, Sport England is satisfied that this element of the proposed development meets Exception E2 of our playing fields policy. Sport England's Given the above, Sport England raises no objection to the application because it is considered to accord Exception E2 of our Playing Fields Policy and paragraph 104 of the NPPF.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Additional abbreviated comments received from The Football Foundation 24/08/2026

There is no problem with what has been developed in reality, whilst PLSF colleagues regard it compliant and eligible for grant application, so no issue to football participation. This is purely a point on paper, as the current plans within the application below for the players and officials changing rooms are indicative of

largely vacuous container rooms, however we know that these actually each include cubicle toilet with basin and an open shower area with four shower heads, whilst the officials' room has a cubicle shower and toilet room etc.

This might not be an issue at all for you in the end, as the land location is for ancillary purpose to service the pitch and doesn't affect the pitch so meets SE policy E2. It's purely the fact the interior components don't reflect the actual, but if compliancy for the specific level of play is more an operational issue for us to be concerned with, rather than the location and principles of the containers themselves and their use, then you may not regard this as an issue. There are likely no fundamental planning concerns caused by the reality of some showers and toilets and a few dividing walls within the container, but I'm sure you will appreciate we had a responsibility to highlight where we had confirmed knowledge that one didn't quite match the other.

HBC Landscape Architect: - The planning statement indicates that structures will have a uniform external appearance. A condition that controls colour should be applied to ensure a uniform colour treatment. Full details of tree planting should be provided. This can be controlled by condition.

HBC Arboricultural Officer: - There are no arboricultural concerns with this application.

HBC Traffic & Transport: - This application will not result in an intensification of the highway since the removal of the proposed stand. There are therefore no objections to the application.

HBC Public Protection: - Public Protection have no objection to the proposal in principle, subject to the imposition of an appropriate planning condition to protect residential amenity.

It is my understanding that the application now relates to the installation of floodlighting and temporary cabins associated with the operation of the existing sports ground. Whilst the site is an established sports facility, the proposed floodlighting has the potential to impact nearby residential properties if not appropriately controlled.

Planning Condition

Use of Floodlighting

The approved floodlighting shall only be operated for home matches and essential activities directly associated with those fixtures, including reasonable periods immediately before and after the match. The floodlighting shall not be used for training sessions, recreational use, or any other activity.

Reason: In the interests of protecting the amenity of nearby residential occupiers and to minimise unnecessary light pollution.

Commercial Services Comments (Advisory)

Commercial Services has no objection in principle to the proposed food servery.

However, depending on the nature of the food to be prepared and cooked, mechanical extraction and ventilation may be required to adequately control cooking fumes, smoke, and odours.

The operator is advised that the food preparation area should be provided with:

- A wholesome mains water supply.
- Suitable foul drainage connected to an appropriate disposal system.
- Adequate hand washing facilities with hot and cold running water.
- Suitable equipment washing facilities separate from hand washing sinks.
- Finishes and facilities that comply with relevant food hygiene legislation before operation.

Where higher-risk cooking processes (such as frying or grilling) are undertaken, a suitable extraction and filtration system may be required to control fumes and odours.

HBC Engineering Consultancy: - Following review of the submitted Flood Risk Assessment and surface water drainage information, the following comments are provided:

This response is provided in my capacity as Lead Local Flood Authority (LLFA).

- The proposal has been reviewed in line with the scale of development.
- Following review of the submitted drainage information, the proposed development demonstrates an acceptable surface water drainage strategy in principle. However, insufficient information has been provided to confirm that the system will operate effectively in practice.

Key Comments

- Surface water is proposed to be managed via an infiltration-based soakaway system, which is supported in principle.
- The soakaway has been sized to accommodate a 1 in 100 year rainfall event plus climate change allowance
- No infiltration testing has been provided to confirm suitability of ground conditions

Flood Risk

- The proposed development is small in scale and results in a limited increase in impermeable area (approximately 132m²).
- On this basis, the development is not expected to increase flood risk on site or elsewhere.

Surface Water Drainage / SuDS

- Surface water runoff is proposed to be collected from the cabin roofs and discharged to a modular crate soakaway located within the site.
- The submitted drainage strategy confirms that the soakaway has been sized to accommodate a 1 in 100 year rainfall event with a 40% climate change allowance, with a storage volume of approximately 12.6m³ compared to a calculated requirement of approximately 12.0m³.
- This approach is considered acceptable in principle and aligns with the drainage strategy for a site of this nature.

- However, no infiltration testing has been submitted in accordance with BRE 365 to demonstrate that the underlying ground conditions are suitable for infiltration drainage.
- Without this information, it cannot be confirmed that the proposed soakaway will function effectively or drain within an appropriate period.

Maintenance & Management

- A general maintenance regime has been outlined, including inspection of rainwater goods, pipework and catchpit chambers, along with periodic monitoring of the soakaway.

Conclusion and Recommendation

Holding objection.

Reasons / Required Actions (if applicable)

The following information is required:

- Infiltration testing carried out in accordance with BRE 365 to confirm the suitability of the ground for infiltration drainage

Suggested Planning Conditions (if approving)

- Development shall be carried out in accordance with the approved surface water drainage strategy
- No development shall commence until infiltration testing has been carried out in accordance with BRE 365 and submitted to and approved in writing by the Local Planning Authority
- Surface water drainage measures shall be fully implemented prior to the development being brought into use
- A maintenance plan for all SuDS/drainage features shall be adhered to for the lifetime of the development.

Further comments received 23/07/2026:

Further to my previous response dated 09/06/2026, a site visit was undertaken at Seaton FC on 23/07/2026. During the visit, the existing and proposed drainage infrastructure was inspected. Based on the information provided and observations made on site, I am satisfied that the proposed soakaway will work and that suitable infiltration can be achieved. Consequently, I have no objection to the proposal on drainage grounds and consider that the requirements of the previously recommended drainage condition have been addressed.

HBC Ecology: - Holding Objection: More information regarding lighting required for Hartlepool Borough Council to complete Habitat Regulations Assessment.

1. Overview

The application is a part-retrospective proposal for the development of the existing football enclosure at Seaton Carew FC, Hornby Park.

The application site is primarily an intensively managed football pitch comprising primarily of poor-condition modified grassland, with small areas of hardstanding and existing structures. No buildings or trees with bat roost suitability are identified.

Several issues across documents were identified and are detailed below.

Inconsistencies to resolve:

- The PEA and BNG Assessment still refer in places to three 32-foot container units.
- The BNG documentation also uses slightly different site areas compared with the application form and planning statement.
- The lighting proposal refers to cabling around the pitch which does not appear to be clearly reflected in the BNG impact footprint.

These issues do not alter the conclusion, but the final BNG documents should be updated to be consistent with the current proposed plans.

2. BNG

- Headline Figures

	Baseline	Post-intervention	Net change
Habitat Units	1.70	1.88	+0.17 (+10.23%)

- Summary:

The BNG loss relates mainly to a small amount of poor-condition modified grassland at the pitch edge being converted to artificial surfaces for the new infrastructure. The applicant reaches their uplift through the planting of 20 new urban trees.

