

# PLANNING COMMITTEE

## AGENDA



**Wednesday 25 September 2019**

**at 10.00am**

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

### MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Brewer, Brown, Buchan, Fleming, James, Lindridge, Loynes, Mincher, C Richardson and Young.

#### 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 4 September 2019 (*to follow*)

#### 4. **ITEMS REQUIRING DECISION**

##### 4.1 Planning Applications – *Assistant Director (Economic Growth and Regeneration)*

- |    |             |  |
|----|-------------|--|
| 1. | H/2019/0139 | Land at Station Road, Greatham (page 1)      |
| 2. | H/2019/0296 | 24 Northwold Close (page 63)                 |
| 3. | H/2019/0354 | Borough Hall, Middlegate, Headland (page 71) |

#### 5. **ITEMS FOR INFORMATION**

- 5.1 Appeal at 183 Park Road, Hartlepool – *Assistant Director (Economic Growth and Regeneration)*
- 5.2 Appeal at 458 West View Road, Hartlepool – *Assistant Director (Economic Growth and Regeneration)*
- 5.3 Update on Current Complaints - *Assistant Director (Economic Growth and Regeneration)*



6. **ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**
7. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

### **EXEMPT ITEMS**

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

### **8. ITEMS REQUIRING DECISION**

- 8.1 Enforcement Notice (paras 5 and 6) - *Assistant Director (Economic Growth and Regeneration)*
- 8.2 Enforcement Notice (paras 5 and 6) - *Assistant Director (Economic Growth and Regeneration)*

### **9. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

### **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 23 October 2019.



# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

### **4<sup>th</sup> September 2019**

The meeting commenced at 11.00am in the Civic Centre, Hartlepool

**Present:**

Councillor: Mike Young (In the Chair)

Councillors: Stephen Akers-Belcher, James Brewer, Paddy Brown, Bob Buchan, Tim Fleming, Marjorie James, Jim Lindridge, Brenda Loynes and Carl Richardson.

Also Present Councillor Tony Richardson

Officers: Jim Ferguson, Planning and Development Manager  
Sylvia Pinkney, Head of Public Protection  
Kieran Bostock, Transport and Infrastructure Manager  
Adrian Hurst, Environmental Health Manager (Environmental Protection)  
Sarah Scarr, Heritage and Countryside Manager  
Daniel James, Planning (DC) Team Leader  
Laura Chambers, Senior Planning Officer  
Nicholas Stone, Neighbourhood Safety Co-ordinator  
Paul Simpson, Principal Property, Planning and Commercial Solicitor  
Jo Stubbs, Democratic Services Officer

#### **40. Apologies for Absence**

Apologies were submitted by Councillor David Mincher.

#### **41. Declarations of interest by members**

Councillor Bob Buchan declared a prejudicial interest in item H/2019/0200 (Rossmere Park) and indicated he would leave the meeting during consideration of this item.

Councillor Tim Fleming declared a personal interest in item H/2019/0191 (11 Queen Street).

Councillor Mike Young declared a personal interest in item H/2019/0191 (11 Queen Street).

## 42. Confirmation of the minutes of the meeting held on 31<sup>st</sup> July 2019.

Minutes approved

## 43. Planning Applications *(Director of Regeneration and Neighbourhoods)*

**Number:** H/2019/0140

**Applicant:** MR AMRO GALAL ENDRICK ROAD HARTLEPOOL

**Agent:** PETER GAINEY ARCHITECTURAL SERVICES 50  
GRANVILLE AVENUE HARTLEPOOL

**Date received:** 12/04/2019

**Development:** Installation of uPVC casement windows (retrospective) and alterations to shop front

**Location:** 8 THE FRONT HARTLEPOOL

This item had previously been deferred to allow for a site visit. Members refused the application by a majority.

**Decision:** **Planning Permission Refused**

### REASONS FOR REFUSAL

1. In the opinion of the Local Planning Authority, it is considered that the replacement first floor windows to front and proposed alterations to the shop front cause less than substantial harm to the designated heritage asset (Seaton Carew Conservation Area) by virtue of the design, detailing and use of materials. It is considered that the works detract from the character and appearance of the designated heritage asset. It is further considered that there is insufficient information to suggest that this harm would be outweighed by any public benefits of the development. As such the development is considered to be contrary to policies HE1, HE3, HE7 and LT3 of the Hartlepool Local Plan (2018) and paragraphs 124, 130, 185, 190, 192, 193, 196 and 200 of the National Planning Policy Framework 2019.

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**Number:** H/2019/0191

**Applicant:** MS G FLETCHER 11 QUEEN STREET  
HARTLEPOOL

**Agent:** MS G FLETCHER 11 QUEEN STREET  
HARTLEPOOL

**Date received:** 17/05/2019

**Development:** Installation of replacement windows  
(Retrospective)

**Location:** 11 QUEEN STREET HARTLEPOOL

This item had previously been deferred to allow for a site visit. The Applicant addressed the Committee and urged members to support her application. She acknowledged that the original windows had not been retained as they should but the cost of this had proven to be prohibitive. Also the original windows had provided minimal insulation leading to drafts and an increase in utilities costs. To fit double glazing to the original windows would have been too costly. The new windows were a match for the originals as far as possible and retained the clean lines of the property.

Members expressed sympathy for the applicant and other residents in the Headland Conservation Area, saying that the rules around properties should be made clearer to residents and that they should be applauded for reducing both personal costs and their carbon footprint. However the Heritage & Countryside Manager advised that the current policy, which was introduced in 2009, was now superseded by the Local Plan and National Planning Policy. The Planning (DC) Team Leader added a note of caution that the manufacture of uPVC had a significant carbon footprint attached to it. A member expressed concern at the gradual reduction of properties with original features in conservation areas and urged members to decide whether they were serious about retaining the town's conservation areas. He intended to reject this application with a heavy heart.

Members refused the application by a majority.

**Decision:** Planning Permission Refused

### **REASONS OR REASONS FOR REFUSAL**

1. In the opinion of the Local Planning Authority, it is considered that the unauthorised uPVC replacement windows installed in No. 11 Queen Street cause less than substantial harm to the designated heritage asset (Headland Conservation Area) by virtue of the design, detailing and use of materials. It is considered that the works detract from the character and appearance of the designated heritage asset. It is further considered that there is insufficient information to suggest that this harm would be outweighed by any public benefits of the development. As such it is considered to be contrary to policies HE1, HE3 and HE7 of the Hartlepool Local Plan (2018) and paragraphs 124, 130, 185, 190,

192, 193, 196 and 200 of the National Planning Policy Framework 2019.

The Committee considered representations in relation to this matter.

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<b>Number:</b>	H/2019/0242
<b>Applicant:</b>	MASON PARTNERS LLP MR PAUL PEARCE BRUNSWICK STREET LIVERPOOL
<b>Agent:</b>	PLANNING HOUSE MRS H HEWARD 4 MAYNARD GROVE WYNYARD BILLINGHAM
<b>Date received:</b>	24/06/2019
<b>Development:</b>	Siting of six shipping containers to be used for A1 retail purposes with empty containers stacked above for visual effect and associated lighting
<b>Location:</b>	LAND AT TEESBAY RETAIL PARK BRENDA ROAD HARTLEPOOL

The agent urged members to support the application which would provide something new and of visual interest to the area and allow it to compete with Dalton Park and Teesside Park. A member expressed his support for the innovative proposal which would provide more consumer choice.

Members approved the application by a majority.

**Decision:** Planning Permission Approved

### CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following plans: drawing number I-AL-00-002 (Proposed Site Plan - Local), drawing number I-AL-20-001 (Proposed GA Plans) and drawing number I-AL-52-003 (Drainage Strategy) received by the Local Planning Authority 28/05/19, drawing number I-AE-20-002 (Proposed Elevations with Context), drawing number I-AE-20-001 (Proposed Elevations), and I-AL-20-002 (Proposed GA Plans) received by the Local Planning Authority 11/06/19, drawing number I-AL-00-101 (Location Plans) and drawing number I-AL-00-102 (Site Plan) received by the Local Planning Authority 13/06/19, drawing number I-AL-00-001 (Location Site Plan) received by the Local Planning Authority 11/07/19 and drawing number I-A3M-99-002 (Daylight and Energy Efficiency

Study) received by the Local Planning Authority 05/08/19.  
For the avoidance of doubt.

3. The container units hereby approved at ground level and level 1 as shown on drawing number I-AL-20-001 (Proposed GA Plans, date received 28/05/19) shall be finished in RAL 7024 Graphite Grey. One of each of the three containers at level 2 as shown on drawing number I-AL-20-002 (Proposed GA Plans, date received 11/06/2019) shall be finished in each of the following colours: RAL 3024 Red, RAL 5002 Blue and RAL 6038 Green. The Level 2 lighting shall be in the form of LEDs to match the colours of the containers.  
In the interests of visual amenity.
4. Notwithstanding the submitted information, the development hereby approved shall not commence until a detailed scheme for the disposal of surface water from 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 surface water flooding from any sources in accordance with the NPPF.
5. No development 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. archeological 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'.

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.
6. The premises shall not be open to the public outside the following times 07:00 to 23:30 daily.  
In the interests of the amenities of the occupants of neighbouring properties and in accordance with Local Plan Policy RC15.
  7. No deliveries to, or from, the premises shall take place between the hours of 23:30 and 07:00 on any days.  
In the interests of the amenities of the occupants of neighbouring properties.
  8. 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 total floor space of the development hereby approved shall be limited to 401 square metres and laid out in accordance with plan drawing number 1-AL-20-001 (Proposed GA Plans, received 28/5/19) and shall not be extended or altered in any way (including through the provision of mezzanine floor space) without the prior written consent of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of the vitality and viability of Hartlepool town centre.
  9. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting those orders), the development hereby approved shall be used solely for non food retail purposes within A1 Use Class.  
To enable the Local Planning Authority to retain control over the development in order to safeguard the vitality and viability of Teesbay Retail and Leisure Park and Hartlepool town centre.
  10. The development hereby approved shall be carried out in accordance with the information contained within drawing number I-A3M-99-002 (Daylight and Energy Efficiency Study) received by the Local Planning Authority 05/08/19. Prior to the occupation of the building(s), the final Building Regulations compliance report shall be submitted to and agreed in writing with the Local Planning Authority and the agreed final scheme shall be implemented thereafter.  
In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy QP7 and CC1.

The Committee considered representations in relation to this matter.

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<b>Number:</b>	H/2019/0169
<b>Applicant:</b>	FORSO LTD SHELTON STREET LONDON
<b>Agent:</b>	PROJECT LINDEN LYNDSEY WALKER 37 DOVEDALE ROAD NORTON STOCKTON ON TEES

**Date received:** 21/06/2019

**Development:** Change of use to house in multiple occupation, installation of replacement windows and replacement roof (part retrospective)

**Location:** 68 GRANGE ROAD HARTLEPOOL

The Agent urged members to support the retrospective application aimed at protecting a heritage asset. The property had been empty for over 18 months and as a result had become riddled with damp. By carrying out such extensive renovations the owner was working to positively enhance the property and make it suitable for students and young professionals.

Members refused the application by a majority.

**Decision:** **Planning Permission Refused**

### **REASONS FOR REFUSAL**

1. In the opinion of the Local Planning Authority, the replacement composite roof and the proposed uPVC replacement windows at No. 68 Grange Road would cause less than substantial harm to the designated heritage asset of Grange Conservation Area, by virtue of the design, detailing and use of materials. It is considered that the works would detract from the character and appearance of the designated heritage asset. It is further considered that the applicant has failed to demonstrate that this harm would be outweighed by any public benefits of the development. As such it is considered to be contrary to policies HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 124, 127, 130, 185, 190, 192, 193, 196 and 200 of the National Planning Policy Framework 2019.

The Committee considered representations in relation to this matter.

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### **Councillors Bob Buchan and Brenda Loynes left the meeting**

**Number:** H/2019/0200

**Applicant:** HARTLEPOOL BOROUGH COUNCIL MR COLIN BOLTON VICTORIA ROAD HARTLEPOOL

**Agent:** HARTLEPOOL BOROUGH COUNCIL MR COLIN BOLTON CIVIC CENTRE VICTORIA ROAD HARTLEPOOL

**Date received:** 19/06/2019

**Development:** Installation of 2 No. CCTV columns, 1 x 8m and 1 x 10m, complete with anti climb attachment and dome camera and wireless transmission link

**Location:** ROSSMERE PARK ROSSMERE WAY  
HARTLEPOOL

The Head of Public Protection advised members that this application formed part of a larger scheme for the installation of CCTV cameras in several of the town's parks. The cameras were of standard height and their installation and subsequent operation would comply with all legal obligations. A member queried whether the privacy of adjacent residents could be guaranteed. The Head of Public Protection advised that the cameras were designed specifically to prevent crime and disorder, not to be intrusive to residents. The use of the cameras was audited and the staff were fully trained in terms of policies regards looking into private properties.

Ward Councillor Tony Richardson expressed concerns around the placement and height of the cameras. He felt there would be too much opportunity for users to look into private gardens and queried why a privacy zone had not been inserted into the cameras. He also queried why a lower height was not being used as it was in Baden Street. He suggested the location of the cameras be moved to Rossmere Way and Ardrossan Way thereby removing the privacy concerns. He also raised concerns that he had not been informed in a timely manner that a public meeting on this matter was due to take place and that he was not receiving paperwork to which he was entitled.

A member commented that he would prefer a camera with the ability to look into private properties if it provided better protection of him and other residents. The Neighbourhood Safety Co-Ordinator indicated that if the cameras were moved to the suggested location they would not provide the required levels of protection. The vast majority of CCTV cameras in the town could see into private properties however camera operators were carefully trained and made aware of the possibilities for dismissal and potential criminal action if they breached their training.

Members approved the application by a majority.

**Decision:** **Planning Permission Approved**

### **CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drwg. No. 420/51/E/001A (Block Plan - 'Additional CCTV Sites Rossmere Park Events Location', scale 1:500),

Drwg. No. 420/51/E/001B (Block Plan - 'Additional CCTV Sites Rossmere Park Lake Location', scale 1:500), Drwg. No. 420/51/E/001C (Block Plan - 'Additional CCTV Sites Rossmere Park Location' Plan Lake Area, scale 1:100), Drwg. No. 420/51/E/1E (Elevation - Rossmere Park Column Elevations'), 'HIKVISION' technical details (dome camera) and 'Altron' details of 'ornate poles' 'ornate poles technical specification', 'ornate brackets' and 'embellishment details' all date received by the Local Planning Authority on 16th April 2019; and Drwg No. 420/51/E/001E (Site Location Plan 'Additional CCTV Sites Rossmere Park ', scale 1:1500), date received by the Local Planning Authority on 8th May 2019; and Drwg No. 420/51/E/001E REV A (Site Location Plan 'Additional CCTV Sites Rossmere Park', scale 1:2000) date received by the Local Planning Authority on 11th June 2019. For the avoidance of doubt.

3. The 2 no CCTV camera and all other associated apparatus and equipment hereby approved shall be painted black and finished in accordance with the approved specification details and plan Drwg. No. 420/51/E/1E (Elevation – Rossmere Park Column Elevations date received by the Local Planning Authority on 16 April 2019) unless alternative similar materials are agreed in writing by the Local Planning Authority.

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

4. The 2 no CCTV camera and all other associated apparatus and equipment hereby approved shall be removed from the land on which they are situated within three months of the date that the camera is no longer required for CCTV purposes and has ceased to operate or to any condition as may be agreed in writing between the Local Planning Authority and the developer.  
In the interests of visual amenity.

The Committee considered representations in relation to this matter.

**Councillor Bob Buchan returned to the meeting.**

#### **44. Appeal at 11 Moor Parade, The Headland** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that a planning appeal had been submitted against an enforcement notice served in respect of the unauthorised sub-division of a single dwellinghouse to create 2 separate flats. On 19<sup>th</sup> December 2018 Planning Committee authorised enforcement action. The appeal against this was on the grounds that the appellant believed it was too late to take enforcement notice against the breach at the time the notice was issued.

#### **Decision**

That the report be noted

**45. Appeal at Amigos Bar, 1-3 Victoria Road** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that a planning appeal had been submitted against an enforcement notice served in respect of an unauthorised change of use. On 31<sup>st</sup> October 2018 Planning Committee authorised enforcement action. The appeal against this was on the grounds that the appellant considered that permission should be granted for the retention of the development, that lesser steps were available to remedy the breach and that the time given to comply was too short.

**Decision**

That the report be noted

**46. Appeal at 1 Arncliffe Gardens** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that a planning appeal had been submitted against an enforcement notice served in respect of the unauthorised erection of a close boarded timber fence and timber gate. On 31<sup>st</sup> October 2018 Planning Committee authorised enforcement action. The appeal against this was on the grounds that the appellant considered that the steps required to remedy the breach were excessive and that the fence was in keeping with the area.

**Decision**

That the report be noted

**47. Appeal at 193 Raby Road** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that a planning appeal had been submitted against a decision in respect of a retrospective change of use to A5 (hot food takeaway), installation of replacement doors and windows to front and installation of flue to rear. In July 2019 Planning Committee refused the application as the site was not within a designated retail centre, the use would be detrimental to the health and local residents and the flue was of a poor quality design.

**Decision**

That the report be noted

**48. Appeal at 458 West View Road** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that a planning appeal had been submitted against a decision in respect of a proposed erection of a 2-storey extension at the rear. The application was refused under delegated powers as it was considered that the extension would result in an overbearing appearance and loss of light that would be detrimental to the amenity of the neighbouring occupier to the west.

**Decision**

That the report be noted

**49. Appeal at Unit 4, The Saxon** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that a planning appeal had been submitted against a decision in respect of a change of use. The application was refused under delegated powers as it was considered that the proposed development would result in an unacceptable concentration of hot food takeaways in a small Local Centre and would be detrimental to the health of local residents.

The Chair commented that it may be necessary to revisit the Council's 'takeaway' policy depending on the outcome of this appeal.

**Decision**

That the report be noted

**50. Update on Current Complaints** (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised of 6 complaints currently under investigation and 10 complaints were investigations had been completed.

**Decision**

That the report be noted.

**51. Local Government (Access to Information) (Variation Order) 2006**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on

the grounds that they involved the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 52 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 53 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 54 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 55 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 56 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 57 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 58 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 59 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 60 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 61 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 62 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that



the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

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

Members were asked to authorise enforcement action in respect of an unauthorised development. Details are provided in the exempt minutes.

#### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action in respect of an unauthorised development. Details are provided in the exempt minutes.

#### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

#### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

#### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

#### **Decision**

Detailed in the exempt minutes.

- 57. Enforcement Notice** (*Assistant Director (Economic Growth and Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of

which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

### **Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action. Details are provided in the exempt minutes.

**Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action in respect of an unauthorised development. Details are provided in the exempt minutes.

**Decision**

Detailed in the exempt minutes.

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

Members were asked to authorise enforcement action in respect of non-compliance with planning conditions. Details are provided in the exempt minutes.

**Decision**

Detailed in the exempt minutes.

The meeting concluded at 12 noon.

CHAIR

**No:** 1.  
**Number:** H/2019/0139  
**Applicant:** GUS ROBINSON DEVELOPMENTS LTD WEST VIEW ROAD HARTLEPOOL TS24 0BW  
**Agent:** GEORGE F WHITE 8 FRONT STREET WOLSINGHAM DL13 3AA  
**Date valid:** 30/04/2019  
**Development:** Residential development comprising the erection of 36 no. residential dwellings and associated access, infrastructure and landscaping.  
**Location:** LAND AT STATION ROAD GREATHAM HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

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

H/2014/0308 – Outline planning permission (with all matters reserved) was granted on 17<sup>th</sup> June 2015 for residential development comprising the erection of 29 dwellings. This permission has not been implemented and has since lapsed.

## PROPOSAL

1.3 Planning permission is sought for residential development comprising the erection of 36 no. residential dwellings and associated access, infrastructure and landscaping.