The submitted BNG information appears acceptable in principle, subject to a Biodiversity Gain Plan and HMMP.

The final BNG submission should resolve the inconsistencies highlighted earlier.

3. HRA

A. Nutrient Neutrality

No Likely Significant Effect.

The proposal does not create new dwellings or overnight accommodation. Foul drainage from the toilet would be stored in a self-contained effluent tank, with no connection to the public sewer and no discharge to ground or watercourse. Northumbrian Water has confirmed that the application does not propose connection to the public sewerage network.

B. Recreational Disturbance

No Likely Significant Effect.

The proposal does not introduce new accommodation, and the works are to an existing football facility rather than creating new coastal recreational pressure.

However, the proposal would enable or intensify evening use through floodlighting and may increase spectator presence, noise, lighting and visual activity close to designated coastal habitats. Those effects should be considered as part of the HRA lighting/disturbance pathway, rather than treated as a strategic residential recreational disturbance contribution matter.

C. Lighting

- Likely Significant Effect cannot currently be ruled out.
- HRA Required

The Teesmouth and Cleveland Coast SPA/Ramsar and Seaton Dunes and Common SSSI are in very close proximity to the application site, approximately 30m away. Natural England has advised that, as submitted, the application could have potential significant effects on the SPA/Ramsar/SSSI, and has requested an HRA considering lighting impacts.

The Council, as competent authority, must undertake an HRA where a project could significantly affect a European site. Where likely significant effects cannot be ruled out, Appropriate Assessment is required.

The submitted lighting information provides useful details of the proposed lighting scheme. However, it does not currently provide an ecological assessment of lighting effects on the nearby designated sites.

Please provide a concise ecological lighting statement, prepared with input from a suitably qualified ecologist. This will allow the Council, as competent authority, to complete the HRA and re-consult Natural England. It is not a request for a redesign of the lighting scheme unless the submitted assessment demonstrates that changes are necessary.

4. Conditions & Informatives

Conditions:

- 1) BNG: It is understood that the statutory biodiversity gain condition applies. As such, a Biodiversity Gain Plan should be secured prior to commencement.
 - o Note: This is a reminder for the statutory condition, not a duplicate. It is not necessary to include an additional condition for BNG.
- 2) HMMP: A separate condition securing the 30-year management and monitoring of the on-site significant BNG, supported by an approved HMMP, will be required. The statutory biodiversity gain condition would apply separately.
 - o Note: The above will require a monitoring fee.

Informatives:

- 1) Mammal safety: *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.*

Further comments received 20/08/2026

No Objection - Subject to HRA Process and Conditions

What has changed:

- Further information regarding lighting has been provided.
- An amended copy of PEA V4, still dated 14 August 2026, was received on 20 August 2026. It updates the bird and bat information. This provides additional evidence for HBC's assessment.
- A HRA Stage 2 Appropriate Assessment has been completed.

5. Overview

The application is a part-retrospective proposal for the development of the existing football enclosure at Seaton Carew FC, Hornby Park.

The application site is primarily an intensively managed football pitch comprising primarily of poor-condition modified grassland, with small areas of hardstanding and existing structures. No buildings or trees with bat roost suitability are identified.

Several issues across documents were identified and are detailed below.

6. BNG

- Headline Figures

	Baseline	Post-intervention	Net change
Habitat Units	1.70	1.88	+0.17 (+10.23%)

- Summary:

The BNG loss relates mainly to a small amount of poor-condition modified grassland at the pitch edge being converted to artificial surfaces for the new infrastructure. The applicant reaches their uplift through the planting of 20 new urban trees.

The submitted BNG information appears acceptable in principle, subject to a Biodiversity Gain Plan and HMMP.

7. HRANutrient Neutrality

No Likely Significant Effect.

The proposal does not create new dwellings or overnight accommodation. Northumbrian Water's response dated 10 June 2026 records that no connection to the public sewerage network is proposed.

Recreational Disturbance

No Likely Significant Effect.

The proposal does not introduce residential or visitor accommodation and would not create a new population-driven recreational-pressure pathway or new recreational access route to the SPA/Ramsar site. It would nevertheless enable limited football activity after dark. The site is an existing enclosed football ground, no new access or parking is proposed and match-related activity would remain within the enclosure, separated from the protected coastal habitat by the A178.

No likely significant effect from associated activity is predicted.

Lighting

- At Stage 1, a likely significant effect from operational floodlighting could not be excluded without taking account of mitigation. HBC has therefore prepared a draft Stage 2 Appropriate Assessment.
- HRA Required

The Teesmouth and Cleveland Coast SPA and Ramsar site lies approximately 30 m from the pitch, beyond the A178. The overlapping Teesmouth and Cleveland Coast SSSI and nearby Seaton Dunes and Common Local Nature Reserve are also material ecological designations. The Regulation 63 integrity test applies to the SPA, while government policy affords Ramsar sites the same protection as habitats sites.

The Council, as competent authority, must undertake an HRA where a project could significantly affect a European site. Where likely significant effects cannot be ruled out, Appropriate Assessment is required.

A HRA Stage 2: Appropriate Assessment has been prepared and has been included.

8. Conditions & Informatives

Conditions:

- 1) HMMP: A separate condition securing the 30-year management and monitoring of the on-site significant BNG, supported by an approved HMMP, will be required. The statutory biodiversity gain condition would apply separately.
 - o Note: Due to the small scale and relatively low complexity of the on-site habitat creation, the council is adopting a proportionate approach and is not seeking a monitoring fee in this instance.
- 2) Lighting: A lighting condition should secure compliance with HLS12050 Rev 3, along with agreed hours and frequency of use.
 - o The floodlighting shall be used only for first-team home fixtures between 30 September and 31 March inclusive. For Saturday fixtures, the permitted operating period shall be 15:00 -17:30. For Tuesday or Wednesday fixtures, the permitted operating period shall be 18:30 - 22:00.

- o Reason: To limit the frequency and duration of artificial-light disturbance and safeguard the qualifying bird features and integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site.

Informatives:

- 1) BNG: It is understood that the statutory biodiversity gain condition applies. As such, a Biodiversity Gain Plan should be secured prior to commencement.
- 2) Mammal safety: *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.

Habitats Regulations Assessment stage 1 screening

Revision history

Version	Date	Revision	Prepared by
1	20/08/2026	A	Max Cummins

1. Stage 1 findings

Pathway	Screening Assessment	Conclusion
Operational lighting	Floodlighting is proposed approximately 30m from the Teesmouth and Cleveland Coast SPA and Ramsar site.	LSE cannot be excluded: AA required.

Habitats Regulations Assessment stage 2 Appropriate Assessment

Revision history

Version	Date	Revision	Prepared by
1	20/08/2026	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

That HRA stage 1 screening screened in the following LSE:

- Lighting

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

Background

Protected site	Qualifying features	Pathway
Teesmouth & Cleveland Coast SPA & Ramsar	Breeding pied avocet, common tern and little tern; non-breeding/passage red knot, common redshank, ruff and Sandwich tern; internationally important waterbird assemblage.	Artificial light could disturb or displace qualifying birds or reduce their effective use of feeding or roosting habitat.

The relevant conservation objectives seek to maintain or restore the qualifying bird populations and their distribution, together with the extent, function and supporting processes of the habitats on which they depend.

The integrity question is whether light from the floodlighting could cause biologically meaningful disturbance or displacement, reducing the effective use of designated or functionally linked feeding or roosting habitat by qualifying birds.

Evidence provided:

- PEA V4 (14 August 2026)
- Halliday Lighting drawing HLS12050 Rev 3 (23 July 2026)
- Siteco FL11 BLC product information.
- Halliday's confirmation of 5 lux in the road centre and approximately 1 lux 'outside of that'.

Drawing HLS12050 Rev 3 plots lux contours and shows the 5-lux contour extending approximately to the centreline of the A178. The SPA/Ramsar boundary lies beyond the plotted 5-lux contour.

Halliday Lighting separately advised that illuminance "outside of that" would be approximately 1 lux. Whilst that figure is treated as indicative only, given the similarity in overall light spill to the previous floodlighting, the presence of existing lighting along the A178, exposure affecting the designated site is considered be low, localised and intermittent.

Halliday Lighting has confirmed that HLS12050 Rev 3 represents the maximum permitted lighting output. The assessment and controls are based on the Rev 3 scheme.

Mitigation measures

Measures to avoid and mitigate Adverse Effects on Integrity

This application is Appropriately Assessed below:

Field	Required control
Approved design and performance	The floodlights must be installed, aimed, operated and retained in accordance with HLS12050 Rev 3.
Hours and frequency	Use must be limited to first-team home fixtures during winter months: Hours of use secured by condition. <i>The floodlighting would operate between 30 September and 31 March inclusive, for approximately 16 fixtures during that period. This represents an intermittent operating pattern, broadly equivalent to one home fixture per fortnight.</i>
Control and delivery	The floodlights must be switched off outside those hours and by 22:00. Dimming is an additional safeguard and is not relied upon to justify a higher-output or differently aimed scheme.

3. Conclusion

The lighting plan shows that the 5-lux contour reaches only as far as the A178 and does not extend into the SPA. The floodlights would be used for no more than approximately 16 first-team home fixtures between 30 September and 31 March, and only during the hours set out above. The new scheme would replace the earlier floodlighting at the ground, and no other nearby developments have been identified that could act in combination with it.

Given the limited extent and frequency of the lighting, HBC considers that it would not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other plans or projects, provided that the lighting design and operating restrictions are secured by condition.

Natural England must be consulted.

End.

Natural England: (*Comments received 25/06/2026*) - As submitted, the application could have potential significant effects on Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar, and Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI).

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A Habitat Regulations Assessment considering lighting impacts

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Updated comments received 26/08/2026

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Teesmouth and Cleveland Coast Special Protection Area <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- All the measures outlined in the Appropriate Assessment undertaken by Hartlepool Borough Council dated 20/08/2026

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017(as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Teesmouth and Cleveland Coast SSSI

The SSSI is subject to similar pressures and threats as the Teesmouth and Cleveland Coast Special Protection Area and Ramsar site. Therefore, the results of

the Habitats Regulation Assessment and the proposed mitigation measures should similarly apply to and sufficiently protect the SSSI.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (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 consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact me on 07553 003686.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission
Should the proposal change, please consult us again.

Cleveland Police: - 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 Non-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

Tees Archaeology: - We have no comment to make on this application.

HBC Economic Development: - We have reviewed the application for Seaton Carew FC and have no objections from Economic Growth.

HBC Estates: - We would require them to seek Landlords consent for this. I have sent an email advising them of this.

Environment Agency: - Thank you for consulting us on the above application, received on 03/06/2026. We have no comments to make in respect of the proposed development. This consultation is inappropriate, and we did not need to be consulted because it is outside of External consultation checklist. If you require any additional information, or want to discuss these matters further, please contact Planning.nane@environment-agency.gov.uk

Anglian Water Services Ltd: - Anglian Water have reviewed the proposals and have no comment to make. If there are specific water, sewerage or drainage issues you would like us to respond to for proposed development, please contact us outlining the details, including any reference numbers.

Northumbrian Water: - At this stage, we have no comments to make, as the application does not propose any connections to the public sewerage network and indicates that surface water will discharge to soakaways. If the drainage proposal changes, we request re-consultation.

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.

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.

Office for Nuclear Regulation (ONR): - I have consulted with the emergency planners within Hartlepool Borough Council which is responsible for the preparation of the Hartlepool off-site emergency plan required by the Radiation (Emergency Preparedness and Public Information) Regulations (REPPiR) 2019. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency plan arrangements, provided that the below points are flagged up to the facility owners:

There should be a method of quick notification in place in the event an offsite nuclear release occurs, it would be recommended that a contact number is provided by the sports ground owners for inclusion within the offsite plan so that they can be notified of an incident. Additionally, it is recommended that they sign up to EDF PETIS System so that they can receive quick notification of any incident directly (if able to do so, being outside of the DEPZ may limit their ability to sign up to PETIS). It is recommended the owners produce and embed an emergency evacuation plan for their premises to ensure quick and orderly evacuation of all staff and visitors should they receive notification either directly from EDF or one of the external services in the event of an offsite nuclear release.

The proposed development does not present a significant external hazard to the safety of the nuclear site. Therefore, ONR does not advise against this development.

Health and Safety Executive: - Thank you for your letter/email of 4 June 2026 seeking HSE's observations on planning application H/2026/0094 – covered seating stand, ten cabins for welfare, floodlights and food servery and turnstile at Seaton Carew FC, Hornby Park, Elizabeth Way, Hartlepool TS25 2AZ

HSE is a statutory consultee for certain developments within the consultation distance (CD) of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to HSE's Planning Advice WebApp <https://pa.hsl.gov.uk>

I should therefore be grateful if you would arrange for HSE's Planning Advice WebApp to be used to consult HSE for advice on this application. Should you or your colleagues need any additional help in using the new WebApp to obtain HSE's advice on a proposed development, a central support service is available at lupenquiries@hse.gov.uk or by telephoning on 01298218159. NB On 1 August 2021 HSE became a statutory consultee with regard to building safety (in particular to fire safety aspects) for planning applications that involve a relevant building.

A relevant building is defined in the planning guidance at gov.uk as: containing two or more dwellings or educational accommodation and meeting the height condition of 18m or more in height, or 7 or more storeys. There is further information on compliance with the Building Safety Bill at <https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>. HSE's team can be contacted by email via PlanningGatewayOne@hse.gov.uk

HSE Web Advice App; HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Marine Management Organisation: - Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence <https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species. The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

local planning authority name,
planning officer name and contact details,
planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations

<http://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application> Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry. The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.