1.4 The proposed residential development comprises a large cul-de-sac with a linear layout featuring a single internal estate road running from the north-west to the south-east of the site, with turning heads at either end. The proposed dwellings face into the site, with rear gardens fronting the site boundaries. The supporting Design & Access Statement indicates that the layout of the site plan is a response to the site constraints, following the lines of the existing contours and a noticeable change in ground levels running from north to south. The site would be served by an access to the east of the site, onto the adopted highway at Station Road, accommodated through works to the highway and existing hedge/boundary. The proposals also feature a pedestrian access to the north-east of the site with a new crossing point on Station Road. A pedestrian access to the south-west of the site adjacent to the existing playground between Saltaire Terrace and Hill View is also proposed.

1.5 The proposed scheme comprises a mix of house types including;

- 13no. 3-bed 2 storey terraced/semi-detached houses,
- 7no. 3-bed 2.5 storey terraced houses,
- 5no. 4-bed 2 storey semi-detached houses,
- 6no. 2-bed semi-detached bungalows,
- 1no. 2-bed detached bungalow,
- 4no. 4-bed 2 storey detached houses.

1.6 There are a variety of designs and finishing materials to the proposed dwellings, with the materials palette including facing contrasting coloured brick, neutral-coloured render, artstone cills, brick headers, brick quoins and pitched tiled roofs. Features such as stepped roof lines and irregular footprints are also proposed. Terraced properties are laid out to the north-west of the site (closest to the centre of Greatham village), with semi-detached properties through the central portion of the site and detached properties more prevalent to the south-east of the site, representing a gradual decrease in density from north-west to south-east. The various house types include a variety of roof types, including both hipped end and gable ended roof designs, with a number of properties featuring front facing gables.

1.7 All of the proposed dwellings are served by a private garden space to the rear. Rear gardens along the western boundary of the site facing the adjacent school field will be enclosed by approximately 1.8 metre high closed boarded (no gaps) fencing, with standard 1.8 metre high closed boarded fencing to rear gardens along the remainder of the western boundary and the southern boundary of the site. To the north and eastern boundaries (with the exception of plot 1), rear gardens that sit adjacent to Station Road will be enclosed by approximately 1.2 metre high open boarded (hit-and-miss) fencing with a 0.6 metre high trellis above. Where possible, the proposed dwellings also feature small open plan garden areas/landscaping to the front, with each property accommodating 2 or 3 off-street parking spaces (as required) to the front or side.

1.8 The proposals also include the erection of a pumping station compound adjacent to the site access. The pumping station measures approximately 3.42m x 8.6m in area and is to be enclosed by a 2 metre high closed boarded timber fence and newly planted hedgerow. Details of the pumping station building have not been provided however can be secured by virtue of a pre-commencement planning condition.

1.9 Pockets of public open space/landscaping have been incorporated to the east of the site, either side of the site access road and to the north and south of the site adjacent to the pedestrian accesses into the site. Following concerns from objectors and discussions with the case office, the proposals also now comprise the retention of parts of the existing boundary hedgerow and tree planting to the north and east of the site. Further south along the eastern boundary, the existing hedgerow will be lost to accommodate the site access, pumping station and changes to site levels, however replacement hedge planting is proposed along part of this boundary and to screen the proposed pumping station. These matters will be discussed in further detail below.

1.10 The application has been referred to Planning Committee owing to the number of objections received in line with the Council's scheme of delegation.

## **SITE CONTEXT**

1.11 The site extends to 0.99 hectares and is currently overgrown agricultural land. It is located between Station Road and Egerton Terrace and bounded by Greatham Primary School to the south west. There are a number of mature and semi mature trees bounding the site with mature and dense hedgerows along the Station Road boundary.

1.12 The site lies outside of, but directly adjacent to the Greatham Conservation Area which covers the west of the village. The village derives from its original establishment as a medieval settlement in the 11<sup>th</sup> to 13<sup>th</sup> centuries, with residential buildings predominantly comprising of 18<sup>th</sup> and early 19<sup>th</sup> century farmhouses, townhouses and cottages to the north and 1960/70's housing to the south of the application site.

1.13 There are public footpaths to the south of the site which forms a link to the residential properties on Hill View, Saltaire Terrace and Egerton Terrace and the village beyond. Further south are residential properties. To the north and east is Station Road, beyond which are residential properties, sports pitches and allotment garden. To the west is Greatham Primary School and its playing fields and residential properties which front onto Egerton Terrace and Station Road.

## **PUBLICITY**

1.14 The application has been advertised by way of press notice, site notice and neighbour letters (39). To date, there have been 2 letters of support and 1 letter of 'do not object'.

1.15 To date, 20 objections have also been received citing the following concerns (summarised):

- Detrimental impact on the character of Greatham / not in keeping with the village character
- Loss of open space
- Increase in traffic (incl. additional noise and air pollution) / Insufficient capacity on local road network
- Poor access / detrimental impact on highway and pedestrian safety (incl. for pupils at adjacent school and those using the village green and community areas)
- No pedestrian footpath to the side of the site
- Speed calming measures / new signage should be in place
- Construction disruption (incl. construction traffic, noise, dust/dirt, environmental pollution etc.)
- Too close to school / overlooking school / detrimental impact on school adjacent and learning environment (during construction and through use)
- Detrimental impact on wildlife and ecology (incl. deer, rabbits, butterflies, birds, bats, bees, hedgehog, great crested newt etc.)
- Detrimental impact on / loss of hedgerows, trees and landscape features
- Increase in anti-social behaviour and litter



- Nature/composition of infill material
- Detrimental impact on school places / insufficient school places at local school
- Insufficient amenities in village
- Potential impact on surface/foul water drainage
- Contrary to previous planning advice with respect to highway impact
- Too many dwellings / overdevelopment
- Potential impact on telecommunications / internet provision
- Detrimental impact on character of the conservation area
- Environmental report completed at wrong time of year / incomplete
- Increased vehicle emissions from future occupants
- Increased flood risk
- Loss of path to rear of children's playground

#### 1.16 Copy Letters A

1.17 The period for publicity has expired.

### CONSULTATIONS

1.18 The following consultation replies have been received:

**Hartlepool Rural Neighbourhood Plan Group** – Thank you for consulting Hartlepool Rural Plan Group with regard the above application. The Group has no objections to the principal of development of this site for housing. There are however a number of issues which need to be addressed to make the current application acceptable.

The increase from the previous approved outline application H/2014/0308 for 29 homes to the current application for 36 is a source of concern. 29 was previously considered the best level of development for this site and there have been no material changes in Greatham that would indicate why an increase is now acceptable. Further the extra houses seem to have partially been accommodated by the sacrifice of a SUDs scheme which is at odds with HRNP policy GEN2 (7). The application is accompanied, as is all too usual, by disappointingly poor Design and Access Statement. According to Article 4 of Statutory Instrument 2013/1238 a design and access statement shall—

- (a) explain the design principles and concepts that have been applied to the development;
- (b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account.

There are a number of statements claiming that the design does things, but no explanation. For example it is stated “the design of the individual dwellings reflect the local existing vernacular” – how does it do this? No references to any source vernacular details are provided.

The statement makes no reference at all to the Hartlepool Rural Neighbourhood Plan (HRNP) or Greatham Village Design Statement. In this light the application is

contrary to HRNP Policy GEN2. In particular bullet points 1, 2, 3, 4, 5 & 7 need to be addressed. See also Local Plan policy QP4 & NPPF 130.

The layout provides a single introverted street that fails to take any opportunity to engage with the existing village layout. Opportunities should be explored at the southern and northern boundaries. At the south there is an existing square area of grass with play equipment that could be a focus point where old and new engage - the new properties at this location should face onto and have pedestrian access from this area. Reference policy GEN2 (4). At the north the terrace again backs onto the existing street, a realignment should be considered that might better engage with the existing street pattern.

HRNP Policy H1 states “*New housing development should provide a mix of house types and tenures on sites of five or more dwellings; the mix should have regard to the latest evidence of housing need applicable at the time*”. The mix of house types, especially the inclusion of bungalows is welcome. Regarding tenure however Greatham has more rentable housing (Hospital of God and Housing Association) and former local authority housing (which tends to be more affordable) than any other Hartlepool village. There are also some large detached freehold properties. What the community lacks are properties to buy in the £150,000 to £275,000 range. In order to contribute to the creation of a mixed, balanced and inclusive community a significant proportion of the homes proposed on this site should be made available to buy outright as well as rent to buy in order to meet community need and provide the mix of tenures.

The application currently fails to provide safe pedestrian routes which are integrated with existing provision in the village. This needs to be addressed to provide convenient and safe access to the village school, public transport, local shops and community facilities. This is required to comply with HRNP Policy T2, Greatham Village Design Statement, Local Plan policies INF1, INF2 & QP3. (reference also NPPF paras 91, 102 & 110).

The need to support and improve community facilities in Greatham and the wider rural area should be borne in mind when considering any developer contributions. HRNP policy C1 & PO1.

Finally, it is regretted that despite constant calls and reference in the NPPF for early meaningful engagement with communities prior to development applications, in this case, yet again none has been undertaken. Had it been many of the above comments might have been addressed.

UPDATE 02/08/19: Thank you for re-consulting Hartlepool Rural Plan Group with regard the above application. The Group’s previous consultation response remains valid despite the amendments and should be read in conjunction with this supplementary submission which only addresses points made clear by the amended documents.

We thank the applicant for the details provided, especially the ‘Design Appendix Sheets 1 & 2’ that clarify their design principles and concepts. Unfortunately, this reinforces our suspicions that little effort had been taken to produce a design which

is innovative or helps to create a sense of place and reinforce the character of the village.

The D & A Statement and Appendix sheets indicate that elements from the historic heart of the village have been selected to provide the thinnest veneer in a poor attempt to make standard house types acceptable. For example, elements like the quoins have been taken out of context and randomly applied around the proposed street. The Design Appendix Sheets indicate this detail has been taken from a listed building in Greatham which is more imposing than its neighbours being higher and double fronted with grander detailing such as the unique use of stone quoins. Sadly, the application presented has used these without the proper context randomly scattering them around the site on properties that are clearly not grander or more distinguished. If anything, this devalues the original listed building. Rendering has also been randomly scattered about the proposed properties and in some instances only partially applied to a façade on some properties, the latter is not something done in the historic village.

Taking the above and previous comments this application is considered to be at odds with HRNP Policy GEN2 Design Principals and has also failed to take into account Greatham Village Design Statement. These policies are supported by Local Plan policies QP4 and RUR1 as well as NPPF section 12.

The addition of a pedestrian route out of the application site to Hill View in the south which affords a safe route to the village school is welcome. The situation at the north of the site is however considered dangerous. There is no pavement on the side of Station Road which runs along the north of the application site. Due to the land being higher than the road it would require excavations to provide one. What is being proposed are two disabled access crossing points which would require pedestrians to cross a road, which is the villages main artery, at points where there are a series of blind bends. We would urge the Planning Committee to hold a site visit to fully appreciate this.

At the north of the site a safer pedestrian route to the majority of the facilities provided in the village is required. Providing this within the development site would be the simplest solution. This is needed to comply with HRNP Policy T2 and Greatham Village Design Statement. A policy reinforced by Local Plan policies INF1, INF2 & QP3 and NPPF paras 91, 102 & 110.

The amended documents make it very clear that the intention is to remove almost all the existing hedgerows around this site and replaced them with 2m high close board fencing. Such fencing is not a feature of the village of Greatham along street frontages. This would therefore be a very intrusive and uncharacteristic addition to the village. As such this is contrary to HRNP policies GEN2 and NE1 (bullet points 3 & 4) and Greatham Village Design Statement. This is supported by Local Plan policies QP4, QP6 and RUR1, also NPPF section 12.

Considering the above comments and those in our earlier consultation reply this application is contrary to several policies contained in the Hartlepool Rural Neighbourhood Plan. As such HRNP Group OBJECT to this application in its current form. We believe this stance to be supported by Local Plan policies and the NPPF.

The Group would be happy to work with the applicant and planning to seek solutions to the points that have resulted in this decision.

**HBC Traffic & Transport** – The shared surface carriageway at both ends of the site should be 6.0 metres in width. (looks like it is 6m but don't have access to scale plan)

Private access to plots 26 – 28 should be 6 metres wide to accommodate parking. (looks like it is 6m but don't have access to scale plan)

The sight lines at the junction with Station Lane should be a minimum 2.4 x 43 metres.

The existing footway fronting the site should be widened to 2.0 metres and a disabled access crossing point installed on both sides of the carriageway at the point the footway switches to the other side of the carriageway.

Details should be provided showing the proposed new pedestrian access at the north end of the site, an appropriate hard standing with disabled access crossing should be provided. The hedge should be trimmed / removed to provide adequate visibility for pedestrians crossing the road. An extra street lighting column should be provided in this location.

UPDATE 09.08.19: The proposed amendments to the site access and footway and the footway connection to the south of the site are acceptable.

UPDATE 11.09.19 (verbal): No issues with proposed hedge retention adjacent northern crossing point provided the hedgerow adjacent does not overhang the highway verge (approx. 1 metre from road surface) to ensure pedestrian visibility. Confirmed matter should be secured by a planning condition.

**Highways England** – Referring to the planning application referenced above, dated 9 May 2019, Re A19, Residential Development comprising the erection of 36 no residential dwellings and associated access, infrastructure and landscaping Land at Station Road Greatham, Hartlepool. Notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection;

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

**HBC Public Protection** – I would have no objections to this application subject to the following conditions;

Prior to the commencement of development details of acoustic fencing to be erected between the residential development and Greatham Primary School shall be submitted to and approved in writing by the Local Planning Authority, thereafter the approved scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings which share the boundary with the school

No construction works shall take place outside the hours of 08.00 hrs and 18.00 hrs Mondays to Friday and 09.00 hrs and 13.00 hrs on a Saturday. No construction works shall take place on Sundays or Bank Holidays.

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, roadsheets 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.

UPDATE 24.06.19 (in respect of the requested acoustic fence): We would accept a 1.8m close boarded fence to the boundary. The fence must be of good quality without any gaps or knot holes.

UPDATE 24.07.19: I have no further comments to add following the amendments to the plans.

**HBC Landscape Architect** – The development proposes the development of 36 dwellings on the site. This results in a high density development, with little soft landscape treatment. The front garden areas to properties 11- 19 are very small, would contribute little streetscape and be difficult to maintain. Some landscape structure will be provided by the retention of some of the existing trees and hedgerow.

Consideration should be given to providing a pedestrian linkage to Greatham village centre linkage from the north of the site.

Should the development proceed, full details of hard and soft landscape treatments should be provided which should include details of bin storage. This information can be controlled by conditions.

UPDATE 19.07.19: Landscape drawings D212.P.001 and D212.P.002 have been provided and the information shown is acceptable.

UPDATE 02.09.19: I have no issues with the revised approach to the development

**HBC Engineering** – I have reviewed the application and there is not enough information on the drainage to allow me to approve the details. I am satisfied with the contents of the Flood Risk Assessment but would request a surface water condition to deal with the detailed design of the surface water drainage.

UPDATE 24.06.19 (in respect of the proposed imported material): If we attach a contamination condition onto this application that will cover us. They should be able to discharge the first couple of elements straight off as the information has already been supplied

UPDATE 30.07.19: Please can I request our standard surface water and site investigation conditions.

**Environment Agency (EA)** – This application was screened out by our booking in system – there is no need for us to be consulted.

**Hartlepool Water** – No representation received.

**Northumbrian Water** - In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's 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>.

Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment & Drainage Strategy". In this document it states both the foul and surface water flows shall discharge to the existing combined sewer at manhole 5214. The surface water flows shall be restricted to a maximum of 5 l/sec.

We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

**CONDITION:** Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment & Drainage Strategy" dated "06.12.18". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5214 and ensure that surface water discharges to the combined sewer at manhole 5214. The surface water discharge rate shall not exceed the available capacity of 5.0l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

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

hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option.

UPDATE 30.07.19: In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's 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>.

Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment & Drainage Strategy – Rev A". In this document it states both the foul and surface water flows shall discharge to the existing combined sewer at manhole 5214. The surface water flows shall be restricted to a maximum of 5 l/sec.

We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

**CONDITION:** Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment & Drainage Strategy – Rev A" dated "11.07.19". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5214 and ensure that surface water discharges to the combined sewer at manhole 5214. The surface water discharge rate shall not exceed the available capacity of 5.0l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood

Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option.

**HBC Heritage and Countryside Manager** – The application site is just outside the boundary of Greatham Conservation Area, a designated heritage asset, and to the rear of two locally listed buildings (Meadowcroft & Fairfield, Egerton Terrace) which are considered to be heritage assets. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Further to this in considering the impact of development on heritage assets, the National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 185 & 192, NPPF).

At a local level Policy HE3 of the Local Plan has regard for the setting of conservation areas.

The special character of the Greatham Conservation Area is predominantly derived from the village centre around The Green, its early development as a religious based hospital in the 13th century and as an agricultural settlement. Mixed in with this early stage of growth are much later early 19th century individual houses, short terraces and late Victorian terraced housing.

The application is for a residential development comprising the erection of 36 dwellings and associated access, infrastructure and landscaping.

It is considered that the proposal will not impact on the significance of the conservation area or the adjacent locally listed buildings. It is however disappointing that it appears that little consideration has been given to the design and layout of the proposed development in particular in relation to the architecture details and layout of property. Predominantly the village comprises terraced housing and semi-detached spaces with areas of communal space between, particular in the centre of the village. Buildings are of a simple design with a mixture of brick and render walls and slate and clay pantile roofs creating variety in the streetscapes. Further information on this matter can be found in the Greatham Village Design Statement.

UPDATE 11.09.19: Further to our discussions and the amendments that have been provide with regard to the housing application at Greatham. I would confirm that I am satisfied with the changes that have been made which take into consideration the detailing found within the conservation area and have no objections to this proposal.

**Tees Archaeology** – This site has already been the subject of archaeological evaluation with geophysical survey and trial trenching in 2007. These works revealed no features of archaeological interest and there is no need for any further archaeological involvement in the site.



UPDATE 23.07.19: I have no comment to make or objection.

**HBC Ecology** –Objection (clarity required. Habitat mitigation/ compensation measures required. Biodiversity enhancement measures required. HRA required).

I have studied the submitted Preliminary Ecological Assessment report (Ecology report) prepared by All About Trees Ltd and the Arboricultural Impact Assessment report, December 2017.

#### Designated sites and Habitats Regulations Assessment

Since the PEA report was published, the series of SSSIs in Teesmouth have been amalgamated (and extended) into a single site named Teesmouth and Cleveland Coast SSSI (T&CC) (2019). In addition to the T&CC SPA and Ramsar some additional areas are now a proposed extension to the SPA (pSPA). The advice in the report that a Habitats Regulations Assessment (HRA) is not required is incorrect.

A HRA is required for all housing schemes within 11km of the coast. HBC has a HRA template and I will prepare the HRA. The findings are likely to be that a financial payment per house is required to mitigate against the indirect adverse impact on SPA feature birds caused by recreational disturbance. This is likely to be £12,600 which will need to be secured via a S106 agreement. The applicant should be made aware that this contribution is in addition to any planning contributions.

#### Species

The field survey was undertaken on 02/11/2017 and while the Ecologist was able to identify plant species from their vegetative state and seed heads, some plants could have been missed. Breeding birds and NERC Act S41 invertebrates will also have been missed. The Report should make allowances for this and taking the precautionary approach assess the likelihood of out of season protected and priority species. However, I am satisfied that the report has covered all likely priority species.

The only priority species flagged is hedgehog, assessed as likely and therefore needing mitigation measures. I require a mitigation measure for reducing the habitat available to hedgehogs and this should be conditioned. These should include hedgehog holes in any close-boarded fences and habitat creation.

I do not require a great crested newt terrestrial habitat survey due to the distance from known populations. I do not require bat surveys.

The breeding bird condition should be issued as there will be work to trees, hedges and vegetation.

#### Habitats

It is unclear what habitat types make up the boundary and what will happen to them. The Ecology report refers to fencing and a hedge alongside the road (NE boundary). The Arboricultural Impact Assessment refers to this as Hedge H1 and gives it a Category A rating (Appendix 1). Category A is high quality and to be retained. However, Drawing AMS EX1 (Arboricultural Method Statement Existing Trees Shown

on Existing Layout) refers to is as 'Hedge 1 C', presumably meaning it is Category C and okay to remove. Drawing AMS TPP (Arboricultural Method Statement Tree Protection Plan) appears to me to show the southern section removed and the northern section retained. I require clarity on whether all or part of this hedge is to be destroyed. If sections of hedge are to be removed I will require compensation of x2 the length planted elsewhere on site. This should be clearly marked on a drawing and conditioned.

Hedgerows are a NERC Act S41 priority habitat and hedges are a Tees Valley Local BAP habitat and therefore a material consideration – adverse impacts on hedges requires mitigation and or compensation. Section 5.3 of the Ecology Report is incorrect when it states that there are no priority habitats on site – there are hedges.

The Ecology report does not mention the hawthorn and elder scrub along the south-eastern boundary, yet this is clearly marked in the Arboriculture reports and drawings as Tree Group G1 and given Category A (Appendix 1). Category A is high quality and to be retained. Appendix 1 goes on to say that '*This group is in conflict with the proposed design and will need to be removed to facilitate the development*'. This is at odds with its Category A rating and I require clarity on the future of Tree Group G1. If G1 is to be removed I expect compensatory habitat to be created elsewhere on site. This should be clearly marked on a drawing and conditioned.

The application does not have a landscaping plan. Such a plan would be a good vehicle to highlight habitat mitigation and compensation measures.

#### Biodiversity enhancement

NPPF (2018) paragraph 170 d) includes the bullet point: *Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*. Net gain should be appropriate to the scale of the development and should be conditioned.

The site is in an area that supports bats/ farmland birds, which would benefit from the availability of man-made roost/ nest holes. I require an integral bat box or house sparrow/ starling nest box to be built into each house or garage. Bat boxes should be placed at a height of >4m and should preferably face E or S facing (some sun). Bird nest boxes should be E facing.

#### Examples

'Eco-habitats for bats' brick – see:

<https://www.ibstockbrick.co.uk/wp-content/uploads/2015/01/AA6606-Portfolio-Eco-products.pdf>

Ibstock bricks – see:

<http://www.wildlifeservices.co.uk/batboxes.html>

UPDATE 31.07.19: Ecology – objection (compensation for removed hedgerow needed).

I have studied the submitted Preliminary Ecological Appraisal (PEA) report (Revision B dated 12 July 2019) prepared by All About Trees Ltd, as well as the amended soft landscaping and shrub planting plans. I note that a follow-up Ecology survey was undertaken in June 2019 and this has provided clarity to my earlier queries regarding trees, scrub and the hedge.

### Species

I am aware of a claim that a newt was found on the site in the spring. I have identified this from photograph 1 as a smooth newt. There are several ponds in the wider area and some of these are likely to include amphibians. I have records of common toad and smooth newt from ponds nearby. All amphibians leave their breeding ponds and spend a considerable amount of time living on suitable terrestrial habitat (especially short grassland and gardens). These animals are likely to be thinly distributed across the wider Greatham Village area and the likely adverse impact to them from development at this site is negligible.

The PEA includes opportunities for hedgehogs (Section 6, p27) and holes measuring approx. 9x9cm should be built into close boarded fences to allow access between gardens and to areas of greenspace outside of the site. This should be conditioned.

The breeding bird condition should be issued as there will be work to trees, hedges and vegetation which may be scheduled for the nesting season.

### Priority Habitats

Hedgerows are a NERC Act S41 priority habitat and hedges are a Tees Valley Local BAP (Biodiversity Action Plan) habitat and therefore a material consideration – adverse impacts on hedges requires mitigation and or compensation.

The roadside hedge, which is approximately 230m long, has thickened up since the 2017 survey and is now a functional hedge. Some 30m is to be retained at the northern end of the site, the rest (200m) will be removed. I require x1.5 length of lost hedge (not x2 as I previously said) as replacement, which is 300m. The PEA Opportunities section (p27) recommends compensation for this loss as a 'Species rich replacement hedge planted along the eastern roadside boundary'. On the Shrub planting plan this is shown as approximately 100m of native species hedge located near the pumping station and the access road from Station Lane. Therefore, 200m of native-species hedge is unaccounted for. If it is not feasible for a hedge to be planted on the application site, it will be acceptable for a different S41 priority habitat or Tees Valley Local BAP habitat (e.g. a pond) of equivalent cost to be created on site.

Should it not be feasible to create a hedge or an area of priority habitat on-site, a financial contribution for off-site works on HBC controlled land may be a way forward. This would be the cost of planting a 200m length of native-species hedge (double, staggered rows) using 60-90cm whips, protected with spiral tree guards and canes. The cost would include a three year maintenance period plus HBC project management time. The type of priority habitat created and the receptor site would be at the discretion of HBC and should be secured through a legal agreement.

### Other habitats

I note that the majority of trees and scrub will be removed. The only trees to be retained are at the northern end of the site, where four trees within the boundary are marked for retention. The proposed soft landscaping, using mostly street tree species and ornamental shrubs, will provide some cover and food for wildlife. I am satisfied that this loss is negligible and does not require compensating.

### Biodiversity enhancement

NPPF (2018) paragraph 170 d) includes the bullet point: Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The PEA has recognised this on p27 under the section on Opportunities, where various types of integral bat and bird nesting and roosting boxes are proposed. This should be conditioned.

### Designated sites and Habitats Regulations Assessment

I have prepared a HRA for the site. I note that in an email dated 12/07/2019, the Architect has confirmed the HRA Contribution - £350 x 36 = £12,600.

UPDATE 03.09.19: I will require a financial contribution of £3,000.

### Hedges

I have considered the further proposed amendment regarding hedging on the site, which is currently 230m in length. This amendment is the retention of the length of hedgerow running along the eastern boundary of the site from plots 26 to 33 (indicatively sketched below). I do not have a plan that I can scale from, but have measured this length as approx. 65m. With the 30m of hedge already planned for retention, a total of 95m is to be retained and 135m lost. At the accepted replacement rate of x1.5, this gives a length of 200m of new hedge needed. Some 100m of new planting is to be located near the pumping station/ access road from Station Lane. Therefore, 100m of new off-site hedge that needs to be secured via a financial payment. Using the in-house costings (Appendix 1) this works out as £2,500 + £500 (Total: £3,000).

I would be prepared to accept a financial contribution of £3,000 secured through a S106 agreement. If this is agreed, the S106 wording should be for 'the creation of a priority habitat to be maintained for the length of the development'. The wording 'priority habitat' gives the Council greater scope for being able to appropriately create the new habitat and achieve the biodiversity compensation.

UPDATE 11.09.19: this is acceptable, my last set of comments stand and the £3000 contribution is appropriate.

### **Natural England – UPDATE 18.08.19: 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 (SPA) and Ramsar <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Cowpen Marsh Site of Special Scientific Interest has been notified.

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

The proposal is likely to have a detrimental effect on the special interest features of the above named sites through recreational disturbance. The proposal, if granted permission, should be carried out in conjunction with the submitted mitigation strategy outlined in section 7 of the submitted document “ Preliminary Ecological Appraisal, Revision B, July 2019” by All About Trees.

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

**Teesmouth Bird Club** - Teesmouth Bird Club would like to make the following comments on this application.

The developer’s ecologist’s report on the bird species and numbers utilising the site, was performed so late in the season that no meaningful data could be gathered. (The report itself acknowledges this fact). Also, the proposed mitigation measures are slight with no guarantees of their effectiveness post development. Site plans leave little scope for hedge preservation or habitat creation opportunities. The housing density proposed, leaves hardly any facility for basic soft landscaping, let alone meaningful attempts for biodiversity retention.

The club requests that the developer should be required to address this discrepancy. We are presently lobbying the Tees Valley Nature Partnership to persuade the boroughs that the normally sterile vertical habitat (i.e. walls of buildings), should have bespoke nesting cavities inserted during the building process. This practice is operated already elsewhere in the UK - often at the initiative of the developers themselves. This site is a prime example of where this particular biodiversity enhancement practice of using the structures themselves, could be employed to the benefit of bird species of Red or Amber Conservation Concern.

As a matter of course, existing trees and hedges should be retained or replaced with appropriate native species.

The club hopes these comments will be both useful and adopted should the application be approved.

**Tees Valley Wildlife Trust** – No representation received.

**HBC Arboricultural Officer** – This hedge was kept at a regular height of approximately 2m and the mature hedgerow as it is now is a result of it not being maintained as was originally. As it screens the site from the road it does give a soft

edge to the proposed development but in places it does need regular maintenance to stop branches encroaching onto the highway which is a narrow stretch of road here and this is a legal obligation under the 1980 Highways Act.

The concerns of those expressing a need to retain the hedgerow and to preserve its existing appearance for a good many years will need careful attention to the wording of any restrictive covenant so that the hedge remains as it is now and pruning work would only be allowed to avoid encroachment onto the highway or overhanging any adjacent gardens. This will also take the sting out of requests to have it cut back once people move into the properties. At Chichester Close for example it was conditioned that the hedge had to remain but did not give any criteria governing how it was to be maintained which led to some people not touching it and others cutting it to a few feet in height.

UPDATE 10/09/19: I refer to my comments below and having looked at the revised plan where the hedge in question running parallel with Station Road is now being retained and maintained by the property developer on land adjacent to the private gardens. This will take the burden of maintenance off the householders and hopefully ensure that it is allowed to grow as a hedgerow with minimal maintenance other than cutting back where it obscures the road. This will also fulfil the screening effect between the new development and the road and appears to be an acceptable solution.

**HBC Countryside Access Officer** – Public Footpaths No 8 and 9, Greatham Parish would, according to the plans submitted, be directly affected by the proposed pumping station access road.

The access road cuts across both paths, at the junction with each other. It also affects a short section of cycle track.

The developer/Agent/Architect will have to contact me to discuss how best to look at this issue. If the development proceeds to active stage, there will have to be consideration of a legal process to deal with the access road and the public footpaths.

Please can you ask the developer to contact me.

**Ramblers Association** – No representation received.

**HBC Parks and Countryside** – No representation received.

**HBC Housing Services** – No representation received.

**HBC Property Services** – HBC own land adjacent. It appears as though a thin strip of HBC owned land is included in the site area.

**HBC Waste Management** – No representation received.

**Cleveland Police** – I have no concerns in relation to the general layout of this application in relation to crime prevention and community safety

I would though recommend that the rear footpaths to plots 18, 28,31 are securely gated which are located to the entrance of the foot path as close to building line as possible. The gates should be well constructed and the same height as the fencing min. height 1.8m and capable of been locked from both sides of the gate by means of a key.

The rear gates of plots 20-25 should have similar properties to help keep rear garden areas secure.

In relation to front boundaries it is always important to have clear demarcation between public and private areas particular to corner plots. A low hedge, wall or fence max height 1m would be suitable.

Street Lighting to all roads , including private roads ,footpaths and parking areas should be well lit if the lighting complies with BS5489-1:2013 this will ensure a good lighting scheme.

I would also recommend that security lighting is fitted to each door set consisting dusk/dawn lighting

In relation to physical security I would recommend that doors and accessible windows are certified to PAS24:2016 doors should be fitted with a door limiter and a door viewer to the front door.

Rear and side boundaries should be to a min of 1.8m in height with any support horizontal rail fitted to the private side of the fence.

UPDATE 08.08.19: In additional to my original comments I am not aware of the intended use of the areas between plots 25/26 and plot 5 but these areas could attract anti- social behaviour I would advise that the areas have suitable landscaping to avoid been used as a gathering area which could impact on nearby properties.

**Cleveland Fire Brigade** – Cleveland Fire Brigade offers no representations regarding the development as proposed.

However Access should meet the requirements as set out in:

Approved Document B, Volume 1, Section B5 for Dwelling houses.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Section B5 Table 20.

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

UPDATE 30.07.19: Cleveland fire Brigade offers the following representations regarding the development as proposed.

The dead end road adjacent to plots 20-25 appears to be greater than 20m in length and so a turning head would be required.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B vol 1 Section B5 Table 8.

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

UPDATE 10.09.19: From those measurements an appliance parked outside plot 20 would have to reverse down a road which is 23.49m before being able to enact a turn, as stated this is not compliant with the recommendations of ADB as the appliance would have to travel more than 20m reversing. To address this either the road needs to be reduced in length (whilst still enabling access to within 45m of all points on plot 20) or an addition turning facility should be provided so the appliance will not need to reverse more than 20m.

**HBC Building Control** - If planning permission is granted for the scheme, I can confirm a Building Regulation application will be required for the proposals as described.

UPDATE 24.07.19: I can confirm that the works as described will require a building regulation application.

UPDATE 12.09.19: To summarise our conversation, the guidance in Part B has 2 main bits for fire brigade access; 1) appliances need to be able to get within 45m of all parts of a dwelling, 2) dead end roads shouldn't exceed 20m long without a turning point.

In this instance the appliances can gain access to within 45m of all parts of all dwellings without the need to use the dead-end portion of the road, thus if the road wasn't there or was a private road (i.e. designed with a capacity less than 17.5 tonnes) it wouldn't be used by the Fire Brigade and the design would comply with the Building Regulations.

Speaking to Matty Stather from CFB he pointed out that by creating the road it would lead to the driver of the appliance using it to get as close as possible to the dwelling they were attending. The 20m rule is historic and it wouldn't be an issue for the current appliances to reverse further but it is still stated in the guidance.

**Cleveland Emergency Planning Officer** – Having reviewed the associated documentation I can confirm Cleveland Emergency Planning Unit has no objections to the proposals however would like to make the following comment:

The site is outside the Nuclear Power Stations Detailed Emergency Planning Zone (DEPZ) currently but due to the change in the coming Regulations the DEPZ is likely to change but it is doubtful it will extend to this area. It will however be included in the new outline planning zone which will go out to 30km, but what this entails hasn't been finalised yet.



As a result of this I have no concerns or objections to the proposal.

**Office for Nuclear Regulation (ONR)** – With regard to planning application H/2019/0139, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

UPDATE 25.07.19: With regard to planning application H/2019/0139, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site

**Health & Safety Executive (HSE)** - The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

**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 GTs 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 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 obligations or warranties, 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.

**Network Rail** – In relation to the above application I can confirm that Network Rail has no observations to make.

### **Greatham Parish Council – CONSULTATION**

With regard the above application, it is regretted that no meaningful prior consultation with the local community has occurred which might have enabled concerns to be addressed at an earlier stage. A letter drop illustrating the application that is simultaneously being deposited with the planning department can hardly be considered meaningful consultation at all. There has been no prior contact with the

Parish Council from the developer or planners prior to the planning application being submitted.

References NPPF 39, 40, 41, 42, 124, 128 & 129; Hartlepool Rural Neighbourhood Plan policy GEN2

## SIZE OF DEVELOPMENT

The previous outline application H/2014/0308 was for 29 properties and the planning officers' report stated: -

*5.3 Outline permission is sought for residential development with all matters reserved. An indicative layout was originally submitted for 31 dwellings, due to issues raised in particular from highways an amended layout was submitted for 29 dwellings.*

*5.23 Officers consider that the density of the site at some 29 dwellings per hectare is acceptable and is reflective of the surrounding area. The separation distances proposed between dwellings within the site accords with an in many instances exceeds the guidance set out in the Hartlepool Local Plan 2006. It is considered that a development can be brought forward that would not have a detrimental impact on the character and appearance of the Conservation Area. However, it is noted that this application is in outline to establish the principle of development full details regarding design and layout are to be submitted at a later date with a reserved matters application when they will be fully assessed.*

*5.24 The indicative layout has been refined through extensive discussions. It is considered that the layout of the 29 dwellings upon the site has been designed in such a way as to limit the impact upon the amenity of neighbouring properties close to the site and overlooking it.*

As there have been no material changes to the highways or surrounding area since the application of 2014 it is questioned how the increase to 36 dwellings can now be acceptable when previously 31 dwellings were reduced to 29 to meet planning requirements.

## ROAD AND PEDESTRIAN SAFETY

Road safety issues remain a serious concern. The access point is off a winding country lane with restricted visibility. Road traffic calming measures to ensure traffic slows on approaching the new access would be beneficial.

The pavement in Station Road only runs on one side of the road with a crossover near the proposed access point. In order to safely link any new development on this site with the existing network new pavements will be required.

With the possible exception of the school all the facilities including access to public transport lies to the north of the site. It is essential that pedestrian access to these facilities from the proposed development is both convenient and safe. Currently the plan appears to show a pavement at the north of the site, emerging opposite number

10 Station Road. There is no existing pavement on the development side of Station Road. There is a blind 90degree bend in the road at this location therefore putting at risk and pedestrians either seeking to cross the road to reach the pavement on the other side of the road or walking on the road. A new pavement needs to be provided. Ideally this should be within the proposed development with the retained hedgerow providing a safe barrier between pavement and road. This new pavement would need to cross a small piece of wasteland owned by the Hospital of God in order to link to the existing pavement outside numbers 11-16 Station Road.

Although this site runs alongside the village school the route to the school as proposed would send children in the opposite direction onto the pavement in Station Road. A safe more direct route for children needs to be provided by linking the proposed new street to the right of way/footpath to the South of the site. The best location for this would be either, as included on the previous application H/2014/0308, between plot 5 and the school or alternatively between plots 3 and 4. Such a link would be in keeping with the character of the village where there are numerous and well used pedestrian routes which provide safe and more direct routes for pedestrians to facilities in the village.

Greatham Village Design Statement advocates that “the network of footpaths and short cuts which ease pedestrian access around Greatham should be preserved and where possible linked into any new developments”.

Can developer contributions be sought to remedy the above concerns as per Local Plan Policy QP1.

References NPPF paras 91, 102, 104, 110 & 127; Hartlepool Local Plan policies INF1, INF2, QP3 & RUR1; Hartlepool Rural Neighbourhood Plan policies T2 & PO1.

## DRAINAGE

The previous application H/2014/0308 for 29 houses included a SUDS system for surface water. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs. Support for the use of a SUS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework. It appears to be a retrogressive step to now seek to dispose of both surface water and foul water via the drainage system off-site to the south.

Increasing the number of houses with associated hard surfaces will further increase the surface run off to be disposed of. As many of the hard surfaces (especially parking) as possible should be permeable.

Existing residents are naturally concerned at the capacity of the drainage system serving their homes to deal with the load from 36 houses via a pumping station. For the benefit of existing and new residents assurances are also needed that no smells are likely to come from a pump station so close to peoples homes. What would happen should there be a power failure? With this in mind the Parish Council would ask for a condition to be placed requiring full details of the drains be provided prior to

any development taking place and that such details are acceptable to Northumbrian Water and Local Authority.

There are problems with the road drains in Station Road as flooding regularly occurs on the road outside the Playing Field and in Station Road near Saltire Terrace. Assurances that any new development would not add to these problems are needed.

The design of the pumping station which is so vital to this application is not provided, although the fencing is. This fencing unfortunately appears to be of a very industrial style. The details of the appearance of pumping station needs to be of a form that will be acceptable in a residential setting as it is highly visible within the proposed development and Station Road.

References Hartlepool Local Plan policies CC1 & CC2; Hartlepool Rural Neighbourhood Plan policy GEN2.

## LANDSCAPING

The Parish Council welcomes the retention of trees at the north of the site where they will greatly assist the new development blend into the existing settlement. Unfortunately, as illustrated in the proposed retained trees plan provided, the terrace houses and gardens proposed at the north of the site are expected to be severely overshadowed by the retained trees. Any environmental gain from these trees will turn into a source of conflict with new residents undoubtedly calling for their removal or major cropping. Tree preservation orders could be considered but an adjustment to the layout/design of the property to the north of the site to avoid future conflicts would be preferred and welcome.