The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply. The National and

regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained. If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

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.

Northern Power Grid: - 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, TS18 3TU. Tel: 0800 0113433.

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.

National Grid: - Regarding planning application H/2026/0094, there are no National Grid Electricity Transmission assets present in the application area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://lsbud.co.uk/>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

HBC Heritage & Open Spaces: - No comments received.

HBC Sport and Recreation: - No comments received.

HBC Parks and Countryside: - No comments received.

RSPB: - No comments received.

Tees Valley Wildlife: - No comments received.

Teesmouth Bird Club: - No comments received.

HBC Building Control Manager: - No comments received.
HBC Countryside Access Officer: - No comments received.
Emergency Planning Officer: - No comments received.
HBC Community Safety & Engagement: - No comments received.
HBC Commercial Team: - No comments received.
HBC Public Health: - No comments received.
HBC Public Health Registrar: - No comments received.
Civic Society: - No comments received.

PLANNING POLICY

4.20 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 2018

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

SUS1: The Presumption in Favour of Sustainable Development
 LS1: Locational Strategy
 LT1: Leisure and Tourism
 LT3: Development of Seaton Carew
 INF4: Community Facilities
 NE2: Green Infrastructure
 NE5: Playing Fields, Tennis Courts and Bowling Greens
 NE7: Landscaping Along Main Transport Corridors
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency

National Planning Policy Framework (NPPF) (August 2026)

4.22 The National Planning Policy Framework (NPPF), published in August 2026, sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in the determination of planning applications and provides the national policy framework for both plan-making and decision-taking. The Framework should be read as a whole.

4.23 The Framework promotes sustainable development through economic, social and environmental objectives which are mutually supportive and interdependent. It places significant weight on housing delivery, economic growth and development in sustainable locations, whilst seeking to protect and enhance the natural, built and historic environment.

4.24 At the heart of the Framework is a presumption in favour of sustainable development. Relevant policies of the NPPF have been taken into account in the

assessment of this application and are referenced where appropriate throughout this report.

4.25 HBC Land Use Policy Comments: At the heart of the Framework is a presumption in favour of sustainable development. Relevant policies of the NPPF have been taken into account in the assessment of this application and are referenced where appropriate throughout this report.

4.26 The proposed development comprises of the installation of six temporary modular cabins at Seaton Carew Football Club to accommodate a range of essential ancillary uses.

4.27 The site forms part of the wider Outdoor Sports allocation under policy NE2d which sets out that proposal affecting playing fields will be assessed against policy NE5

4.28 Policy NE5 seeks to protect existing playing fields and will only consider loss of facilities where proposals meet the criteria set out within the policy. Criteria two sets out that where playing fields can be best retained and enhanced through the redevelopment of a small part of the site. LUP would consider that the proposal meets criterion two of policy NE5.

4.29 The site is also located within the Seaton Carew Leisure and Tourism area which seeks to support and permit proposals for tourism and leisure developments. The proposal is not considered to be leisure and tourism related and policy LT3 is not considered applicable in this instance.

PLANNING CONSIDERATIONS

4.30 The main planning considerations with respect to this application are the principle of development, the impact on the character and appearance of the area, the impact on the amenity of neighbouring land users, highway safety, ecology and nature conservation, flooding and drainage and any other planning matters.

PRINCIPLE OF DEVELOPMENT

4.31 The application seeks planning permission for six ancillary buildings and six flood light structures associated with the existing playing pitch facility. The submitted Planning Statement details that the proposed works are required in order for the sports team to comply with the required FA stepped programme, following the clubs' promotion to the Northern League.

4.32 The expansion of community (including sports) facilities is supported through policy INF4 of the Hartlepool Local Plan (2018). Policy NE2 (Green Infrastructure) sets out that the Council will work to improve the quantity, quality, management and accessibility of green infrastructure and recreation and leisure facilities, including sports pitches. The application site falls within allocated Policy NE2d (outdoor sport including playing fields) as illustrated on the Hartlepool Local Plan proposals map. Proposals affecting playing fields are to be assessed against policy NE5 (Playing

Fields, Tennis Courts and Bowling Greens), which seeks to protect such facilities. Policy NE5 provides a number of exemptions where the loss of playing facilities may be acceptable, subject to certain exemptions. In the case of the application proposal, exemption two of Policy NE5 allows for 'where they can best be retained and enhanced through the redevelopment of a small part of the site' The proposal is considered to meet exemption two of Policy NE5.

4.33 With respect to national planning policy, Policy HC7 of the NPPF (2026) states that 'Development affecting existing recreational land and facilities should not result in the loss of existing open space, sports and recreational buildings and land, including playing fields, unless: a. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality, in a location which offers comparable or improved accessibility for the community it serves; or c. The development is for public service infrastructure, and the resulting loss would be replaced by equivalent or better provision in terms of quantity and/or quality; or d. The development is for alternative open space, sports and recreational buildings and land, the benefits of which clearly outweigh the loss of the current or former use.'

4.34 The proposal relates to an area of designated playing fields and as a statutory consultee, Sport England were consulted on the planning application. Sport England considers the proposals for changing facilities and associated works against Policy Exception E2 of Sport England's playing Fields Policy which states: *'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'*

4.35 Consequently, the proposed use is considered to meet the exemption and no objections are raised in this respect. With respect to the landscape mitigation, no concerns or objections are raised in respect to any impact on the playing fields. The Council's Land Use policy section have also reviewed the application and confirmed no objections. In addition, the Council's Sport & Recreation section were consulted, although no comments were received. Having regard to the scale and nature of the proposed works within the context of the abovementioned local and national planning policy and the comments and considerations of Sport England and the Council's Land Use Policy section, the proposed development raises no concerns or objections and the proposal is considered to be acceptable in principle, subject to the considerations within the following sections of this report.

Additional Sport England Comments

4.36 Whilst raising no objections to the proposed development, within their comments, Sport England highlight a number of anomalies within the submitted plans. Upon further consultation, the Football Foundation (who contributed towards the comments of Sport England), advised that the detail of the floor plans of the changing facilities do not illustrate the Football Foundation internal requirements, although acknowledge that these details may not be required for the planning process. The comments also confirm that nevertheless, the respective buildings as installed do provide the internal requirements and comply with the Football

Foundation standard. In respect to any planning implications and following the submission of an amended plan to address anomalies identified on the catering cabin, the proposed buildings as illustrated on the submitted plans are accurately located and the buildings would represent ancillary buildings to serve the football team's requirements.

4.37 A comment received notes that areas of hard standing have been installed around the playing pitch that are not included within the submitted planning application. Such matters will need to be investigated outside of the consideration of this planning application, where the applicant will be advised if a further planning application is required accordingly.