In the interests of amenity, the Parish Council seeks the retention of the existing surrounding hedgerow with breaks only where required for the access road and pedestrian access.

Assurances are sought as to how and with what the infill of the old quarry at the south of the site is to be achieved. The site is in the middle of the village adjacent to the village school and housing. We would expect conditions on what can be used to infill and some limit on timings and how long the community will be required to suffer heavy traffic. The safe access for site traffic also needs to be confirmed as the finished access currently has a significant drop from the level of Station Road. How will potential future subsidence be avoided? If this infilling is not done there would be increased concerns as to how, with water flowing off new roads and driveways, the area will be drained, and flooding prevented. Conditions requiring the methods and materials regarding the infill needs to be provided and fully approved prior to any development starting.

Open space within the development have regrettably resulted from snippets of undevelopable fragments of land and offer no functional useable spaces.

References NPPF 127; Hartlepool Local Plan policy NE1

## DESIGN

The Parish Council would expect any new development to make use of the guidance provided by Hartlepool Rural Neighbourhood Plan and Greatham Village Design Statement. As the design and planning statements make absolutely no mention of either documents we can only assume this has not been the case.

The 'DESIGN QUALITY' section of the Design and Access Statement which quotes part 7 of the outdated NPPF 2012 makes great claims without providing any evidence. The design itself appears to be very standard with a few tweaks such as quoins on a few of the proposed houses which might reflect some of the 1950s properties in Saltaire Terrace but hardly constitutes local existing vernacular. No indication is given as to how the rear of properties facing onto a road that currently appears as a country lane will provide long term enhancement to the overall quality of the area. What is provided are basic statements without substance.

There are no ATM machines in Greatham. Greatham village has never been referred to as a conurbation before. These snippets hint that the design and access statement is a cut and paste.

To quote the current NPPF 128: Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussions between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effect engagement with the community should be looked on more favourably than those that cannot. Also NPPF 130: - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The proposed development should seek to reinforce the existing streetscape or green public spaces by facing onto them where possible. For example at the southern end of the site there is an open space currently linking Saltaire Terrace and Hill View which includes a children's play area. The indicative proposal shows new properties backing onto this area. Turning these properties around to face this space would enhance the public space creating a new focal point and public square rather than a piece of backland. This would improve community cohesions and safety and make the new development physically and socially better linked to the existing. In the new development it would also mean that rather than front of houses facing over neighbouring back gardens, rear gardens would be together.

References – NPPF paras 124, 125, 126, 128, 129, 130 & 131; Hartlepool Local Plan policies QP4 & RUR1; Hartlepool Rural Neighbourhood Plan policy GEN2; Greatham Village Design Statement.

In light of all the above issues and concerns the Parish Council has no option but to object to the application as present.

UPDATE 16.07.19: Further to the amended application, the parish council is alarmed at the suggested disabled access crossing points either side of a blind bend that to provide a pedestrian route from the site to most of the village facilities. These appear to have been prompted by comments from the borough's Traffic and Transport Dept. Removal or trimming of the hedge as suggested will offer little or no benefit regarding improved visibility. This is due firstly to the existing raised level of the land at the north end of the site being above that of the road and secondly the proposed addition of fences providing secure/private rear gardens (one presumes the occupants will also be inclined to plant something in those gardens). Crossing the road where the pavement currently switches to the other side of the road is already nerve wracking thanks to a lack of visibility. It is strongly believed that these crossing points will be extremely dangerous. A safe route needs to be provided within the site, preferably behind the hedge that will link to the pavement on the same side of the road outside 11-16 Station Rd. The problem seems to be the northern terrace which blocks the continuation of a pedestrian route through the site as illustrated in the revised design and access statement. An example of the visibility problem might be taken from the incident when a bus ended up in the garden of 5 Station Rd. About to overtake a parked vehicle, the driver was unable to see a vehicle approaching from the Saltaire Terr direction and had to swerve suddenly to take evasive action. If a bus driver could not see around this corner, then pedestrians and wheelchair users will have no hope of doing so.

UPDATE 14.08.19: In addition to earlier comments of Greatham Parish Council we wish to add the following on the revised submissions. The PC welcomes and supports the addition of a pedestrian route out of the development to Hill View which provides a safe route to the play area and school. Unfortunately, proposals for pedestrians at the opposite end of the site remain unacceptable in that they create dangerous crossing points. Pedestrians attempting to access all the other facilities in the village are forced to cross the winding village road at one of two dangerous points where there is very limited visibility for them or motorists. The removal of almost all the existing hedgerows, especially along Station Rd., to be replaced by 2m high close board fencing is not acceptable from the point of view of environmental impact and visual amenity. There seems little, if any, justification for the removal of so much hedgerow. Should any compensatory payment be agreed as proposed by the Borough Council's ecology officer it is expected that it would be used in Greatham parish as close to the Station Rd. site as possible. There is a random and out of context application of details from Greatham Conservation Area used around the proposed development. This thinly veils a proposal that lacks innovation or a serious attempt to enhance the local character or a strong sense of place. 36 homes may seem a small development but in a village such as Greatham it is in fact a major change, the largest single development in 50 years. The community has spent an enormous amount of time and effort, with the encouragement and support of local and national government to provide guidance through the production of a village design statement and neighbourhood plan. It is, therefore, unacceptable that we are faced with a planning application which has taken so little advantage of these resources. As outlined in Greatham Design Statement any parking/hard standing areas should be finished with setts to reflect similar areas in the Conservation Area. We expect Greatham Parish Council to be consulted regarding the naming of the

new street. As stated in the Village Design Statement "names should reflect local history and connections," local being Greatham.

REFERENCES: Greatham Village Design Statement.

Hartlepool Rural Neighbourhood Plan, in particular policies GEN2 Design Principals, T2 Improvement and Extension of the Public and Permissive Network and NE1 Natural Environment.

Local Plan Policies QP3,QP4,QP6,RUR1, INF1 and INF2.

NPPF paragraphs 91,102,110 and section 12: Achieving Well- designed Places.

**Hartlepool Civic Society** - The Society objects to the almost complete removal of the hedgerow around the site to be replaced by close boarded wooden fencing 1.8m (6') to 2m (6' 7") as this introduces an alien feature along the village street. The long meandering road through Greatham is currently fronted by either village properties or rural hedgerows. The proposed development introduces properties which rather than facing this road, back onto it and then adds extensive wooden fencing – both incongruous features.

The design and access statement state as key principles "a) careful consideration of the landscape along the street frontage and b) developing a landscape palette or language to the frontage of each house; which will provide a unifying element through the development and includes areas of lawns, bushes and tree planting - which will give a sense of quality". Admirable but unfortunately these principles are only being applied to the internal street not the main road through the village – Station Road at this location.

Something needs to be done to break up this overbearing feature and/or return some greenery to the area. The impact to wildlife in loss of habitat and connectivity (wildlife corridors) should also be addressed.

According to the D & A Statement "NORR has considered landscaping from the outset - as mentioned in the Village Design Statement, there is a great emphasis on the importance of space — therefore the layout ensures that the landscape scheme is an integral part of the design and provides maximum visual amenity for the home owners; and indeed, the wider Greatham residents". Greatham Village Design Statement actually states "any new development should include similar open spaces (The Green, The Grove and squares associated with various almshouses are examples provided) as a CENTRAL feature of their layout." This development does not do this. The open spaces are clearly left-over patches which remain after the maximum housing and traffic needs have been accommodated. The gateway entrance feature is produced because of the pinching of the site by the curve in Station Road and the need for the pumping station.

In mitigation this is a narrow site with existing open space already adjacent to the South of the site. All that is needed to balance this at the North is a realignment of the longest terrace to widen the space between the existing houses 1-10 Station Road. This would permit a wider green and meaningful verge and add another open

space along the main route through the village as described in the village design statement as “a most pleasant streetscape with a progression of varied open spaces and unfurling vistas” (not a long solid wooden fence). An opportunity would also open to improve the sight lines for traffic and pedestrians. Turning the terrace to face onto this new space would also afford a better opportunity for a safe pedestrian footpath linking to the bulk of the village. This would be the true “green corridor link between the existing village and the proposed development” that the applicants D & A Statement extols.

The development appears to largely utilize standard housing types found on other sites belonging to Karbon Homes. Types such as the wistfully named Tuscany and Naples. In order to claim taking into account local vernacular these standard types have had a cursory application of either finishing treatments such as render or ‘cherry toppings’ such window sills or quoins (not coins). The use of the term “Window fenestrations” is rather vague so unclear how to interpret this as a detail captured from the vernacular. The D & A Statement does no justice to the concept of respecting local distinctiveness.

All this is a great shame as Karbon Homes have been able to produce a development which better respects local distinctiveness at their scheme in Langley Park.

The following statement in the village design statement should be bourn in mind. “Where a change in material supports an obvious change in building type the effect serves to add to this richness. Where a change in material breaks a group that was obviously built as one, the effect is less satisfactory.”

Setts should be used for in preference to tarmac for hardstanding, backyards, alleys and openings. This is to be in keeping with the character of the village as stated in the Village Design Statement. As a minimum this should be applied to all parking areas.

The Village Design Statement calls for street furniture including lighting to match the style of that found in the rest of the village. The Village Design also seeks that place names should reflect local history and connections – to this end it is hoped any street name is the subject of consultation with Greatham Parish Council at least.

The Society believes the above comments are supported by: -

#### NPPF section 12 – ACHIEVING WELL-DESIGNED PLACES

Local Plan policies: -

QP4 – LAYOUT & DESIGN OF DEVELOPMENT

QP6 – TECHNICAL MATTERS (particularly points 4 & 10)

RUR1 – DEVELOPMENT IN THE RURAL AREA (in particular points 1, 5 & 9)

Also Hartlepool Rural Neighbourhood Plan policy GEN2 – DESIGN PRINCIPLES (in particular points 1 through to 5).

Sadly, this is an example of a worthwhile developer of affordable homes and a major architectural consultancy failing a small but strong and active community.



Had they engaged in meaningful consultation at an early stage all of the above issues could have been discussed and potential solutions found through collaboration and local knowledge.

## PLANNING POLICY

1.19 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 (2019)

1.20 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significant and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

Para	Subject
002	Introduction
007	Achieving sustainable development
008	Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
009	Achieving sustainable development (not criteria against which every decision can or should be judged – take into account local circumstances)
010	Achieving sustainable development (presumption in favour of sustainable development)
011	The presumption in favour of sustainable development
012	The presumption in favour of sustainable development (presumption does not change statutory status of the development plan as the starting point for decision making)
038	Decision making
047	Determining applications
054	Use of conditions or planning obligations
055	Use of conditions
056	Statutory tests for planning obligations
057	Development viability
059	Significantly boost the supply of homes
063	Affordable housing requirement

064	Affordable housing requirement
076	Housing development implementation in a timely manner
077	Planning decision should be responsive to local circumstances in rural areas
078	In rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
091	Promoting healthy and safe communities
092	Community Facilities
094	Sufficient choice of school places should be available to meet the needs of existing and new communities
096	Access to a network of high quality open spaces and opportunities for sport and physical activity
097	Loss of existing open space, sports and recreational buildings and land, including playing fields
098	Protect and enhance public rights of way and access
102	Promoting sustainable transport
108	Access and impacts of development on the wider highway network and highway safety
109	Development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.
110	Sustainable transport considerations
111	All developments that will generate significant amounts of movement should be required to provide a travel plan
122	Efficient use of land, ability of suitable land to meet needs, availability and capacity of infrastructure and services, well-designed attractive places.
124	Achieving well-designed places
127	Achieving well-designed places
130	Permission should be refused for development of poor design
150	New development should address climate change
153	New development should address climate change
163	New development should not increase the risk of flooding
165	Major developments should incorporate sustainable drainage systems
170	Planning policies and decisions should contribute to and enhance the natural and local environment
175	Avoiding harm to biodiversity
178	Considering ground conditions
180	Impacts of pollution on health, living conditions and the natural environment, and the potential sensitivity of the site or the wider area
184	Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance
189	Understanding heritage significance
190	Understanding effect on heritage significance
192	Determining applications affecting heritage assets
193	Great weight should be given to heritage assets' conservation
194	Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Hartlepool Local Plan (2018)

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

<b>Policy</b>	<b>Subject</b>
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and adapting to Climate Change
CC2	Reducing and Mitigating Flood Risk
INF1	Sustainable Transport Network
INF2	Improving Connectivity in Hartlepool
INF4	Community Facilities
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
HSG9	Affordable Housing
RUR1	Development in the Rural Area
HE1	Heritage Assets
HE3	Conservation Areas
NE1	Natural Environment
NE2	Green Infrastructure

Hartlepool Rural Neighbourhood Plan (2018)

1.22 The following policies in the adopted Hartlepool Rural Neighbourhood Plan 2018 are relevant to the determination of this application:

<b>Policy</b>	<b>Subject</b>
GEN1	Development Limits
GEN2	Design Principles
H1	Housing Development
H2	Affordable Housing
T1	Improvements to the Highway Network
T2	Improvement and Extension of the Public and Permissive Rights of Way Network
C1	Safeguarding and Improvement of Community Facilities
NE1	Natural Environment
HA1	Protection and Enhancement of Heritage Assets
HA2	Protection and Enhancement of Conservation Areas
PO1	Planning Obligations - Contributions Towards Meeting Community Infrastructure Priorities

### HBC Planning Policy comments (summarised)

1.23 The application site sits within the development limits of Greatham. The application site has no designation or allocation on the Local Plan Policies Map. The Rural Neighbourhood Plan Policies Map allocates the site for housing use. Proposals represent a good housing mix that would positively contribute to an overall balanced housing stock within the Borough. The scale and density of the proposed development would be consistent with the surrounding existing development. The size of the proposed gardens is considered commensurate to the size of the dwellings. The proposed palette of materials is acceptable. Whilst electric vehicle charging points are typically required for major schemes, the proposals demonstrate good energy efficiency and use innovative construction methods which sufficiently address climate change policy requirements. Acceptable to reduce playing pitch contribution to account for provision of bungalows. The principle of residential development in this location is acceptable subject to securing the requisite planning obligations/developer contributions and input from technical consultees.

### **PLANNING CONSIDERATIONS**

1.24 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan (including requisite planning obligations) and in particular the impact on highway and pedestrian safety, the amenity and privacy of neighbouring land users and future occupiers, the visual amenity of the application site and the character and appearance of the surrounding area, heritage assets and archaeology, landscaping and landscape features, ecology and nature conservation, flood risk and drainage, land contamination and public rights of way. These and all other planning and residual matters are set out in detail below.

### **PRINCIPLE OF DEVELOPMENT**

#### *Development Limits and Site Allocations*

1.25 Both the Hartlepool Local Plan (2018) and the Hartlepool Rural Neighbourhood Plan (2018) set development limits, beyond which there is a presumption against development. Development limits tend to be tightly drawn around the Borough's villages. The application site sits within the development limits of Greatham village. Rural Neighbourhood Plan policy GEN1 (Development Limits) advises that within the defined development limits, development will be permitted where it accords with site allocations, designations and other policies of the development plan.

1.26 The application site has no designation or allocation on the Local Plan Policies Map. The Rural Neighbourhood Plan Policies Map however allocates the site for housing use, with acknowledgement within the Rural Plan itself that the site already benefited from planning permission for 29 homes. Outline planning permission was granted in 2015 (under planning application reference H/2014/0308) but this has now lapsed.

1.27 Objections have been received citing concerns that the site represents a loss of open space. Whilst it is acknowledged that the proposal represents a loss of

undeveloped land, as above the site is not allocated as protected open space in either the Local Plan or the Rural Neighbourhood Plan, however is allocated for housing use in the Rural Neighbourhood Plan.

1.28 Objections have also been received suggesting there are insufficient amenities within the village to support future occupants of the proposed development, however it is noted that Greatham contains a grocery store, butchers, hairdressers, post office, community centre and public houses. A playing/sports field is adjacent to the site to the east. A children's equipped play area and some amenity open space is adjacent to the south, with a multi-use games area located between Saltaire Terrace and Station Road. The Council's Planning Policy section has therefore commented that they consider the level of facilities within Greatham could support the proposed development and the site is considered to be in a sustainable location.

1.29 The Council's Planning Policy section has therefore confirmed that the principle of residential development in this location is acceptable. The Hartlepool Rural Neighbourhood Plan Group do not object to the principle of the development, however have raised objections to elements of the scheme that have been considered and addressed below.

#### *Affordable Housing Provision*

1.30 Local Plan policy HSG9 (Affordable Housing) advises that the Council will seek an affordable housing target of 18% on all sites above the 15 dwelling threshold. Rural Neighbourhood Plan policy H2 (Affordable Housing) lowers this threshold to six dwellings for developments within the rural area.

1.31 The proposed development would deliver all 36 dwellings as affordable homes. The homes would be available under "Rent to Buy", a scheme that enables Registered Providers to let at an intermediate rent level (80% of open market value) but with the ultimate aim to sell the home to the tenant after they have been able to save for the deposit required.

1.32 The Hartlepool Rural Neighbourhood Plan Group, whilst welcoming the mix of house types, especially the inclusion of bungalows, have made comments that a significant proportion of homes should be made available to buy outright, rather than exclusively rent-to-buy, to meet the needs of the village and provide a mix of tenures. However, the Council's Planning Policy section has advised that the provision of affordable housing at this site would have a positive impact upon meeting the Council's overall affordable housing targets and is therefore acceptable in this respect.

#### *Housing Mix*

1.33 Both Local Plan policy HSG2 (Overall Housing Mix) and Rural Neighbourhood Plan policy H1 (Housing Development) seek to ensure that all new housing contributes to achieving an overall balanced mix of housing stock. Both policies advise that regard should be given to the latest evidence of housing need.

1.34 In reference to the most up-to-date SMHA, the Local Plan notes that the demand in the Borough is for the provision of family homes, bungalows, elderly person's accommodation and executive houses. Given the affordable nature of the site, the latter two tenures would not be appropriate.

1.35 The Council's Planning Policy section considers that the proposed mix of 20no. three bedroom houses, 9no. four bedroom houses and 7no. two bedroom bungalows, represents a good housing mix that would positively contribute to an overall balanced housing stock within the Borough.

#### *Renewable Energy and Energy Efficiency*

1.36 NPPF section 14 (Meeting the challenge of climate change, flooding and coastal change) sets out how the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

1.37 Local Plan policy CC1 (Minimising and adapting to climate change) requires that for major developments, 10% of the energy supply should be from decentralised and renewable or low carbon sources. Where it can be demonstrated that this is not feasible, the provision of the equivalent energy saving should be made by improving the building fabric or a combination of energy provision and energy saving measures that equates to the equivalent of 10%.

1.38 Where the design and layout of the development, construction methods and green infrastructure provision does not ensure greater energy efficiency through solar gain, passive heating and cooling, natural light and natural ventilation, Planning Policy would encourage the dwellings to be 10% more efficient than that required by the building regulations through building fabric improvements, in accordance with Local Plan policy QP7 (Energy Efficiency)

1.39 A Sustainability Statement has been submitted setting out the U-Values of the proposed dwellings and the intention to use "A" rated materials and appliances. An Energy Statement considering the feasibility of a range of renewable energy types has also been provided. The submitted information indicates that there are no renewable energy schemes that would be feasible for this development, however (as per the requirement in Local Plan policy CC1), the submitted information identifies how, through fabric and heating improvements, the development will make a saving on the baseline energy usage of approximately 10.2%. The Council's Planning Policy section has advised that they are comfortable that those measures would meet the requirements of the Local Plan in this respect.

1.40 The Council's Planning Policy section has also advised that given the innovative construction method proposed and the energy efficiency of the dwellings, it is considered there is no additional requirement for electric vehicle charging points in this instance.

1.41 The applicant's approach to renewable energy provision and energy efficiency is therefore considered to be acceptable.

### *Principle of Development Summary*

1.42 In view of the above considerations, the overall principle of the development is considered to be acceptable subject to securing the below planning contributions and the consideration of all other material planning considerations, as set out in detail below.

### PLANNING OBLIGATIONS

1.43 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms, and in accordance with Local Plan policy QP1 (Planning Obligations), Rural Neighbourhood Plan policy PO1 (Planning Obligations - Contributions Towards Meeting Community Infrastructure Priorities) and the adopted Planning Obligations SPD, the following developer contributions are required based on the current submission;

1.44 *Green Infrastructure*: £9,000 (£250 per dwelling) to be directed towards the allotments within Greatham village.

1.45 *Built Sport*: £9,000 (£250 per dwelling) to be directed towards changing facilities at Greatham sports field.

1.46 *Playing Pitches*: £6,765.41 (£233.29 per dwelling, reduced to account for 7no. bungalows) to be directed towards improvement of facilities at the Greatham sports field

1.47 *Tennis Courts*: £2,052.72 (£52.02 per dwelling) to be directed towards the tennis courts at the Greatham sports field.

1.48 *Bowling Greens*: £178.92 (£4.97 per dwelling) to be directed towards Owton Lodge Bowling Green.

1.49 *Play Facilities*: £9,000 (£250 per dwelling) to be directed towards the maintenance/improvement of the adjacent Greatham village play park.

1.50 *Ecological Mitigation (loss of hedgerow)*: £3,000.00 (equivalent cost for planting and maintenance of 100m of new off-site hedge) for the creation of a priority habitat to be maintained for the lifetime of the development. It should be noted that this figure is in addition to any financial contributions required to address any impacts identified through the Habitats Regulations Assessment (HRA) as set out later in the report.

1.51 *Affordable Housing*: As above, the proposed development would deliver all 36 dwellings as “Rent to Buy” affordable homes. This can be secured through the requisite Section 106 legal agreement and there is therefore no further contribution required towards affordable housing provision.

1.52 To assist in ensuring that Hartlepool’s economy grows sustainably, the Council’s Planning Policy section has also requested that a training and employment charter is signed, to ensure that some employment is provided to local residents.

1.53 Planning obligations are also required to secure householder information packs (in respect of ecology); the provision, maintenance and long term management of open spaces and landscaping (including retained trees and hedgerows, and new hedges); and the maintenance and long term management of surface water drainage and the proposed pumping station.

1.54 Whilst objections have been received citing concerns that there is insufficient capacity on the local highway network to accommodate additional traffic from the development, the Council's Highways, Traffic & Transport section has confirmed that there are no issues with capacity on the local roads and there are therefore no financial contributions required towards improvements to the local highway network to accommodate the development. Objections have also been raised with respect to the lack of a pedestrian footpath adjacent to the eastern boundary of the site. Whilst there is no requirement for a new footway to be provided, the Council's Highways, Traffic & Transport section has requested that the existing footway fronting the site should be widened and a disabled access crossing point installed on both sides of the carriageway at the point the footway switches to the other side of the carriageway. This can be secured by an appropriately worded planning conditions, which is recommended accordingly.

1.55 Whilst objections have been received citing concerns that there is insufficient capacity at local schools to accommodate additional students from the development, the Council's School Place Planning, Admissions & Capital Manager has confirmed that both Greatham Primary School and Manor Community Academy currently have capacity (17.1% and 15% respectively) and therefore there is no requirement for a financial contribution towards primary or secondary education in this instance.

1.56 The applicant has confirmed their agreement to provide the abovementioned contributions and obligations and these can therefore be secured through the signing of a Section 106 legal agreement.

## HIGHWAY AND PEDESTRIAN SAFETY

1.57 The site would be served by a vehicular access to the east of the site, onto the adopted highway at Station Road, accommodated through works to the highway and existing hedge/boundary. The proposals also feature a pedestrian access to the north-east of the site with a new crossing point on Station Road. A pedestrian access to the south-west of the site adjacent to the existing playground between Saltaire Terrace and Hill View is also proposed. The proposals provide the requisite off-street parking provision for each plot (2 off-street spaces for 2 & 3 bed dwellings, 3 off-street spaces for 4 bed dwellings).

1.58 Objections have been received from the Hartlepool Rural Neighbourhood Plan Group and Greatham Parish Council stating that they consider the proposed pedestrian crossing at the north of the site to be dangerous due to its location and the lack of pavement on the side of Station Road which runs along the north of the application site.



1.59 Objections have also been received from neighbours citing concerns including the proposals will result in an increase in traffic; the local road network does not have sufficient capacity; the proposals feature a poor access; the proposals will ultimately be detrimental to highway and pedestrian safety (including for pupils at the adjacent school and individuals using the village green and community areas); and that there is no pedestrian footpath to the side of the site.

1.60 The Council's Highways, Traffic & Transport section has confirmed that there are no issues with capacity on the local roads. Whilst there is also no requirement for a new footway to be provided, the Council's Highways, Traffic & Transport section has requested that the existing footway fronting the site should be widened and a disabled access crossing point installed on both sides of the carriageway at the point the footway switches to the other side of the carriageway, and the applicant has confirmed their agreement to this. This can be secured by a planning condition, which is recommended accordingly.

1.61 The applicant has advised that the pedestrian access to the north has been designed in consultation with the Council's Highways, Traffic & Transport section. The Council's Highways, Traffic & Transport section has confirmed that they have no concerns with the proposed crossing point, provided the proposed retained hedgerow along the northern boundary of the site does not overhang the highway verge (approx. 1 metre from the road surface), to ensure visibility for pedestrians.

1.62 In view of the above, the Council's Highways, Traffic & Transport section has confirmed that the site access and footway connections are acceptable, subject to the above-mentioned condition(s), and have raised no further highway or traffic concerns. Highways England has also been consulted on the application and has confirmed that they have no objections to the proposals.

1.63 Whilst objections both from neighbours and from Greatham Parish Council have suggested that speed calming measures and new highway signage should be in place, the Council's Highways, Traffic & Transport section has not required any contributions towards such measures and ultimately this is a matter for the Council's Highways, Traffic & Transport section to address should they consider this necessary.

1.64 Concerns have been raised from objectors with respect to the impact on the local road network due to construction traffic, however the Council's Highways, Traffic & Transport section has not raised any concerns in this respect, and as required on all development of this scale/nature, prior to commencement of development a Construction Management Plan will need to be provided and agreed with the Local Planning Authority. This can be secured by virtue of a planning condition, which is recommended accordingly.

1.65 Objections have also been received referring to loss of the footpath to the children's playground to the south of the site between Saltaire Terrace and Hill View, however, as above, the most recent amendments to the scheme show a footpath access to the south of the site adjacent to the playground.

1.66 Whilst Greatham Parish Council has also highlighted that the previous scheme appears to have been reduced from 31 to 29 dwellings due to issues raised by the Council's Highways team, it is understood that this related to the internal layout of that particular scheme, not the capacity of the local road network, and the Council's Highways, Traffic & Transport section has confirmed there are no such concerns with the current proposals.

1.67 In view of the above, it is considered that the proposals are acceptable with respect to the impact on highway and pedestrian safety, subject to the abovementioned condition(s).

#### AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS AND FUTURE OCCUPIERS

1.68 Paragraph 127 of the NPPF requires that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

1.69 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates that development should not negatively impact upon the relationship with existing and proposed neighbouring land users 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. Policy QP4 states that the provision of private amenity space should be commensurate to the size of the development. To ensure the privacy of residents and visitors is not significantly negatively impacted in new housing developments, policy QP4 also requires that minimum separation distances of 20 metres between principal to principal elevations and 10 metres between gable to principal elevations are maintained.

1.70 To the north of the site lies an existing row of terraced dwellings fronting Station Road. The proposed scheme features a terrace of 6no. dwellings (4no. 2 storey and 2no. 2.5 storey) adjacent to the northern boundary and running parallel to this neighbouring terrace on the opposite side of Station Road. The proposed terrace faces into the site, with the rear elevations of the proposed dwelling facing Station Road with the existing terrace beyond. Whilst the proposed dwellings sit at a higher level than these neighbouring existing dwellings (approx. 1.2m), and this is reflected in the section drawings provided by the applicant, a satisfactory minimum separation distance in excess of 24 metres is achieved, exceeding the guideline minimum separation distances of 20 metres for new residential developments set out in policy QP4 of the Local Plan. Furthermore, the landscape proposals include the retention of the existing hedgerow and 3no. trees to the northern boundary of the site, which will provide an element of screening of the proposed dwellings from neighbouring properties to the north and reduce any adverse impact on the privacy of neighbouring land users. It is therefore considered that the proposals would not have a significant detrimental impact on the privacy or amenity of neighbouring land users to the north or future occupiers in terms of overshadowing, any overbearing effect, poor outlook or overlooking.

1.71 To the east of the site beyond Station Road lies allotment gardens and sports pitches and there are therefore no sensitive land users to the east. It is therefore considered that the proposals would not have any appreciable impact on the amenity or privacy of neighbouring land users to the east or future occupiers.

1.72 To the south/south-east of the site lies an existing playground between Saltaire Terrace and Hill View, with the gable end of Saltaire Terrace adjacent facing the application site. Again, a satisfactory separation distance is achieved between the rear elevation of the nearest of the proposed dwellings (detached 2 storey house) at plot 1 and the gable elevation of 28 Saltaire Terrace, in line with the requirements of Local Plan policy QP4. Greater separation distances are achieved to other properties to the south of the site and as such it is considered that the proposals would not have a significant detrimental impact on the amenity or privacy of neighbouring land users to the south/south-east or future occupiers in terms of overshadowing, any overbearing effect, poor outlook or overlooking.

1.73 To the west, the site is bounded by Greatham Primary School and 3 large dwellings on Egerton Terrace. Objections have been received citing concerns that the proposals overlook the school and are too close. However, the primary school playing field sits between the application site and the school building and as such there is a considerable separation distance between the school and the proposed dwellings in excess of 30 metres. An even greater separation distance is achieved between the existing detached dwellinghouse at 14 Egerton Terrace and the proposed dwellings at plots 17-19 of approximately 40 metres. There are no dwellings proposed immediate to the rear of 15 and 16 Egerton Terrace, with oblique separation distances in excess of 30 metres to the front of the terrace of dwellings at plots 20-25. Furthermore, an approximately 1.8 metre high closed boarded timber fence is proposed along the western boundary, which would provide an element of screening to neighbouring land users. An oblique separation distance of approximately 30 metres is also maintained between the gable elevation of plot 20 and the gable elevation of 16 Station Road. It is therefore considered that there would be no significant detrimental impact on the amenity or privacy of neighbouring land users to the west.

1.74 Internally, the layout of the site follows a linear form and adheres to the abovementioned minimum separation distances set out in Local Plan policy QP4. Whilst there are a number of dwellings with gable ground and/or first floor windows, these are exclusively secondary or non-habitable room windows and primarily overlook public areas (rather than neighbouring dwellings), to provide added natural surveillance. Where there are examples of gable windows facing one another at close proximity (i.e. plots 1-2 and 14-15), these are at ground floor and with respect to plots 1-2, are screened by 1.8 metre high closed boarded fencing, as shown on the proposed boundary enclosures plan. With respect to plots 14-15, these feature two ground floor secondary living/dining room windows facing one another and, whilst these windows are partially offset (do not directly face one another), a condition is recommended to ensure the windows are obscurely glazed and feature restricted opening, in the interests of the amenity and privacy of future occupiers. Subject to the abovementioned conditions, it is considered that there would be no significant detrimental impact on the amenity or privacy of future occupiers through overshadowing, any overbearing effect, poor outlook or overlooking.

1.75 The proposed dwellings are considered to accommodate a commensurate amount of private amenity space in the form of enclosed rear garden spaces. Whilst it is noted that in some instances the rear garden space is limited, it is acknowledged that this is largely due to the site constraints and other requirements (i.e. minimum separation distances, landscaping to the front of properties, off-street parking requirements, existing hedge retention) and it is therefore considered on balance that this would not have such a significant detrimental impact on the amenity of future occupiers to warrant refusal of the application.

1.76 Objections have been received from neighbours citing concerns that the proposals, if approved, would lead to construction disruption in the form of construction traffic entering the village, noise, dust/dirt and other environmental pollution. Objectors have also raised concerns that during construction the works would have a detrimental impact on the learning environment of pupils at the adjacent school.

1.77 The Council's Public Protection section has been consulted on the application and has confirmed that they have no objections to the application, subject to planning conditions requiring the submission to the Council and subsequent agreement of a Construction Management Plan prior to the commencement of development, as well as standard restrictions on hours of construction, which are recommended accordingly.

1.78 In order to safeguard the amenity of neighbouring properties and future occupiers of the estate, a planning condition is recommended to stipulate that the dwelling(s) hereby approved shall not be converted, altered or extended in any way without the prior written consent of the Local Planning Authority.

1.79 In view of the above considerations and subject to the abovementioned conditions, it is considered that the proposals are acceptable with respect to the impact on the amenity and privacy of neighbouring land users and future occupiers.

#### VISUAL AMENITY OF THE APPLICATION SITE AND THE CHARACTER AND APPEARANCE OF THE SURROUNDING AREA (INCLUDING THE ADJACENT CONSERVATION AREA)

1.80 NPPF paragraph 127 stipulates that planning policies and decisions should ensure that developments;

- Will function well and add to the overall quality of the area,
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping,
- Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change, amongst other requirements.

1.81 Policy QP4 of the Local Plan seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. There are a number of ways new development can achieve this, including;

- 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,
- Respect the surrounding buildings, structures and environment
- Be aesthetically pleasing, using a variety of design elements relevant to the location and type of development.

1.82 The application site is just outside the boundary of Greatham Conservation Area. The special character of the Greatham Conservation Area is predominantly derived from the village centre around The Green, its early development as a religious based hospital in the 13th century and as an agricultural settlement. Mixed in with this early stage of growth are much later early 19th century individual houses, short terraces and late Victorian terraced housing. Peripheral areas of the village beyond the conservation area comprise a mix of mid to late 20<sup>th</sup> century and more contemporary detached, semi-detached and terraced dwellings with a number of infill developments evident.

1.83 The proposed development comprises a large cul-de-sac with a linear layout featuring a single internal estate road running from the north-west to the south-east of the site, with turning heads at either end. The proposed dwellings face into the site, with rear gardens fronting the site boundaries.

1.84 Objections have been received citing concerns that the proposals constitute overdevelopment of the site and that there are too many dwellings proposed. Whilst it is noted that the previously approved scheme was for 29 dwellings only, it is considered that the density proposed through the current scheme is not uncharacteristic of the village. Terraced properties are laid out to the north-west of the site (closest to the centre of Greatham village), with semi-detached properties through the central portion of the site and detached properties more prevalent to the south-east of the site, representing a gradual decrease in density from north-west to south-east as the site transitions from the denser central part of the village toward the more suburban housing to the south-east of the village. It is noted that the proposals also provide adequate separation distances, public open space and landscaping, private amenity space and off-street parking. It is therefore considered that the proposed density is acceptable.

1.85 The Hartlepool Rural Neighbourhood Plan group has also raised concerns that the proposed dwellings face into the site, rather than out onto Station Road, however the applicant has advised that the site constraints would make this approach difficult, and it is noted that this approach would have its own challenges, including safety and security implications (where parking areas are located to the rear of properties that often have limited natural surveillance and can allow easier access to rear garden areas). It is ultimately considered that the proposed layout would not have a significant detrimental impact on the visual amenity of the site or the character of the area.

1.86 There are a variety of designs and finishing materials to the proposed dwellings, with the materials palette including facing contrasting coloured brick, neutral-coloured render, artstone cills, brick headers, brick quoins, and pitched tiled roofs. Features such as stepped roof lines, irregular footprints, decorative chimneys, door

surrounds and block setts to larger parking areas are also proposed. The various house types include a variety of roof types, including both hipped end and gable ended roof designs, with a number of properties featuring front facing gables, examples of which can be found in the village.

1.87 Initially, concerns were raised by the Council's Heritage and Countryside Manager and Planning Policy section with respect to the level of consideration given to the design and layout of the proposed development and in particular the architectural details and layout of the properties. Concerns have also been received from the Hartlepool Rural Neighbourhood Plan Group, Greatham Parish Council and Hartlepool Civic Society with respect to the appropriateness of some elements of the design of the dwellings. Similar objections have been received from neighbours citing concerns that the proposals were not in keeping with the village character.

1.88 The applicant's supporting Design & Access Statement indicates that the proposed materials palette is intended to be appropriate for the village, remaining respectful to its conservation status. In response to concerns from consultees that the submission was lacking in detail with respect to the approach to the design of the dwellings, a number of precedent images have been provided to demonstrate where the applicant has sought to emulate the local vernacular, as well as street-scene elevations to show the wider context.

1.89 Notwithstanding this and in response to the abovementioned concerns, through further discussions between the applicant, the case officer and relevant consultees (including the Council's Heritage and Countryside Manager), the applicant has sought to improve the design of the proposals to better reflect the local village vernacular through more appropriate use of materials, fenestration and decorative elements, and by emphasising the building hierarchy through the introduction of decorative chimneys, brick quoins and feature doors to larger buildings, and the repositioning of dwellings within plots, to more closely replicate the building hierarchy within the village.

1.90 A number of design elements now incorporated into the scheme are a result of the comments and requests of the Hartlepool Neighbourhood Plan Group, Greatham Parish Council and Hartlepool Civic Society, including the use of block setts to large parking areas, wrapping of prominent dwellings in all-brick (rather than part brick, part render), introduction of more appropriate doors and door surrounds as found in the Greatham Village Design Statement and more appropriate use of decorative features such as brick quoins.

1.91 The applicant has worked with the Local Planning Authority throughout the course of the application and has responded positively to numerous requested changes that have sought to improve the design of the scheme and address concerns highlighted through the public consultation and by the case officer. Where design elements could not be included for viability or feasibility reasons, the applicant has clearly articulated this. In view of this, it is considered that the amendments to the proposals have largely addressed the design concerns raised by the abovementioned consultees and neighbouring land users, and the Council's Heritage and Countryside Manager and Planning Policy section have confirmed that they do not have any further substantive concerns with the design of the proposals.

1.92 The proposals also include the erection of a pumping station compound adjacent to the site access. The pumping station measures approximately 3.42m x 8.6m in area and is to be enclosed by a 2 metre high closed boarded timber fence and newly planted hedgerow. Details of the pumping station building have not been provided however these can be secured by virtue of a pre-commencement planning condition. It is considered that, in principle, the siting of a pumping station in this location is acceptable, subject to final details being provided, and it is noted that this will be substantially screened by the proposed landscaping and boundary fencing.

1.93 The Council's Landscape Architect has requested that details of bin storage areas be provided (in the interest of visual amenity), and this is recommended accordingly.

1.94 In order to safeguard the visual amenity of the development, the character of the surrounding area and the setting of the adjacent conservation area, a planning condition is recommended to stipulate that the dwelling(s) hereby approved shall not be converted, altered or extended in any way without the prior written consent of the Local Planning Authority.

1.95 In view of the above, it is considered that the proposals as amended are acceptable with respect to the impact on the visual amenity of the application site and the character and appearance of the surrounding area (including the adjacent conservation area), subject to the abovementioned condition(s).

## HERITAGE ASSETS AND ARCHAEOLOGY

1.96 As above, it is noted that the application site is just outside the boundary of Greatham Conservation Area, a designated heritage asset, and is also to the rear of two locally listed buildings (Meadowcroft & Fairfield, Egerton Terrace) which are considered to be heritage assets. Objections have been received from neighbours citing concerns that the proposals will have a detrimental impact on the character of Greatham Conservation Area.

1.97 When considering any application for planning permission that affects a conservation area, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

1.98 Further to this in considering the impact of development on heritage assets, the National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 185 & 192, NPPF).

1.99 At a local level, Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. Policy HE3 (Conservation Area) of the Local Plan has regard for the setting of conservation areas.