4.38 Comments received note that the proposed toilet facility has limited accessibility for users and advice is provided from the Football Foundation on compliance related matters, which can be relayed to the applicant by way of informative.

IMPACT ON THE CHARACTER & APPEARANCE OF SITE & THE SURROUNDING AREA

4.39 Policy QP4 (Layout and Design of Development) of the Local Plan 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.

4.40 In addition, policy DP3 of the NPPF (2026) states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

4.41 It is considered that the proposed buildings and floodlight structures would be located within an established sports and social club setting, where such infrastructure/paraphernalia can be expected. With respect to the proposed buildings, whilst views onto them are possible when traversing along the public highway of Tees Road and De Havilland Way, the buildings are relatively low key, being of a limited, single storey scale and finished in a visually recessive green colour. It is noted that the Council's Landscape Architect suggests that such external appearance details should be secured, although given the retrospective nature of this part of the scheme and that their appearance is considered to be acceptable, it is considered not to be necessary to do so in this instance.

4.42 The proposed floodlights would surround the playing pitch at six points, where it is acknowledged that the provision of such structures, at heights of approximately 15 metres, would be a notable visible addition/change to the site. Indicative elevations of the floodlights were provided as well as the technical specification of the floodlight head, although final details of the floodlights are required to be provided and a planning condition is recommended to secure such details. Whilst notable structures, floodlights are a paraphernalia that are considered not to be alien to a sports complex context, where they can be expected to be found

and much of their impact from use would be strictly controlled, in line with the requirements of home fixtures of the first team, where the impact from light emittance on the character of the area is considered thereby to be limited.

Landscape Considerations

4.43 There are no existing trees on site and the proposal would not remove any planting as a result. The proposed works would also include the planting of 20 trees along the south/south-west boundary to the north of properties located on De Havilland Way, in order to meet the requirements of Biodiversity Net Gain. Whilst the primary aim of the landscaping is for ecological uplift of the site, it is considered that the presence of such landscaping along the field boundary would offer some visual benefit. The planting of vegetation in such locations is an accepted boundary feature and no concerns are raised in terms of impact on the character of the area in this respect.

4.44 Both the Council's Arboricultural Officer and the Council's Landscape Architect have been consulted on the application and raise no concerns or objections to the application. The Council's Landscape Architect notes that the indicated tree planting details should be secured by condition. Such matters would be controlled through the respective BNG related planning conditions. Having regard to the above considerations, the proposed development is considered to be acceptable in respect to landscaping related matters.

Character Conclusion

4.45 Taking account of the above considerations, the proposed buildings, floodlights and the area of biodiversity net gain are considered not to lead to any significant impacts on the character of the sports complex setting and the wider surrounding area and the proposed development is considered to be acceptable in this respect, in accordance with Policies NE2, NE5 and QP4 of the Hartlepool Local Plan (2018) and the policy DP3 of the NPPF (2026).

IMPACT ON NEIGHBOUR AMENITY & PRIVACY

4.46 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. The following minimum separation distances must therefore be adhered to:

4.47 The following minimum separation distances must therefore be adhered to:

- Principal elevation to principal elevation 20 metres.
- Gable to principal elevation 10 metres.

Operational Development

4.48 The proposed development consists of works for the erection of six no. cabin buildings, six no. 15-metre-high floodlights and landscape tree planting. The consideration of such impacts are considered below.

Cabin Buildings

4.49 Behind the goal of the first team playing pitch, along the southern boundary of the application site are five of the six cabin buildings. The buildings consist of a food hut, respective changing facilities for home, away and the officials and there is a dedicated toilet facility. All of the buildings are single storey in scale and measure at a modest single storey heights. Four of the buildings measure approximately 2.4 metres in height and the toilet facility is approximately 3.6 metres in height. The nearest residential properties are situated to the south-west of the application site at a distance from the nearest cabin of approximately 56 metres away. Those residential properties located at a further distance along the western boundary would be located approximately 145 metres away.

4.50 At the northern end of the playing pitch is a cabin building providing for the turnstile entrance control facility. The building would be located at approximately 210 metres away from the properties to the west and approximately 190 metres from the residential properties to the south-west.

4.51 Having regard to the scale and nature of the proposed buildings, taking account of the distances and relationships with the surrounding neighbouring residential properties, it is considered that the proposed cabin buildings would not lead to any significant issues in respect to loss of amenity in respect to overbearing, loss of light, and outlook related matters. With respect to privacy related matters, it is acknowledged that the food cabin features a window and a door within the side (western) elevation. Whilst there are residential properties that the window and door faces towards along De Havilland Way, it is considered that given the single storey scale of the building, that the intervening boundary treatments providing a degree of screening and the sizable separation distances involved, it is considered that the specific and wider proposals would not give rise to any significant loss of privacy related issues.

Flood lights

4.52 The application, in part, seeks planning permission for the erection of 6 no. 15-metre-high floodlight columns, which are required to facilitate the sports team's participation within the next tier of the football pyramid. Whilst the application site relates to a sports and recreation ground, where such paraphernalia can be expected, it is also acknowledged that the site is bound by residential properties on two sides and that the area beyond the application site is largely residential to the west, south-west and north.

4.53 The proposed floodlights would be positioned around the first team pitch, at the south-eastern most part of the sports complex, which is located at the furthest most part of the playing fields from the respective neighbouring residential occupiers. The floodlights would be positioned at each corner of the pitch and at either side of the halfway line.

4.54 The closest proposed floodlights would be at a minimum distance from the nearest residential properties to the south-west of approximately 61 metres away and those across the pitch at a further distance, there would be approximately 130 metres between the floodlights that would face the respective nearest neighbouring properties. With respect to the properties along the western boundary of the sports complex, there would be an approximate 145 metre separation distance from the nearest flood lights and approximately 240 metres separation distance from those facing towards the rear of those respective residential properties.

4.55 With respect to the considered impact from the proposed floodlights in terms of physical presence on the neighbouring residents to the south-west and west of the application site, whilst final details of the supporting pole structure are to be provided, it is accepted that such structures are relatively slim line in nature. With respect to the actual lights themselves, details have been provided and given the distances and relationships with the surroundings, it is considered that the proposed floodlights would not lead to any significant loss of outlook, overbearing or loss of light impact for the surrounding residential occupiers. It is also recognised that given the sporting nature of the site, the outlook onto floodlight structures is a paraphernalia that could be expected.

4.56 With respect to light pollution considerations, it is notable that the purpose of the floodlights would be to meet the requirements of the first team home fixtures across the football calendar, where the floodlights would be engaged on match days during winter months, from September until March.

4.57 The application is supported with a floodlighting specification report to demonstrate anticipated light spillage. The floodlighting data illustrates that any light spillage beyond the playing pitch would be limited. The floodlight data has been considered by the Council's Public Protection section, who raise no concerns or objections to the proposed development, subject to the use of the floodlights being limited to use for first team matches only. By controlling the use, for the purpose as has been applied for, it is considered that the restrictive use would limit the potential for nuisance light pollution related matter from occurring. Subject to the recommended planning condition limiting the times use, the proposed floodlighting is considered not to lead to any significant light pollution related matters.