1.100 In accordance with the above considerations with respect to the impact of the proposals on the visual amenity of the application site and the character and appearance of the surrounding area, the Council's Heritage and Countryside Manager has advised that the proposal will not impact on the significance of the conservation area or the adjacent locally listed buildings.

1.101 Tees Archaeology has also been consulted and has confirmed that this site has already been the subject of archaeological evaluation with geophysical survey and trial trenching in 2007. These works revealed no features of archaeological interest and there is no need for any further archaeological involvement in the site.

1.102 In view of the above, it is considered that the proposals are acceptable with respect to the impact on heritage assets and archaeology.

## LANDSCAPING AND LANDSCAPE FEATURES

1.103 The application has been accompanied by an Arboricultural Impact Assessment and Method Statement, as well as a full landscaping scheme and planting plan. The application site is currently enclosed by a mature hedgerow, with a number of trees along the northern, western and southern boundaries.

1.104 The proposals include pockets of public open space/landscaping incorporated to the east of the site, either side of the site access road and to the north and south of the site adjacent to the pedestrian accesses into the site. All of the proposed dwellings are served by private garden space to the rear. Where possible, the proposed dwellings also feature small open plan garden areas/landscaping to the front.

1.105 The Council's Landscape Architect had initially raised concerns that due to the density of the proposals, the front garden areas to some of the properties appeared small, which would contribute little to the streetscape and would be difficult to maintain. In view of this, the applicant revised the layout of the site to push a number of dwellings further back into their respective plots and to relocate parking areas to increase the amount of soft landscaping to the front of properties.

1.106 In addition to the above, the proposed landscaping plans indicate that the abovementioned existing hedgerow and a number of trees to the northern boundary are to be retained, however the proposals initially included removal of the hedgerow along the eastern boundary of the site. Objections to the removal of the hedgerow have been received from the Hartlepool Rural Neighbourhood Plan Group, Greatham Parish Council and a number of neighbouring residents.

1.107 In view of this and following concerns from the case officer with respect to the visual impacts of removing the landscape screening provided by the hedge, the applicant has sought to retain as much of the hedge along the eastern boundary of the site as possible (stretching from plots 26 to 33). The applicant has advised that the remainder of the hedge must be removed to accommodate the site accesses and due to the works required to level the site adjacent to plots 34, 35 and 36. The landscaping proposals also show new hedgerow planting either side of the site entrance and stretching south along the eastern boundary to plot 1, screening the



proposed pumping station compound. In order to further soften the boundaries of the site along Station Road, the applicant has also amended the proposals so that the rear garden fences that run along these boundaries feature 1.2 metre high open boarded fencing with a 0.6 metre high trellis above.

1.108 Concerns have also been raised by Greatham Parish Council that retained trees to the north of the site may become a source for future conflict due to their proximity to the proposed dwellings and the impact they may have on future residents.

1.109 However, the Council's Landscape Architect has confirmed that they have no issues with the revised approach to the landscaping. The Council's Arboricultural Officer has also advised that the amended landscape proposals appear to be an acceptable solution, provided the retained hedge is appropriately maintained, as this will ensure that the hedge is allowed to grow with minimal maintenance other than cutting back where it obscures the road and will fulfil the screening effect between the new development and the road. A long term maintenance and management scheme for the retained hedgerows and trees, as well as the proposed landscaping, hedge, tree planting and public areas can be secured through the Section 106 legal agreement.

1.110 A condition is also recommended to secure tree and hedge protection measures during construction where appropriate, as set out in the supporting Arboricultural Impact Assessment and Method Statement documents submitted with the application.

1.111 Whilst the proposals will ultimately result in the loss of some of the existing landscaping (a number of existing trees and part of the hedge) as set out in the submitted landscaping details, no further concerns have been raised by the Council's Landscape Architect or Arboricultural Officer with respect to this, both of whom have confirmed that the proposed and retained landscaping is acceptable. It is therefore considered that the proposals are acceptable in this respect.

## ECOLOGY AND NATURE CONSERVATION

1.112 The NPPF, Local Plan policy NE1 and Rural Neighbourhood Plan policy NE1 all advise that harm to biodiversity should be avoided. Where a negative impact is unavoidable, mitigation or compensatory measures should be provided. The application is accompanied by a Preliminary Ecological Appraisal (PEA), as well as an Arboricultural Impact Assessment and Method Statement.

1.113 Objections have been received citing concerns that the submitted PEA is inadequate, and that the proposals would have a detrimental impact on wildlife and ecology. Similar concerns with respect to the submitted PEA have been raised by the Teesmouth Bird Club, which has also requested consideration be given to further ecological mitigation and biodiversity enhancement, including nesting cavities for birds.

1.114 The Council's Ecologist has confirmed however that the submitted PEA report has covered all likely priority species. A follow up ecology survey was undertaken in

June 2019 and this provided clarity to earlier queries regarding trees, scrub and the hedge. The only priority species flagged is hedgehog, assessed as likely and therefore the Council's Ecologist has confirmed that hedgehog holes should be provided in any close-boarded fences, and a condition to this effect is recommended accordingly.

1.115 The Council's Ecologist has confirmed that a great crested newt terrestrial habitat survey is not required due to the distance from known populations, nor is a bat survey required.

1.116 The Council's Ecologist has confirmed however that the standard breeding bird condition is required to ensure clearance of vegetation takes places outside of the bird breeding season, unless otherwise agreed with the Local Planning Authority, and this is recommended accordingly.

1.117 NPPF (2019) paragraph 170 d) requires that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The site is in an area that supports bats/farmland birds, which would benefit from the availability of man-made roost/nest holes. In view of the above NPPF provisions, the Council's Ecologist has requested that an integral bat box or house sparrow/starling nest box be built into each dwelling, and a condition to secure this is recommended accordingly.

1.118 In addition to this and as set out above, the site is currently enclosed by a hedgerow along the northern and eastern boundaries. Hedgerows are a priority habitat (designated by virtue of Section 41 Part 3 of the Natural Environment and Rural Communities Act 2006) and hedges are a Tees Valley Local Biodiversity Action Plan (BAP) habitat and therefore a material consideration. Adverse impacts on hedges requires mitigation and or compensation.

1.119 Concerns have been received from the Teesmouth Bird Club with respect to the loss of trees and hedgerow. Whilst the proposals initially included removal of large parts of the existing hedgerow around the site, the amended proposals now show parts of this retained along the eastern boundary (in addition to that retained along the northern boundary), as well as new hedge planting to the south of the site along the eastern boundary. Notwithstanding this, the Council's Ecologist has advised that mitigation for the loss of part of the hedge will be required in the form of a financial contribution of £3,000 towards the creation and maintenance of a compensatory priority habitat, which the applicant has agreed to and which can be secured by virtue of the Section 106 Legal Agreement (as set out above).

1.120 With respect to the rest of the site, the Council's Ecologist has commented that whilst the majority of trees and scrub will be removed, the proposed soft landscaping, using mostly street tree species and ornamental shrubs, will provide some cover and food for wildlife and it is therefore considered that this loss is negligible and does not require compensating.

1.121 In addition to the above ecological requirements, a Habitats Regulations Assessment (HRA) is required for all housing schemes within 11km of the coast and its associated designations. As such, a Habitats Regulations Assessment (HRA) stage 1 screening was undertaken for this application to identify any Likely Significant Effect (primarily recreational disturbance in this instance) on the European Sites of the Teesmouth and Cleveland Coast SPA and Ramsar and pSPA. As a result, the requisite HRA Appropriate Assessment (AA) was then produced by Hartlepool Borough Council (as the competent authority) on the applicant's behalf, which confirms that mitigation measures are required in the form of a financial contribution to the Hartlepool HRA Mitigation Strategy and Delivery Plan of £350/dwelling (£12,600) to mitigate against the indirect adverse impact on Special Protection Area (SPA) feature birds caused by recreational disturbance. The applicant has also confirmed their agreement to this (in addition to the planning obligations set out above) and this can also be secured by virtue of planning obligations in a Section 106 legal agreement.

1.122 Natural England has also been consulted on the application and, subject to securing the abovementioned financial contributions towards mitigating the ecological impacts of the proposal as set out in the HRA and the recommendations within the applicants submitted PEA, including householder information packs, bat and bird roosting features and hedgehog holes in fencing, Natural England has confirmed that they have no objections to the application. The recommendations set out in the PEA can be secured by separate planning conditions and/or a planning obligation.

1.123 The application is therefore considered to be acceptable with respect to the impact on ecology and nature conservation, subject to the abovementioned conditions and planning obligations.

## FLOOD RISK AND DRAINAGE

1.124 The application site is located within Flood Zone 1 (low probability of flooding) but the Government's flood map shows part so the site is at a high risk of flooding from surface water.

1.125 Objections have been received from neighbours citing concerns with respect to increased flood risk and impact on surface and foul water drainage. Concerns have also been raised by the Rural Neighbourhood Plan Group and Greatham Parish Council that a Sustainable Urban Drainage Scheme (SUDS) previously proposed for this site is no longer proposed through the current application.

1.126 A Flood Risk Assessment and Drainage Strategy, and soil infiltration calculations, have been submitted. The submitted Drainage Strategy sets out that surface water infiltration into the ground would not be suitable at this site due to the poor permeability of the soils. It is proposed to discharge surface water into the public sewer. Whilst this is a less desirable approach to surface water management, the Council's Engineers and Northumbrian Water have been consulted and have raised no objections to this approach or the content of the FRA, however the Council's Engineers have requested further details with respect to the surface water drainage proposals and a condition to secure this prior to commencement is

recommended accordingly. Northumbrian Water has also requested a planning condition to ensure the works are carried out in accordance with the FRA and Drainage Strategy, and this is secured accordingly.

1.127 No comments or concerns have been received from the Environment Agency or Hartlepool Water with respect to matters of flood risk, drainage and water supply.

1.128 In view of the above, it is considered that the proposals are acceptable with respect to matters of flood risk and drainage subject to the abovementioned condition(s).

## LAND CONTAMINATION

1.129 Objections have been received from neighbours citing concerns that construction works will result in environmental pollution and in particular that details of the nature/composition of the infill material required to level the site have not been provided. Greatham Parish Council has also raised concerns with respect to the nature of the infill material and how the infilling of the site will be achieved.

1.130 A Site Investigation report and Geo-environmental Appraisal have been submitted in support of the application. The applicant has advised that a substantial element of the fill material for the southern part of the site is expected to be taken from the northern part from excavated material. However, there will still be a need to import additional material to site. The applicant has advised that the fill material for the southern part of the site will require circa 70 wagon loads of material to be imported over a period of around 4 weeks (depending upon weather and site conditions). The applicant has indicated that imported material will take the form of clean clay, road stone and topsoil material.

1.131 The Council's Engineers have been consulted and have not raised any concerns with respect to land contamination or the proposed importing of material however, whilst some information has been provided, the Council's Engineers have advised that further details are still required and that this can be secured by a planning condition to ensure any land contamination (including details of imported material) is dealt with appropriately, and this is recommended accordingly.

1.132 The Environment Agency (EA) has confirmed that the application has been screened out by their booking system and there is therefore no need for the EA to be consulted.

1.133 In view of the above and subject to the abovementioned condition(s), the proposals are considered to be acceptable with respect to matters of land contamination.

## PUBLIC RIGHTS OF WAY

1.134 The Council's Countryside Access Officer has not raised any concerns with the proposals however has advised that Public Footpaths Nos. 8 and 9, Greatham Parish would, according to the plans submitted, be directly affected by the proposed

pumping station access road. The access road cuts across both paths, at the junction with each other, and also affects a short section of cycle track.

1.135 The Council's Countryside Access Officer has advised that the applicant will have to contact them to discuss how best to look at this issue. If the development proceeds to active stage, there will have to be consideration of a legal process to deal with the access road and the public footpaths.

1.136 The applicant has advised that they are currently obtaining an easement via the Council's Asset Manager to carry out this work, which will be of short duration in terms of the work affecting the public footpath. The applicant has advised that they will also contact the Council's Countryside Access Officer, and this advice will also be appended as an informative note on the decision notice, should the application be approved.

1.137 Subject to the abovementioned informative, the application is considered to be acceptable in this respect.

## OTHER PLANNING MATTERS

### *Waste Management*

1.138 An objection has been received citing concerns the proposal will result in an increase in litter from residents. The Council's Waste Management section has been consulted and has not raised any objections to the application. The Council's Landscape Architect has requested that details of bin storage areas be provided (in the interest of visual amenity), and this is recommended accordingly. The application is therefore considered to be acceptable in this respect, subject to the abovementioned condition.

### *Crime & Fear of Crime*

1.139 An objection has been received citing concerns that the proposals will lead to an increase in anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. Whilst there is no evidence to link such issues to the proposed development, any potential problems arising from this behaviour would need to be dealt with by the appropriate authorities such as the Police Service or the HBC Community Safety and Engagement team and such concerns would not be of sufficient weight to warrant refusal of the application.

1.140 Cleveland Police have been consulted and have raised no concerns with respect to the proposals or the general layout of the scheme in relation to crime prevention and community safety, subject to appropriate landscaping of public areas, physical security measures to rear garden gates/fences and accessible doors and windows, and appropriate lighting. This advice will be appended to any decision notice as an informative note, should the application be recommended for approval. Subject to the abovementioned informative, the application is considered to be acceptable in this respect.

1.141 The provisions of Section 17 of the Crime and Disorder Act 1998 have therefore been taken into account in the preparation of this report. In view of the above, it is considered that the proposed development would not harm the living conditions of neighbouring occupiers, with particular reference to antisocial behaviour, crime and the fear of crime. As such, it would not be contrary to Local Plan Policy QP5 and would accord with the guidance in the NPPF, in this respect.

#### *Health & Safety*

1.142 The Cleveland Emergency Planning Unit, Office for Nuclear Regulation (ONR) and the Health & Safety Executive (HSE) have all been consulted on the application and have confirmed that they have no concerns with respect to matters of health & safety, in the context of the hazardous installations and major accident hazards pipelines to the south of the Borough. The application is considered to be acceptable in this respect.

### RESIDUAL MATTERS

#### *Non-material objections*

1.143 Objections have been received citing concerns with respect to the potential impact on telecommunications / internet provision and the increase in vehicle emissions from future occupants, however these matters are not within the remit of the Local Planning Authority in exercising its duty to consider planning applications, and therefore are not material planning considerations.

#### *Fire Safety & Access*

1.144 Cleveland Fire Brigade has advised that access to the site for emergency services should meet the requirements set out in the relevant section of the Building Regulations. Cleveland Fire Brigade has also provided further advice on the type of fire brigade appliance that they use and that will need to be accommodated on site. An informative note shall be appended to any decision notice to make the applicant aware of this, should the application be approved.

1.145 Cleveland Fire Brigade has also advised that the Building Regulations typically recommend that a fire brigade appliance should not have to reverse more than 20m down a road. Whilst the Fire Brigade has highlighted that the cul-de-sac adjacent to plots 20-25 is marginally longer than 20m, the Council's Building Control section has advised that a fire engine could still reach within 45 metres of all parts of all dwellings on site from either within the site (without travelling the full length of the road) and from Station Road adjacent to the site. Furthermore, this is principally a Building Regulations matter, and the Council's Building Control team has not raised any concerns with the current site layout with respect to access for fire brigade appliances. Ultimately this would need to be considered through the Building Regulations process.

#### *Northern Gas Networks*

1.146 Northern Gas Networks has confirmed that they have 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, Northern Gas Networks require the applicant to contact them directly to discuss their requirements in detail. An informative note shall be appended to any decision notice to make the applicant aware of this, should the application be approved.

#### *Network Rail*

1.147 Network Rail has confirmed that they have no observations to make with respect to the application, in the context of the rail line and level crossing south of the village.

#### *Council Owned Land*

1.148 The Council's Property Services section has confirmed that there is Council owned land adjacent to the site. A thin strip of Council owned land is also included within the red line boundary of the application site. The applicant is however aware of this and has served the requisite notice on the Council's Property Services section.

#### *Pre-application consultation*

1.149 Comments have been made by Greatham Parish Council and the Hartlepool Rural Neighbourhood Plan Group that the applicant did not engaged in any pre-application discussion with either party. Whilst the Local Planning Authority would encourage applicants to engage with the local community and all relevant stakeholders prior to proceeding with an application (in line with the Council's Statement of Community Involvement), and it is regrettable that the applicant has chosen not to do this in this instance, there is no legislative requirement for the applicant to do so in this instance, and this is therefore not a material planning consideration.

### **PLANNING BALANCE & OVERALL CONCLUSION**

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

### **EQUALITY AND DIVERSITY CONSIDERATIONS**

1.151 There is no evidence of equality or diversity implications.

## SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

1.153 There are no Section 17 implications.

## REASON FOR DECISION

1.154 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 completion of a section 106 agreement securing planning obligations/developer contributions for the provision of on-site affordable housing; financial contributions towards green infrastructure (£9,000); built sport (£9,000); playing pitches (£6,765.41); tennis courts (£2,052.72); bowling greens (£178.92); play facilities (£9,000); ecological mitigation for the loss of existing hedgerow/the creation and maintenance of a priority habitat (£3,000); and HRA financial mitigation (£12,600) for indirect adverse impacts on SPA feature birds through recreational disturbance; and obligations securing householder information packs (in respect to ecology); the provision, maintenance and long term management of open spaces and landscaping (including retained trees and hedgerows, and new tree and hedge planting); maintenance and long term management of surface water drainage and associated pumping station; an obligation relating to securing a training and employment charter/local labour agreement; and subject to the following conditions;

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following approved plan(s) and details;

(00)001 Rev C (SITE LOCATION PLAN),  
received 5th June 2019 by the Local Planning Authority;

(00)350 Rev BB (GA PLANS - TYPE 5 AND TYPE 3 - 6 PLOT TERRACE),  
(00)350 Rev CC (GA PLANS AND ELEVATIONS - TYPE 5 AND TYPE 3 (X2) 3 PLOT TERRACE),  
(00)340 Rev AA (GA PLANS AND ELEVATIONS - TYPE 4 SEMI DETACHED),  
(00)610 Rev F (PROPOSED FENCING TYPES AND DETAILS),  
(00)310 Rev AA (GA PLANS AND ELEVATIONS - TYPE B1 BUNGALOW),  
(00)400 Rev C (GA PLANS AND ELEVATIONS - TYPE B2 DETACHED),  
(00)320 Rev BB (GA PLANS AND ELEVATIONS - TYPE 7 AND TYPE 3 SEMI DETACHED),



(00)375 Rev C (GA PLANS AND ELEVATIONS - TYPE 7 SEMI DETACHED HANDED),  
 (00)110 Rev FF (PROPOSED SITE PLAN),  
 (00)370 Rev AA (GA PLANS AND ELEVATIONS - TYPE 7 SEMI DETACHED),  
 (00)330 Rev AA (GA PLANS AND ELEVATIONS - TYPE 3 SEMI DETACHED),  
 (00)361 Rev C (GA ELEVATIONS - TYPE 5 AND TYPE 3 - 6 PLOT TERRACE),  
 received 10th September 2019 by the Local Planning Authority;

D212.P.001 Revision E (LANDSCAPE PROPOSALS),  
 D212.P.002 Revision E (SHRUB PLANTING PLAN 1 OF 2),  
 D212.P.003 Revision E (SHRUB PLANTING PLAN 2 OF 2),  
 (00)352 Rev G (GA PLANS AND ELEVATIONS - TYPE 3 AND TYPE 5 (X2) 3 PLOT TERRACE),  
 (00)390 Rev E (GA PLANS AND ELEVATIONS - TYPE 9 DETACHED),  
 003-01 Revision F (Engineering Layout),  
 received 11th September 2019 by the Local Planning Authority;

(00)140 Rev C (REMOVED AND RETAINED TREE PLAN),  
 (00)130 Rev J (PROPOSED BOUNDARY TREATMENTS AND DETAILS),  
 (00)126 Rev D (PROPOSED SITE SECTIONS),  
 (00)125 Rev C (PROPOSED SITE SECTIONS),  
 (00)120 Rev J (PROPOSED LANDSCAPE PLAN),  
 AIA EXI Revision B- (Existing Trees Shown on Existing Layout),  
 AIA TPP Revision D (Retained Trees Shown on Proposed Layout With Protective Measures Indicated),  
 AMS EXI Revision B (Existing Trees Shown on Existing Layout),  
 AMS TPP Revision D (Retained Trees Shown on Proposed Layout With Protective Measures Indicated),  
 received 12th September 2019 by the Local Planning Authority  
 For the avoidance of doubt.

3. Prior to the commencement of development, a Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority, 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, 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 occupiers of adjacent and nearby premises and highway safety.
4. Notwithstanding the requirements of condition no. 23, no development shall take place until a scheme for surface water management has been submitted

to and approved in writing by the local planning authority. The scheme shall include details of any 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 and subsequently managed and maintained for the lifetime of the development in accordance with the agreed details.

To accord with the provisions of the NPPF in terms of satisfying matters of flood risk and surface water management.

5. No development 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. archeological 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.

6. Notwithstanding the submitted details and the requirements of conditions. 21 and 22, prior to commencement of development, full details of the proposed retaining walls (including elevation drawings and sections) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. In the interests of visual amenity.
7. The development hereby approved shall be carried out in accordance with the approved details and particulars (including the stipulated timescales for implementation of protective measures) as set out in the supporting Arboricultural Impact Assessment (Revision D) and Arboricultural Method Statement (Revision D) received 12th September 2019 by the Local Planning Authority; and as shown on the associated plans AIA EXI Revision B- (Existing Trees Shown on Existing Layout), AIA TPP Revision D (Retained Trees Shown on Proposed Layout With Protective Measures Indicated), AMS EXI Revision B (Existing Trees Shown on Existing Layout), AMS TPP Revision D (Retained Trees Shown on Proposed Layout With Protective Measures Indicated) received 12th September 2019 by the Local Planning Authority, unless a variation to the scheme is agreed in writing with the Local Planning Authority. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees and hedges indicated to be retained which are seriously damaged or die as a result of site works shall be replaced with trees and hedges of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of adequately protecting the trees, hedges and other planting that are worthy of protection and in the interests of visual amenity and to enhance biodiversity in accordance with paragraph 118 of the NPPF.
8. Notwithstanding the submitted information and prior to commencement of works above ground level on site, 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.
9. Prior to the commencement of works above ground level on site, details of a minimum of 36no. bat and/or bird mitigation features in the form of nesting bricks/tiles/boxes, including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied unless the mitigation features have been installed. The roosting bricks/tiles/boxes shall be installed strictly in

accordance with the details so approved and shall be maintained as such thereafter.

To provide appropriate ecological mitigation measures and to enhance biodiversity in accordance with paragraph 118 of the NPPF.

10. Notwithstanding the submitted details and prior to the installation of the ground floor side elevation living/dining room window(s) at plots 14 and 15 (as shown on plan (00)310 Rev AA (GA PLANS AND ELEVATIONS - TYPE B1 BUNGALOW) received 10th September 2019 by the Local Planning Authority), a scheme for the obscure glazing and restricted opening of these windows shall be first submitted to and approved in writing by the Local Planning Authority. The windows shall thereafter be installed in accordance with the approved details prior to the occupation of plots 14 and 15 and thereafter retained for the lifetime of the development.  
In the interests of the amenities of future occupiers and to prevent overlooking.
11. Notwithstanding the submitted details and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details, confirming materials, colours, finishes and fixings. The agreed scheme shall be implemented prior to operation of the site and/or the site being open to the public. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.  
In the interests of visual amenity.
12. Notwithstanding the submitted details and prior to the erection of the proposed pumping station hereby approved, full details of the proposed pumping station shall be submitted to and agreed in writing by the Local Planning Authority. This will include final details of the layout, construction and appearance of the pumping station, including all external finishing materials, finished levels and technical specifications. The pumping station shall thereafter be constructed in accordance with the approved details.  
To safeguard the visual amenity of the development, the character of the surrounding area and the setting of the adjacent conservation area and in the interests of the amenities of future occupiers and neighbouring land users.
13. Prior to the erection of any external lighting associated with the development hereby approved, full details of the method of external illumination, siting, angle of alignment, light colour and luminance of external areas of the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed lighting shall be implemented wholly in accordance with the agreed scheme.
14. The landscaping and tree and shrub planting hereby approved shall be implemented in accordance with the following plans and details; D212.P.001 Revision E (LANDSCAPE PROPOSALS), D212.P.002 Revision E (SHRUB PLANTING PLAN 1 OF 2), and D212.P.003 Revision E (SHRUB PLANTING

PLAN 2 OF 2) received 11th September 2019 by the Local Planning Authority; unless an alternative scheme is otherwise agreed in writing with the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development or occupation of the dwellings(s), whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity and to enhance biodiversity in accordance with paragraph 118 of the NPPF.

15. Prior to the occupation of the dwellings hereby approved, a scheme and timetable for;
  - i) the works to widen the existing footway adjoining the site to the east along Station Road and to provide a disabled access crossing point to both sides of the carriageway at the point the footway switches to the other side of the carriageway;
  - ii) the works to provide a new pedestrian access to the north of the site, including details of an appropriate hard standing with disabled access crossing and an additional street lighting column adjacent; and
  - iii) for the long term maintenance of the retained hedge adjacent (where deemed appropriate) to ensure that at no time the hedge overhangs the highway verge (within 1 metre of the road surface);shall be first submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, prior to the occupation of the dwellings hereby approved, the agreed scheme(s) shall be completed in accordance with the details and timetable for works embodied within the agreed scheme to the satisfaction of the Local Planning Authority.  
In the interests of highway safety and to accord with the provisions of policy INF2 of the Local Plan.
16. No part of the development shall be occupied until vehicular and pedestrian access connecting the proposed development to the public highway to the east and public footpaths to the north and south (as shown on drawing (00)110 Rev FF (PROPOSED SITE PLAN) received 10th September 2019 by the Local Planning Authority) has been constructed to the satisfaction of the Local Planning Authority.  
For the avoidance of doubt and in the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area.
17. Prior to the occupation of the dwellings hereby approved, 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.
18. Prior to the occupation of the dwellings hereby approved, details of a scheme for the provision of 9x9cm hedgehog access holes at ground level within any

close boarded fences, to allow access for hedgehogs between gardens and to areas of greenspace outside of the site and into wildlife corridors, shall be submitted to and approved in writing by the local planning authority.

Thereafter the development shall be carried out in accordance with the approved details.

To provide appropriate ecological mitigation measures and to enhance biodiversity in accordance with paragraph 118 of the NPPF.

19. Demolition and the clearance of any vegetation, including trees and hedgerows, shall take place outside of the bird breeding season. The bird breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority. 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 is subsequently submitted to the Local Planning Authority confirming this. In the interests of protecting breeding birds.
20. The development hereby approved shall be carried out in accordance with the details provided within the submitted Energy Statement For: Gus Robinson Development Ltd July 2019 (received 5th July 2019 by the Local Planning Authority) and Sustainability Statement Addendum (received 9th April 2019 by the Local Planning Authority). Prior to the occupation of the dwellings, the final Building Regulations compliance report shall be submitted to and agreed in writing with the Local Planning Authority and the agreed final scheme shall be implemented thereafter.  
In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy QP7 and CC1.
21. The boundary enclosures hereby approved shall be implemented in accordance with the following plans and details; (00)610 Rev F (PROPOSED FENCING TYPES AND DETAILS) received 10th September 2019 by the Local Planning Authority; and (00)130 Rev J (PROPOSED BOUNDARY TREATMENTS AND DETAILS) received 12th September 2019 by the Local Planning Authority, prior to the occupation of the dwellings(s) or completion of the development, whichever is the sooner.  
For the avoidance of doubt and in the interests of visual amenity and the amenity of neighbouring land users and future occupiers.
22. The levels of the site, including the finished floor levels of the buildings and structures to be erected and proposed earthworks shall be carried out in accordance with the following submitted plans; 003-01 Revision F (Engineering Layout) received 11th September 2019 by the Local Planning Authority; and (00)125 Rev C (PROPOSED SITE SECTIONS), (00)126 Rev D (PROPOSED SITE SECTIONS) received 12th September 2019 by the Local Planning Authority; unless otherwise agreed in writing with the Local Planning Authority.  
For the avoidance of doubt and in the interest of visual amenity and the amenity of neighbouring land users and future occupiers.

23. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment & Drainage Strategy - Rev A" dated "11.07.19". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5214 and ensure that surface water discharges to the combined sewer at manhole 5214. The surface water discharge rate shall not exceed the available capacity of 5.0l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Local Planning Authority in consultation with the Lead Local Flood Authority.  
To prevent the increased risk of flooding from any sources in accordance with the NPPF.
24. No construction works shall take place outside the hours of 08.00 hrs and 18.00 hrs Mondays to Friday and 09.00 hrs and 13.00 hrs on a Saturday. No construction works shall take place on Sundays or Bank Holidays.  
In the interests of the amenities of the occupants of neighbouring properties.
25. The boundary enclosures extending along the northern and eastern boundaries of the site adjacent to Station Road, and enclosing the proposed pumping station, as shown on drawings (00)610 Rev F (PROPOSED FENCING TYPES AND DETAILS) received 10th September 2019 by the Local Planning Authority; and (00)130 Rev J (PROPOSED BOUNDARY TREATMENTS AND DETAILS) received 12th September 2019 by the Local Planning Authority, shall be retained in accordance with the agreed details for the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.  
To safeguard the visual amenity of the development, the character of the surrounding area and the setting of the adjacent conservation area.
26. 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 future occupiers and to safeguard the visual amenity of the development, the character of the surrounding area and the setting of the adjacent conservation area.
27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be converted, altered or extended in any way without the prior written consent of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property and to safeguard the visual amenity of the development, the character of the surrounding area and the setting of the adjacent conservation area.



28. The development hereby approved shall be used as a C3 dwelling houses and not for any other use including any other use within that use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order.  
To allow the Local Planning Authority to retain control of the development.

## **BACKGROUND PAPERS**

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

## **CONTACT OFFICER**

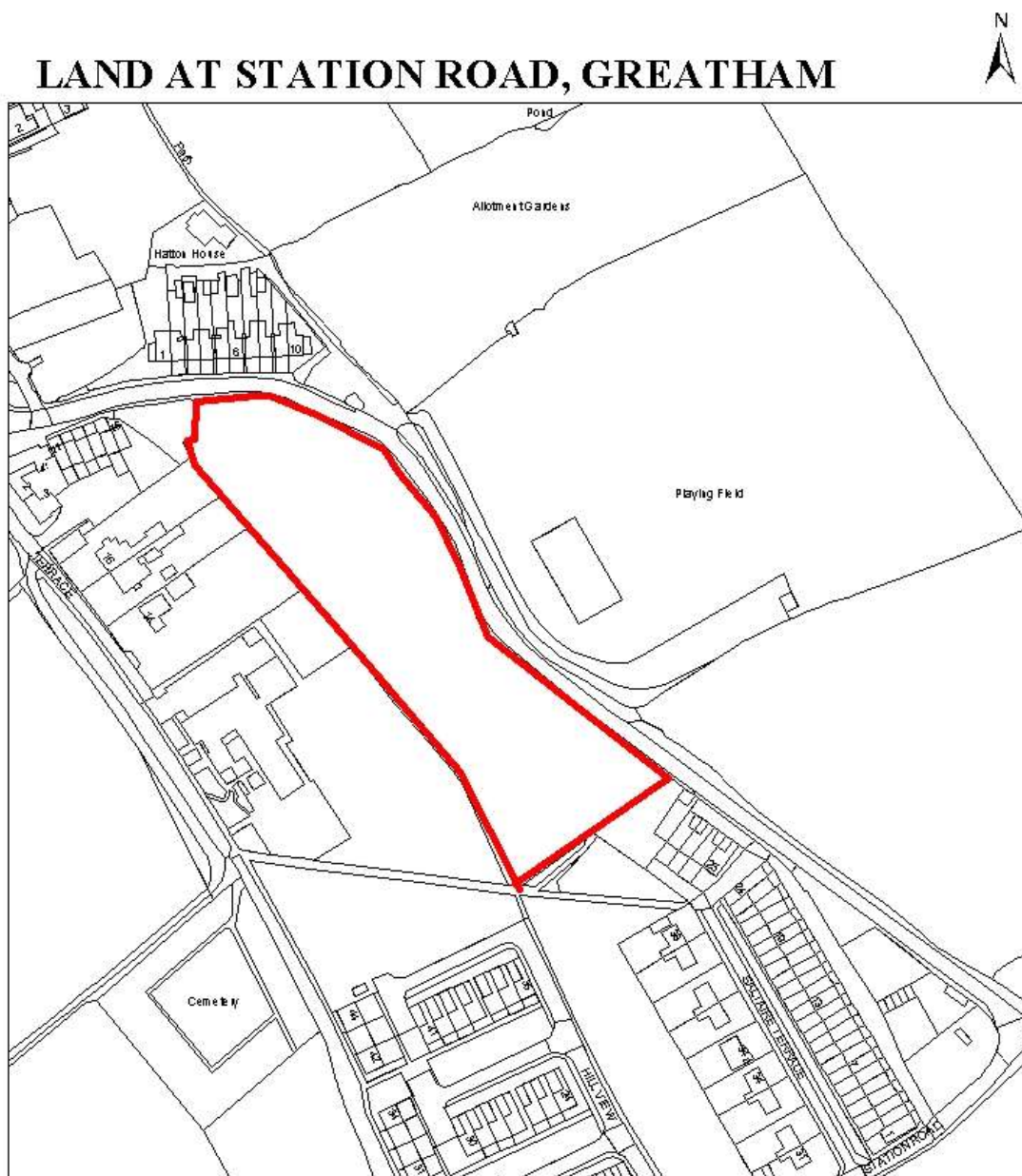
1.156 Andrew Carter  
Assistant Director of Economic Growth & Regeneration  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY

Tel: (01429) 523596  
E-mail: [andrew.carter@hartlepool.gov.uk](mailto:andrew.carter@hartlepool.gov.uk)

## **AUTHOR**

1.157 Ryan Cowley  
Senior Planning Officer  
Level 1  
Civic Centre  
Hartlepool  
TS24 8AY

Tel: 01429 523279  
E-mail: [Ryan.Cowley@Hartlepool.gov.uk](mailto:Ryan.Cowley@Hartlepool.gov.uk)



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>06/09/2019</b>
	SCALE <b>1:2000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0139</b>	REV



**No:** 2.  
**Number:** H/2019/0296  
**Applicant:** MR B ANDERSON NORTHWOLD CLOSE  
HARTLEPOOL TS25 2LP  
**Agent:** MR B ANDERSON 24 NORTHWOLD CLOSE  
HARTLEPOOL TS25 2LP  
**Date valid:** 27/06/2019  
**Development:** Erection of a single storey extension to front  
**Location:** 24 NORTHWOLD CLOSE HARTLEPOOL

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## 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.

## PROPOSAL

2.2 The initial submission for was a proposed single storey extension to the front which had a projection of approximately 2m. Following concerns raised by Officers over the scale of the proposal and potential resultant design and neighbour amenity concerns, it was requested that the proposed scheme be reduced in scale/projection. The applicant was only willing to reduce the projection to approx. 1.5m and amended plans were submitted accordingly.

2.3 As such, this application seeks planning permission for the erection of a single storey extension to the front. The proposed single storey front extension would measure approximately 1.5m in projection x approximately 4.6m in total width with a total height of approximately 3.2m, dropping to approximately 2.6m at eaves level.

2.4 The application is being referred to planning committee at the request of the Chair of Planning Committee in line with the Council's Scheme of Delegation.

## SITE CONTEXT

2.5 This application site relates to a two storey semi-detached dwelling within the cul de sac of Northwold Close. The area is predominately residential in nature, with house designs comprising two storey semi-detached and detached dwellings.

2.6 No. 26 Northwold Close adjoins the host property to the north with No. 22 Northwold Close abounding the site to the south. The rear garden of No. 32 Northwold Close abounds the site to the rear (east), with No's 10 and 12 Northwold Close located beyond the highway to the front of the property (west).

## **PUBLICITY**

2.7 The application was advertised by way of neighbour letters and notification to local ward councillors. To date, one response objecting to the proposal has been received.

The concerns raised can be summarised as follows:

- The proposal is not in-keeping with existing properties in the surrounding area, as no other houses have front extensions. Approval of this application will therefore set a precedent for other households to do the same.
- The proposed front extension will extend 1.5 metres beyond the front bow window of the neighbour, resulting in considerable loss of light through two of the front window panels.
- The view from the neighbour's front window will be severely restricted, as all that would be seen on that side would be a brick wall. The wall would block the entire height of the windows.
- The proposal would result in property devaluation.

One response of 'no objection' has been received.

## **2.8 Copy Letters B**

2.9 The period for publicity has expired.

## **CONSULTATIONS**

2.10 The following consultation replies have been received:

**Greatham Parish Council** – No comments.

## **PLANNING POLICY**

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

### Local Policy

2.12 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

QP4: Layout and Design of Development

HSG11: Extensions and alterations to Existing Dwellings

### National Policy

2.13 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets

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

PARA 007: Purpose of the planning system

PARA 011: Presumption in favour of sustainable development

PARA 038: Decision making

PARA 047: Determining applications in accordance with the development plan

PARA 054: Can unacceptable development be made acceptable

PARA 055: Planning conditions

PARA 056: Planning obligations

PARA 124: High quality buildings and places

PARA 127: Design principles

PARA 150: Reduce greenhouse gas emissions

## **PLANNING CONSIDERATIONS**

2.14 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact on the character and appearance of the existing dwelling and street scene, the impact on the amenity and privacy of neighbouring land users and any other residual matters as set out below.

### **IMPACT ON CHARACTER AND APPEARANCE OF THE EXISTING DWELLING AND THE SURROUNDING AREA**

2.15 The application site and surrounding estate is predominantly open plan in nature and consists of bungalows, two storey detached and semi-detached dwellings. The host property is a semi-detached property, adjoined by No 26 to the north with No's 28 and 30 beyond (also a pair of semis). No's 20 and 22 to the south are larger, detached dwellings.

2.16 The proposed single storey front extension is generally considered to be of a modest scale and design that respects the proportions of the host dwelling and application site as a whole. It is acknowledged that the proposal will be visible within the street scene by virtue of its location to the front. Notwithstanding this, within the street scene it is noted that a number of neighbouring properties feature modest porches and alterations such as bay/bow windows (particularly to the semi detached dwellings, including to the adjoining property) whilst single storey extensions are

present to the front or the larger detached dwellings at No's 20 and 22 to the south. Whilst there are no instantly comparable extensions to the front of the semi detached properties in Northwold Close, it is considered that the proposal would not significantly unbalance the host and adjoining property, or result in a significant incongruous feature within the street scene. As such, it is therefore considered that the proposal would not result in an adverse impact on the character and appearance of the area as to warrant a refusal of the application in this instance.

## AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

### Impact on No. 26 Northwold Close (North)

2.17 The proposed single storey front extension would run along the adjacent boundary (north) with the neighbour at No. 26 for approximately 1.5m in length, being approximately 15cm from the boundary with this neighbour. It is noted that there is a ground floor, five-pane bow window (with canopy above) in the front elevation of this property (which appears to have replaced a previous flat roof bow window), which is understood to serve a living room of this neighbour (this is classed as a habitable/primary room window). It is therefore acknowledged that the proposed extension to the front is likely to result in a degree of overshadowing, loss of outlook and an overbearing impact, particularly to the southernmost panes of the neighbour's bow window serving the habitable room.