Landscape Tree Planting

4.58 As detailed above, an area of tree planting (for BNG purposes) is proposed to be located along and adjacent to the boundary enclosure to the south-west of the application site. To the south of the area of tree planting are residential properties located along De Havilland Way. It is acknowledged that in time, through their growth, the presence of such vegetation would alter the outlook for respective residents in this area. Notwithstanding this, such planting along boundaries is not uncommon, where any such impacts can be created without the need for planning permission. It is considered that subject to suitable management, such vegetation would not lead to any significant loss of amenity in terms of loss of outlook, overbearing impression or overshadowing for the residential occupiers within this area.

Considerations of Use

4.59 It is acknowledged that a number of objection comments have raised concerns with respect to the intensification of the existing sports facility, where issues raised include matters such as noise and disturbance, an increased loss of privacy and nuisance parking related amenity issues. In addition, a comment has raised air quality as a matter, owing to the increased activity likely to occur at the site. The application as originally submitted included the provision of a seated stand, which would have had the potential to intensify the use of the sports facility through the increased capacity on a match day. During the course of the planning application, the seated stand was removed from the proposed works.

4.60 The remaining facilities consisting of changing rooms, a food hut, a toilet facility and a turnstile are considered to be of a scale and nature complimentary to the existing use, where they would not be expected to result in any significant intensification of the use of the site. A condition is recommended to ensure that the proposed buildings remain ancillary to the sporting complex accordingly, which is considered reasonable.

4.61 Whilst it is acknowledged that the use of the floodlights would allow activity at the site to take place during darker hours of the winter months, owing to the recommended planning condition restricting the use for these purposes only, it is considered that the proposed development would only result in a minor intensification to the use of the site for these limited periods. With consideration of matters such as noise and disturbance and air quality as a result of the proposed development, the Council's Public Protection section have considered the proposals, and raise no concerns or objections in this respect. Having regard to the above considerations, the scale and nature of the use of the site is considered to raise no significant issues and the proposed development is considered to be acceptable in respect to the scale and nature of the proposed use. Conditions are recommended accordingly to secure the illumination, including any other lighting required.

Neighbour Amenity Conclusion

4.62 In view of the above considerations including the satisfactory remaining separation distances, the established nature of the sports playing fields, and that HBC Public Protection have raised no objections to the application (subject to the identified, recommended planning conditions), it is considered on balance that the proposed buildings, associated floodlights and BNG proposals would not result in a significant detrimental impact on the amenity and privacy of neighbouring land users in terms of loss of outlook, overbearing impression, overshadowing or overlooking, light pollution and general noise and disturbance as to warrant a refusal of the application. The proposal is therefore considered to be acceptable in this respect and in accordance with Policy QP4 of the Hartlepool Local Plan (2018) and the provisions of the NPPF (2026).

HIGHWAY SAFETY & PARKING RELATED MATTERS

4.63 It is noted that a number of comments have been received through the course of the public consultation exercise, highlighting concerns in relation to parking and highway safety related concerns. As detailed within the above proposal section, the original written description included the provision of a seated stand, although this element has since been removed from the application, as a result of some concerns associated with the impact on vehicular parking and highway safety related matters. As this element has now been removed, the Council's Traffic & Transport section have confirmed that there are no objections or concerns to the proposed development for the ancillary buildings and associated floodlighting. Consequently, the proposed development is considered acceptable in terms of highway safety related matters.

FLOOD RISK & CONTAMINATION

4.64 The application site is located within flood zone 1, the lowest vulnerability classification in respect to flood risk. The application has been submitted together with a drainage strategy and associated drainage plan, where water collected from the buildings is illustrated to drain towards a modular crate soakaway, before infiltrating into the ground. The Council's Engineering Consultancy section have considered the submitted drainage strategy and have commented that the proposed development demonstrates an acceptable surface water drainage strategy in principle and that the proposed development is not expected to increase flood risk on site or elsewhere. The comments also note that the strategy includes a general maintenance regime that outlines inspection of rainwater goods, pipework and catchpit chambers, along with periodic monitoring of the soakaway, which is considered appropriate.

4.65 Notwithstanding the above, the Council's Engineering Consultancy Section initially sought some further details in relation to testing of the ground for suitability of the ground for infiltration drainage. Subsequently however, the Council's Engineering Consultancy's Flood Risk Officer visited the application site to inspect the drainage solution, which is in situ, where it has been confirmed that based upon the information provided and observations made on site, the Council's Engineering Consultancy section are satisfied that the proposed soakaway will be successful and that suitable infiltration can be achieved. Consequently, there are no objections to the proposals on drainage grounds, subject to securing the details of the drainage strategy via planning condition. In addition, Northumbrian Water, Anglian Water and the Environment Agency were consulted and no comments raise objections or concerns. Subject to the recommended planning condition, the proposed drainage solution is considered to be acceptable.

4.66 Notwithstanding the above, it is also noted that the proposals also include the provision of toilet facilities. With respect to the treatment of foul waste, the applicant has advised that the site is served by a water treatment tank and that arrangements for waste collection would be through a private contractor as and when required. Foul waste is also understood to be a consideration for the separate Building Regulations process (where required) and an informative is recommended to advise the applicant of the relevant legislative requirements accordingly.

ECOLOGY & NATURE CONSERVATION

Biodiversity Net Gain

4.67 The Environment Act 2021 includes Biodiversity Net Gain (BNG), with a requirement for at least 10% BNG post-development. A Biodiversity Net Gain Assessment including a Statutory Biodiversity Metric spreadsheet and a Biodiversity Statement have been prepared to measure biodiversity change between baseline and post-development scenarios, measured in Habitat Units and Hedgerow Units. The application proposes to meet the required 10% net gain on-site, through planting 20 trees along the south-west boundary of the sports field. The conclusions of the Biodiversity Metric indicate that the post-development biodiversity would result in a Net Gain of 0.17 Habitat Units (10.23%).

4.68 The Council's Ecologist has considered the application and has confirmed that the proposed BNG scheme satisfies the BNG requirements and is acceptable in this respect, subject to a planning condition securing a Habitat Management and Monitoring Plan (HMMP). The applicant is also required to satisfy the national Biodiversity Gain Plan pre-commencement 'condition' that would be appended to the decision notice as an informative (as opposed to a planning condition as per the relevant BNG legislation and guidance).

4.69 Having regard to the above considerations, subject to the applicant satisfying the recommended planning condition, the proposed development is considered acceptable in respect to meeting the requirements of Biodiversity Net Gain.

Habitat Regulations Assessment (Nitrate Pollution and Recreational Disturbance)

4.70 On 16 March 2022 Hartlepool Borough Council, along with neighbouring authorities within the catchment of the river Tees, received formal notice from Natural England that the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is now considered to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the protected area.

4.71 Given the application would not involve residential development, it is considered the proposals are not 'in scope' for further assessment and would not result in any Likely Significant Effects on designated sites, and the Council's Ecologist has confirmed no objections in this respect and that a Habitats Regulations Assessment (HRA) is not required in this respect.

4.72 The Council's Ecologist also considered potential impacts from recreational disturbance, although given the scale and nature of the proposals for the existing sports club in this area, there are considered to be no likely significant effect from associated activity in terms of recreational disturbance pathways.

4.73 With respect to the impact from the proposed floodlighting, the Teesmouth and Cleveland Coast SPA and Ramsar site lies approximately 30m from the pitch, beyond the A178. The overlapping Teesmouth and Cleveland Coast SSSI and nearby Seaton Dunes and Common Local Nature Reserve are also material ecological designations. The Regulation 63 integrity test applies to the SPA, while government policy affords Ramsar sites the same protection as habitats sites. At

Stage 1, a likely significant effect from operational floodlighting could not be excluded without taking account of mitigation and therefore a Stage 2 Appropriate Assessment was carried out.

4.74 Having undertaken the HRA Appropriate Assessment (AA), the Council, as competent authority, have had regard to the lighting specifications, the lighting spill plan and the limited extent and frequency of the use of the lighting proposed, and subject to a condition securing such details, including the limited use of the lighting (between September-March), the Council's Ecologist considers that it would not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA or Ramsar site, either alone or in combination with other plans or projects. As detailed above, Natural England have been consulted on the Council's position within the AA and have confirmed agreement to this subject to the identified mitigation being appropriately secured. In view of this, the development would not create any likely significant effects on designated sites.

Other Matters

4.75 The Council's Ecologist has recommended an informative in respect to mammal safety during excavation periods and an informative is recommended accordingly.

4.76 A neighbouring comment raised concerns with respect to the retrospective nature of works with respect to the potential impact on ecology. Whilst fully acknowledging the comments, the Council's Ecologist has considered the application, including the submitted ecology reports and raises no objections to the proposed development.

Ecology Conclusion

4.77 Having regard to the above considerations, subject to the comments of Natural England raising no objections and subject to the recommended planning conditions and informative, the proposed development is considered acceptable in respect of ecology and nature conservation.

OTHER PLANNING MATTERS

Temporary Buildings

4.78 The written description of the proposed development refers to the proposed buildings as temporary in nature and the submitted planning statement states the need for the buildings for a ten period, when they would be removed with the land returned to its former condition. Whilst noting the claim for the buildings to be temporary, they appear to be functional requirements of the playing facility. Furthermore, as detailed within the above character section, the buildings are relatively modest and have been finished in a visually recessive pallet of materials and colour that is relatively inconspicuous.

4.79 With respect to the guidance on temporary buildings, the National Planning Policy Guidance (NPPG) (Paragraph: 014 Reference ID: 21a-014-20140306) provides the following:

'Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only. Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period. A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use'). It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently.'

4.80 Having regard to the above guidance of the NPPG, given the nature and function of the proposed buildings linked to the ongoing function of the sports club, and taking account of the buildings low key siting and appearance, it is considered that there would be no reasonable justification to render the buildings as temporary structures. Consequently, it is considered that there is no justification to impose a planning condition for the buildings to be conditioned as temporary structures and the buildings are recommended to be granted on a permanent basis.

Health & Safety Related Matters

4.81 As the application site is within relative proximity to a nuclear power station, the Office for Nuclear Regulation (ONR) were consulted on the proposed works. The ONR have advised that consultation has taken place with the Council's Emergency Planning Officer, where adequate assurances have been provided that the proposed development can be accommodated within off-site emergency plan arrangements, subject to contact details being provided to the emergency planning authority in the event of an emergency to notify the club of any such occurrence. In addition, it is advised that the club sign up to the EDF PETIS system to be quickly notified of any incidents that occur. It is also recommended that the owners produce and embed an emergency evacuation plan for their premises to ensure quick and orderly evacuation of all staff and visitors should they receive notification either directly from EDF or one of the external services in the event of an offsite nuclear release.

4.82 An informative is recommended accordingly, which can be relayed to the applicant to advise of such requests in the interests of health and safety.

4.83 In addition to the above, the HSE's web based consultation matrix was carried out, which does not advise against the granting of planning permission on the grounds of health and safety. Having regard to the above considerations, subject to

the recommended informative, the proposed development raises no concerns in respect to health and safety related matters.

Crime, Fear of Crime, and Anti-Social Behaviour

4.84 It is accepted that the provision of community facilities could make any assets a target of theft, anti-social behaviour and crime activity. The proposals would be contained within areas of an existing sports and social club playing fields. The sports complex benefits from a degree of natural surveillance onto the application site from the respective residential occupiers to the south-west, west and north-west.

4.85 Cleveland Police have been consulted on the proposals who have advised that the police encourages the applicant to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED) and advise 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. An informative is provided to the applicant to advise them of such initiatives. The Council’s Community Safety & Engagement team were also consulted, although no response was received. Having regard to the above considerations, the proposal raises no significant concerns in respect to crime and anti-social behavioural related matters.

Heritage Assets including Archaeology

4.86 The Council’s Head of Service for Heritage and Open Spaces was consulted, although no response was received. Tees Archaeology have been consulted and consider that the proposed works would not have any significant impacts on any known heritage asset and there are no concerns raised to the proposed development in respect to impact on archaeology.

Other consultation responses

4.87 Northern Powergrid has been consulted and has not raised any concerns or objections in respect of the proposals, however have provided a Mains Record for the applicant’s information and has provided advice in respect of any works in proximity to Northern Powergrid apparatus. An informative note is recommended accordingly.

4.88 No objections have been received by National Grid, albeit advice regarding their assets has been provided which can also be relayed to the applicant via an informative, which is recommended accordingly.

4.89 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. An informative note is recommended accordingly.

4.90 The Marine Management Organisation were consulted, given the relative location if the application site to the nearby coastline, although the works would not

affect the foreshore, intertidal area or seabed and the proposed development is considered not to impact on marine activity, where such Marine Management Organisation informative advice is not applicable in this instance.

Retrospective Nature (consultee comments)

4.91 Public consultation comments of concerns have been received with respect to the retrospective nature of parts of the proposed scheme. Whilst such concerns are fully acknowledged, the planning application is required to assess the scheme upon the planning merits and the planning process allows for the determination of retrospective planning applications.

4.92 A public consultation comment has raised concerns that the proposals would result in increased litter. Whilst acknowledging the potential for litter, it is considered that such matters are of individual responsibility to manage and that such matters would not impact upon the decision of the planning application.

OTHER MATTERS

Food Preparation

4.93 The Council's Public Protection section have provided advice in respect to any food preparation. The information can be relayed to the applicant by way of informative.

Landlord Permission

4.94 The Council's Estate department have advised that the applicant is required to seek landlords permission for the proposed works. The matter relating to tenant responsibilities can be relayed to the applicant by way of informative accordingly.

CONCLUSION

4.95 Having regard to the above material considerations, taking account of the scale and nature of the proposed works, the relationship with the surrounding area including considerations of character, neighbouring amenity and ecology, it is considered that there would be no significant adverse impacts that would warrant the refusal of the application in such respects. The proposed development is also considered to be acceptable in all other respects when taking into account the requirements of Policies INF4, QP4, NE2 and NE5 of the Hartlepool Local Plan (2018) and the relevant sections of the NPPF (2026). Consequently, the proposed development is therefore recommended for planning approval, subject to the recommended planning conditions.

EQUALITY DUTY

4.96 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

4.97 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

4.98 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 received following the expiry of the outstanding consultation period (09/09/2026) and subject to the conditions below:

1. The development hereby approved, insofar as the floodlights 6 No. 15 metre high floodlights, 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 and details:

Dwg. No 1317/P/4 (Cabin 2 - Away Changing Facilities)

Dwg. No 1317/P/5 (Cabin 3 - Home Changing Facilities)

Dwg. No 1317/P/6 (Cabin 4 - Official Changing Facilities)

Dwg. No 1317/P/7 (Cabin 5 - Toilet Cabin)

Dwg. No 1317/P/8 (Cabin 6 - Turnstile Cabin) all received 26.03.2026 by the Local Planning Authority;

Dwg. No 1317/SLP (Site Location Plan) received 19.05.2026 by the Local Planning Authority;

Dwg. No 1317/P/2 Rev A (Proposed Site/Block Plan) and Dwg. No 1317/P/10 Rev A (Proposed Drainage Plan) both received 18.08.2026 by the Local Planning Authority;

Dwg. No 1317/P/3 (Cabin 1 - Canteen Plans & Elevations) received 25.08.2026 by the Local Planning Authority.

To define planning permission and for the avoidance of doubt.

3. No further development 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 Biodiversity Statement & Metric Assessment (by Arbtech, dated 22 April 2026 and received by the Local Planning Authority on 29 May 2026) and as illustrated on Dwg. No. 1317/P/2 Rev A (Proposed Site/Block Plan, received by the Local Planning Authority on 18th August 2026) 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 Biodiversity Net Gain Assessment;
 - the provision of arrangements to secure the delivery of the net gain proposed in the Biodiversity Net Gain Assessment (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 Biodiversity Net Gain Assessment 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 the provisions of the NPPF (2026) and Policy NE1 of the Hartlepool Local Plan (2018).
4. Notwithstanding the submitted information and prior to installation of any external lighting (including the 6no. high floodlights hereby approved), details of the height, type, position, angle and spread of any external lighting, finishing colour, provision of louvres/backshields and any lighting control to minimise glare, shall be first submitted to and approved in writing by the Local Planning Authority. The scheme for the proposed floodlighting hereby approved shall be in conformity with the floodlight specification as detailed within document 'Siteco, L11mx, PL33TBLC, 122980lm750, DA2, natural' and as detailed on drawing HLS12050 Rev 3 (Proposed Floodlighting), both date received by the Local Planning Authority on 19th August 2026. The scheme for any external lighting shall also provide details of any mitigation measures as set out within the document 'Preliminary Ecological Appraisal' (by Arbtech, document dated 06 March 2026, date received by the Local Planning Authority on 20 August 2026). All external lighting shall thereafter be installed, operated and maintained in accordance with the approved details. To ensure a satisfactory form of development, in the interests of safeguarding the amenities of nearby residential occupiers, minimising unnecessary light pollution, and protecting the qualifying bird features and integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, in accordance with the relevant policies of the Development Plan.
5. Notwithstanding the requirements of condition 4, the floodlighting hereby approved shall be used only in connection with first-team home match fixtures of Seaton Carew Football Club (or any successor club occupying the site).

The floodlighting shall only be illuminated between 30th September and 31st March inclusive and shall not be used at any other time of the year.

For Saturday first-team home fixtures, the floodlighting shall only be operated between 15:00 hours and 17:30 hours. For Tuesday or Wednesday first-team home fixtures, the floodlighting shall only be operated between 18:30 hours and 22:00 hours.

The floodlighting shall not be used for training sessions, recreational activities, maintenance operations, events, private hire, youth or reserve team fixtures, or any other activity not directly associated with a first-team home match fixture.

The floodlighting shall thereafter be retained and operated in accordance with these restrictions for the lifetime of the development.

To limit the frequency, timing and duration of artificial light disturbance in the interests of safeguarding the amenities of nearby residential occupiers, minimising unnecessary light pollution, and protecting the qualifying bird features and integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, in accordance with the relevant policies of the Development Plan.

6. The agreed drainage scheme for the development hereby approved shall be maintained in strict accordance with the following approved plans and details: Dwg. No 1317/P/10 Rev A (Proposed Drainage Plan, received 18.08.2026 by the Local Planning Authority) and document '*Drainage Strategy*' (by ASP, dated April 2026, received 24.04.2026 by the Local Planning Authority). To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system.
7. The cabin facilities hereby approved, comprising changing facilities, toilet accommodation, a food servery and turnstile access shall remain ancillary to the sporting activity associated with Seaton Carew Sports Club and shall not be used for any other purpose or by any other persons.
To suitably control the use of the facilities in the interest of safeguarding the amenities of the occupiers of neighbouring residential properties from noise and disturbance.

BACKGROUND PAPERS

4.99 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=168847>

4.100 Copies of the applications are available on-line:

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

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 Hartlepool Borough Council	DRAWN LH	DATE 22/07/2026
	Scale 1:2500	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2026/0094	REV

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)

HARTLEPOOL SUPPLEMENTARY PLANNING DOCUMENTS (SPDs)

[https://www.hartlepool.gov.uk/planning-policy/land-use-guidance-
supplementary-planning-documents](https://www.hartlepool.gov.uk/planning-policy/land-use-guidance-supplementary-planning-documents)

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), August 2026

[https://www.gov.uk/government/publications/national-planning-policy-
framework--2](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>
Local and National planning policy	Political opinion or moral issues
Visual impact	Impact on property value
Loss of privacy	Hypothetical alternative proposals/sites
Loss of daylight / sunlight	Building Regs (fire safety, etc.)
Noise, dust, smells, vibrations	Land ownership / restrictive covenants
Pollution and contaminated land	Private access disputes
Highway safety, access, traffic and parking	Land ownership / restrictive covenants
Flood risk (coastal and fluvial)	Private issues between neighbours
Health and Safety	Applicants personal circumstances (unless exceptional case)
Heritage and Archaeology	Loss of trade / business competition (unless exceptional case)
Biodiversity and Geodiversity	Applicants personal circumstances (unless exceptional case)
Crime and the fear of crime	
Planning history or previous decisions made	

(NB: These lists are not exhaustive and there may be cases where exceptional circumstances require a different approach)