2.18 However, taking into account the relatively modest scale of the proposal that would feature a lean to roof with a maximum height of approximately 3.2m sloping down to the eaves of approximately 2.6m, that the neighbour's bow window would still continue to receive light by virtue of it being a 5 pane window and would continue to benefit from a relatively open aspect when looking westwards, it is considered that the proposed extension would not, on balance, result in an unacceptable adverse impact on the amenity of the neighbour at 26 Northwold Close in terms of overshadowing, overbearing and loss of outlook as to warrant a refusal of the application.

2.19 There are no windows in the northern side elevation of the proposed extension with an aspect toward this neighbour and it is not considered that there would be any achievable views from the window in the front elevation of the proposal and the windows in the front of No 26. Therefore it is considered there would be no adverse impact on the privacy of this neighbour in terms of overlooking, as a result of the proposal.

### Impact on No. 22 Northwold Close (South)

2.20 The neighbouring property to the south is set back from the host property by approximately 9.5m. The proposed extension to the front would not project beyond the southernmost side elevation of the existing property and will therefore be primarily screened from No. 22 Northwold Close by the host dwelling. It is therefore considered the proposed single storey extension to the front would not result in an adverse impact on the amenity of No. 22 in terms of overbearing, overshadowing and loss of outlook.

2.21 There are no windows in the side of the extension (southern) with an aspect toward this neighbour at No. 22 Northwold Close. Owing to the above mentioned separation distances, it is considered the proposal would not result in a loss of privacy for this neighbour (No. 22) in terms of overlooking.

Impact on No's 10 and 12 Northwold Close (front, west)

2.22 There is a minimum oblique separation distance of approximately 17m between the proposed extension to the front of the host property and the nearest elevation (side/rear) of the neighbouring property at No. 10 Northwold Close to the front (east) and approximately 21m between the proposal and the front of the neighbour at No. 12, with the presence of the highway in between. Owing to these distances and relationships that accord with the distances set out in policy QP4 of the Hartlepool Local Plan (2018), it is therefore considered the proposals would not result in an adverse impact on the amenity and privacy of No's 10 and 12 Northwold Close in terms of overbearing, overshadowing, loss of outlook and overlooking.

Impact on No 32 Northwold Close (rear, north east)

2.23 The host dwelling would primarily screen any views of the proposal to the neighbouring property which is located approximately 28m to the north east/rear of the application site. It is therefore considered the proposals would not result in an adverse impact on the amenity of No 32 Northwold Close or properties to the rear of the site in terms of overbearing, overshadowing and overlooking.

## OTHER MATTERS

2.24 The 'right to light' and 'right to a view' operate separately from the planning system and are not a material planning consideration. Nonetheless, the Human Rights Act 1998, which came into force on the 2nd October 2000, incorporates into UK law certain provisions of the European Convention on Human Rights. The provisions require public authorities to act in a way that is compatible with Convention rights.

2.25 In response it should be noted that the human rights of the adjoining residents are engaged, in particular, under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission involves balancing the rights of a landowner or developer to develop on his land against the interests of the community as a whole and the human rights of other individuals, in particular neighbouring residents.

2.26 The determination of a planning application in accordance with town and country planning legislation requires the exercise of a discretionary judgement in the implementation of policies that have been adopted in the interests of the community and the need to balance competing interests is an inherent part of the determination process. In making that balance it may also be taken into account that the amenity and privacy of local residents can be adequately safeguarded. The impact on the amenity and privacy of neighbouring properties has been assessed within the material considerations above. The provisions of the European Convention of



Human Rights have therefore been taken into account in the preparation of this report.

2.27 The proposal does not affect the existing driveway or parking provision of the host property and is therefore considered to be acceptable in this respect.

## RESIDUAL MATTERS

2.28 Property devaluation and 'precedent' are not material planning considerations and therefore no weight can be given to these objections in respect of this in the determination of the application. Furthermore, each application is to be considered on its own individual merits.

## CONCLUSION

2.29 For the reasons set out in the report, it is considered, on balance, that the proposed extension is acceptable in respect of the impact on the character and appearance of the host property and surrounding area, and the amenities of neighbouring properties.

## EQUALITY AND DIVERSITY CONSIDERATIONS

2.30 There is no evidence of equality or diversity implications.

## SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

2.32 There are no Section 17 implications.

## REASON FOR DECISION

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

## RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Site Location Plan (scale 1:1250), Existing Block Plan Sheet 3, Existing Plans Sheet 1 received by the Local Planning Authority on 27th June 2019; and Proposed Block Plan Sheet 4 and Proposed Plans Sheet 2, received by the Local Planning Authority on 5th August 2019.  
For the avoidance of doubt.

3. The external materials used for this development shall match those of the existing building(s).  
In the interests of visual amenity.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no additional windows(s) shall be inserted in the elevation of the extension facing 26 Northwold Close (north) without the prior written consent of the Local Planning Authority.  
To prevent overlooking.

## **BACKGROUND PAPERS**

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

## **CONTACT OFFICER**

2.35 Andrew Carter  
Assistant Director of Economic Growth & Regeneration  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY

Tel: (01429) 523596  
E-mail: [andrew.carter@hartlepool.gov.uk](mailto:andrew.carter@hartlepool.gov.uk)

## **AUTHOR**

2.36 Stephanie Bell  
Planning Officer  
Level 1  
Civic Centre  
Hartlepool  
TS24 8AY

Tel: (01429) 523246  
E-mail: [stephanie.bell@hartlepool.gov.uk](mailto:stephanie.bell@hartlepool.gov.uk)



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>06/09/2019</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0296</b>	REV

**No:** 3.  
**Number:** H/2019/0354  
**Applicant:** HARTLEPOOL BOROUGH COUNCIL BUILDING  
 DESIGN AND MANAGEMENT CIVIC CENTRE  
 HARTLEPOOL TS24 8AY  
**Agent:** HARTLEPOOL BOROUGH COUNCIL MR DARRON  
 PEARSON BUILDING DESIGN AND MANAGEMENT  
 CIVIC CENTRE HARTLEPOOL TS24 8AY  
**Date valid:** 08/08/2019  
**Development:** Listed building consent for the installation of an all  
 weather wall mounted defibrillator unit to the south  
 elevation of the building  
**Location:** BOROUGH HALL MIDDLEGATE HARTLEPOOL

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## 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 Borough Hall building has benefited from a long and extensive planning history. Applications deemed relevant to the current proposal are listed below:

HHDC/1994/0282 - Provision of external fire-escape ramp. Approved 23<sup>rd</sup> June 1994.

HLBC/1994/0304 - Listed Building Consent to provide an external fire escape ramp. Approved 23<sup>rd</sup> June 1994.

HLBC/1994/0564 - Listed Building Consent for the provision of 2 cycle racks. Approved 3<sup>rd</sup> November 1994.

HLBC/2001/0352 - Listed Building Consent for alterations, refurbishment and a rear two-storey extension to provide community group resource facilities and associated car parking and servicing. Approved 21<sup>st</sup> November 2001.

HLBC/2002/0030 - Listed Building Consent for the installation of a dome camera (CCTV) to front elevation. Approved 15<sup>th</sup> March 2002.

HLBC/2002/0287 - Listed Building Consent for 2 wall mounted luminaries above entrance. Approved 16<sup>th</sup> July 2002.

H/2005/5926 - Listed Building Consent for relocation of boiler flue and reinstatement of door opening. Approved 5<sup>th</sup> January 2006.

H/2015/0030 – Alterations to windows. Approved 13<sup>th</sup> March 2015.

H/2018/0372 - Listed Building Consent for replacement of roof coverings. Approved 9<sup>th</sup> November 2018.

## **PROPOSAL**

3.3 The application seeks listed building consent for the installation of an all-weather wall mounted defibrillator unit to the south elevation of the building. The defibrillator is a circular unit measuring approximately 47cm in diameter by approximately 23cm in depth. It is yellow in colour with an exterior light.

3.4 The proposal is to be located on the ground floor extension to the east of the main Borough Hall, which comprises the offices of the Headland Parish Council. It would be sited between the double door access into the extension and the second arched bay.

3.5 The application has been called in to planning committee following the request by a local ward councillor in line with the Council's scheme of delegation.

## **SITE CONTEXT**

3.6 The application site relates to Borough Hall, a grade II listed building located on Middlegate, in the historic Headland Conservation Area. The building is of red brick with white brick detailing and cream coloured mortar pointing, and was constructed in 1865 as a civic building. Most of the ornate detailing are to the front (south) of the building, with the rear and side elevations having far less historical context.

3.7 Since its construction, at various times, the building has incorporated a market hall, dance hall, and an ice rink. Currently the building is undergoing works to refurbish the roof and spire (in accordance with approved Listed Building Consent H/2018/0372). The building benefitted from a single storey extension on the eastern part of the main frontage (which faces south), in the 1930s.

3.8 The Borough Hall building has a relationship to the Town Square, which lies across the main public highway of Middlegate to the south. The building also fits in well with many of the other Victorian buildings situated within the Headland Conservation Area, many of which are also Grade II listed or locally listed buildings (for example Nos 27 and 29 Middlegate and St. Mary's Presbytery).

## **PUBLICITY**

3.9 The application has been advertised by way of four neighbour letters, notification to ward councillors, a site notice and press advert. To date, there have been two responses from members of the public, offering no objection to the proposal.

### **3.10 Copy Letters C**

3.11 The period for publicity expired on 12<sup>th</sup> September 2019 (press notice).

## CONSULTATIONS

3.12 The following consultation replies have been received:

**HBC Heritage and Conservation:** The application site is the Borough Hall, a grade II listed building located in the Headland Conservation Area, both of which are designated heritage assets. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

In considering applications for listed buildings the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the significance of a designated heritage asset and give, 'great weight' to the asset's conservation (para 193 and 194, NPPF).

Policy HE4 of the local plan states the Borough Council will seek to "conserve or enhance the town's listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration."

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (NPPF) goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 200, NPPF). It also looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 185 & 192, NPPF).

Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, "seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas."

The Headland Conservation area forms the original settlement of Hartlepool, established during the seventh century as a religious centre and later becoming important as a port. Its unique character derives from its peninsula location and from the Victorian domestic residential architecture. It is considered to be at risk by Historic England. Policy HE7 of the Local Plan sets out that the retention, protection and enhancement of heritage assets classified as 'at risk' is a priority for the Borough Council. Development of heritage assets which will positively conserve and enhance these assets removing them from being classified as at risk and addressing issues of neglect, decay or other threat will be supported.

The proposal is the installation of a defibrillator to the front of the building. It will be located on the Parish Council offices which are a later extension. No detailed

information is provided on how the unit will be fixed to the wall or how the electrical supply will be routed to it.

The significance of the Borough hall lies in the aesthetic value of the building, not only in its architectural details but also the contribution it makes to the Headland Conservation Area, having a prominent position alongside the central civic space in the area. Aside from this it also has a historic and communal value as the main public building on the Headland. The later extension contributes to this significance as the design of the building echoes the architectural details from the host property. In addition the purpose of the offices is a community use, and therefore aligned with the historic and communal value of the Borough Hall.

The defibrillator would, by nature of the design and sighting of the unit, be highly visible on the main elevation of the structure. The information provided does not examine alternative sites to demonstrate that this is the only location within this locality that the unit could be located. Whilst the public benefits of the defibrillator are acknowledged, these would not outweigh the less than significant harm which would be caused due to the introduction a modern, illuminated unit to the frontage of the property which would impact on the aesthetics of the listed building.

*Additional comments received in response to an updated Heritage Statement being received from the applicant:*

The additional information that has been provided is noted.

It is apparent in the details from the British Heart Foundation and Resuscitation Council Website that there is a public benefit to the installation of a defibrillator. Whilst the unit will cause less than substantial harm to the designated heritage asset, this harm will be outweighed by the public benefits of the proposal.

Should the application be approved it is requested that large scale details are provided to demonstrate how the unit will be fixed to the building and linked to an electrical source to ensure that damage to the fabric of the building is minimised.

**Headland Parish Council:** The Headland Parish Council supports this application as an accessible defibrillator will be an excellent and much needed facility for both local residents and visitors. It will be within reach of a lot of people using the beach etc. and at events like the carnival.

**Tees Archaeology:** I have no objection to this.

**Civic Society:** No comments received.

## **PLANNING POLICY**

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

Local Policy

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

CC1: Minimising and adapting to climate change  
 HE1: Heritage Assets  
 HE3: Conservation Areas  
 HE4: Listed Buildings and Structures  
 LS1: Locational Strategy  
 QP3: Location, Accessibility, Highway Safety and Parking  
 QP4: Layout and Design of Development  
 QP5: Safety and Security  
 QP6: Technical Matters  
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

3.14 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually interdependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 002: Permission determined in accordance with development plan  
 PARA 007: Achieving sustainable development  
 PARA 008: Achieving sustainable development  
 PARA 009: Achieving sustainable development  
 PARA 010: Achieving sustainable development  
 PARA 011: The presumption in favour of sustainable development  
 PARA 012: The presumption in favour of sustainable development  
 PARA 038: Decision-making  
 PARA 047: Determining applications  
 PARA 091: Promoting healthy and safe communities  
 PARA 124: Achieving well-designed places  
 PARA 127: Achieving well-designed places  
 PARA 130: Achieving well-designed places  
 PARA 190: Proposals affecting heritage assets



PARA 192: Proposals affecting heritage assets

PARA 193: Considering potential impacts

PARA 195: Considering potential impacts

PARA 212: Implementation

### **HBC Planning Policy comments:**

3.15 The Borough Hall is a grade 2 listed building and is therefore protected by policy HE4 of the Local Plan. This policy states that the Council will seek to conserve or enhance the town's listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration. Proposals are expected to use traditional materials in sympathetic and complementary designs which are in keeping with the character and special interest of the heritage asset. In this instance however, it is appreciated that the proposal does not consist of any works to the building itself nor does it present the opportunity to use traditional materials nor alter the design to meet this criteria.

3.16 The building is located within the Headland conservation area, and policy HE3 seeks to ensure that the distinctive character of conservation areas within the borough will be conserved or enhanced through a constructive conservation approach. In determining applications within conservation areas particular regard will be given to the scale and nature of the development in terms of appropriateness to the character of the particular conservation area and the design, materials, finishes and decoration to ensure development is sympathetic to and/or complementary to the character and appearance of the conservation area.

3.17 The National Planning Policy Framework (NPPF) stipulates that local planning authorities have a duty to give great weight to the conservation of heritage assets, and where a proposed development will lead to substantial harm to a designated heritage asset, the applicant should identify the public benefits that outweigh the harm. There are concerns that the defibrillator would be highly visible on the building, which in itself is a prominent landmark upon the Headland, and that no alternative locations have been proposed.

3.18 Planning Policy support the comments of the Heritage and Countryside manager with regards to the proposal.

### **PLANNING CONSIDERATIONS**

3.19 The main issue for consideration in this instance is the impact on the character and setting of the listed building.

3.20 The application site is the Borough Hall, a grade II listed building located in the Headland Conservation Area, both of which are designated heritage assets. Aside from the aesthetic value of the Borough Hall building itself, it also has communal value and one of its primary purposes is as a community use.

3.21 When considering applications for listed buildings, Section 66 of the 1990 Act requires a local planning authority to pay special attention to the desirability of

preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the significance of a designated heritage asset and give 'great weight' to the asset's conservation (para 193 and 194, NPPF).

3.22 The Council's Local Plan policies HE1, HE3, HE4 and HE7 are relevant in the determination of this application, to ensure that the design of proposals and materials used in developments do not affect the historic significance of listed buildings, their setting or the conservation area to which the proposal is set.

3.23 The proposal is for the installation of a defibrillator unit on the frontage of the single storey extension on the building (the Parish Council offices), which is a later addition to the building. Notwithstanding this, it is considered that the proposed defibrillator would, by nature of the modern, illuminated design and sighting of the unit, be highly visible on the main elevation of the structure and would not be sympathetic to the aesthetics of the listed building. In view of this, the Council's Heritage and Countryside Manager considers the impact on the heritage asset to constitute 'less than substantial harm' (as defined by paragraph 134 of the NPPF). Similar concerns are reflected in the HBC Planning Policy section's comments.

3.24 In such instances where the identified harm is 'less than substantial', Paragraph 196 of the NPPF (2019) requires Local Planning Authorities to use planning judgement to balance any identified public benefits of an application against the identified 'harm' on a heritage asset.

3.25 It is acknowledged that the provision of a defibrillator unit would offer a communal, public benefit. Indeed, the British Heart Foundation state that "*to help someone who is in cardiac arrest effectively, a defibrillator needs to be found as quickly as possible. For every minute it takes for the defibrillator to reach someone and deliver a shock, their chances of survival reduce by up to 10%*". The applicant's submitted (updated) Heritage Statement refers to evidence from the Resuscitation Council that highlights the importance of a central siting for a defibrillator, stressing that a unit should be placed within a two minute walk of as many people as possible. As such, having a defibrillator available to the front of the Borough Hall means that visitors and residents of the Headland have access to a potentially lifesaving piece of equipment in a relatively central location.

3.26 Whilst the public benefits of the defibrillator are acknowledged, it must be stressed that the benchmark for public benefits to outweigh an identified harm to a heritage asset is considered to be a high one. After outlining concerns regarding the siting of the defibrillator unit in a prominent position on the listed building and its resultant identified harm on the heritage asset, in response the applicant has produced a revised Heritage Statement with supplementary justification for the siting of the proposal (as well as identifying public benefits). In this document, the applicant has demonstrated that other potential buildings/locations for the placement for the unit have been considered but ultimately discounted as being unsuitable for a number of reasons. This includes the options of siting the unit on the railings to the front of the Borough Hall building, however concerns were raised that should the unit be subject to damage or even vandalism, it could create problems with the railings

becoming “electrified”. As such, and taking into account other locations that have been considered and discounted, Officers are satisfied that in this instance, the Borough Hall is the only suitable location owing to its accessibility, safety and provisions (including CCTV and electricity supply).

3.27 In view of the above, it is acknowledged that that the installation of the proposed defibrillator would cause ‘less than substantial harm’ to the significance of the listed building. However in this instance, it is considered that this ‘harm’ is outweighed by the identified public benefits that will be derived from the proposal whilst the applicant has satisfactorily demonstrated that the proposed location is the most appropriate location. As such and on balance, the proposal is considered to be acceptable when viewed in the context of the relevant identified national and local planning policies. This view is also supported by the Council’s Heritage and Countryside Manager, subject to the final details of the proposal (including its application and final design), being secured by a planning condition.

## CONCLUSION

3.28 It is considered the proposal would result in an identified ‘harm’ to the listed building however in this instance, there are public benefits to the proposal that would outweigh this harm and therefore would not, on balance, be so significant as to warrant refusal of the application in this instance.

## EQUALITY AND DIVERSITY CONSIDERATIONS

3.29 There is no evidence of equality or diversity implications.

## SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

3.31 There are no Section 17 implications.

## REASON FOR DECISION

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

**RECOMMENDATION – APPROVE** subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drwg. No. 400/43/2001 Rev. A (Proposed Elevations and

Location Plans) date received by the Local Planning Authority on 8th August 2019.

For the avoidance of doubt.

3. Prior to commencement of development or any installation, large scale details to demonstrate how the defibrillator unit hereby approved will be fixed to the building and linked to an electrical source to ensure that damage to the fabric of the building is minimised, shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and maintained to the satisfaction of the Local Planning Authority.  
To enable the Local Planning Authority to control details of the proposed development in the interest of visual amenity and the setting of the heritage assets.
4. The defibrillator and all other associated apparatus/equipment hereby approved shall be removed from the building/land on which it is situated within three months of the date that the defibrillator is no longer required for its intended purpose, has ceased to operate or any condition as may be agreed in writing between the Local Planning Authority and the developer.  
In the interests of visual amenity.

## **BACKGROUND PAPERS**

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

## **CONTACT OFFICER**

- 3.34 Andrew Carter  
Assistant Director of Economic Growth & Regeneration  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY
- Tel: (01429) 523596  
E-mail: [andrew.carter@hartlepool.gov.uk](mailto:andrew.carter@hartlepool.gov.uk)

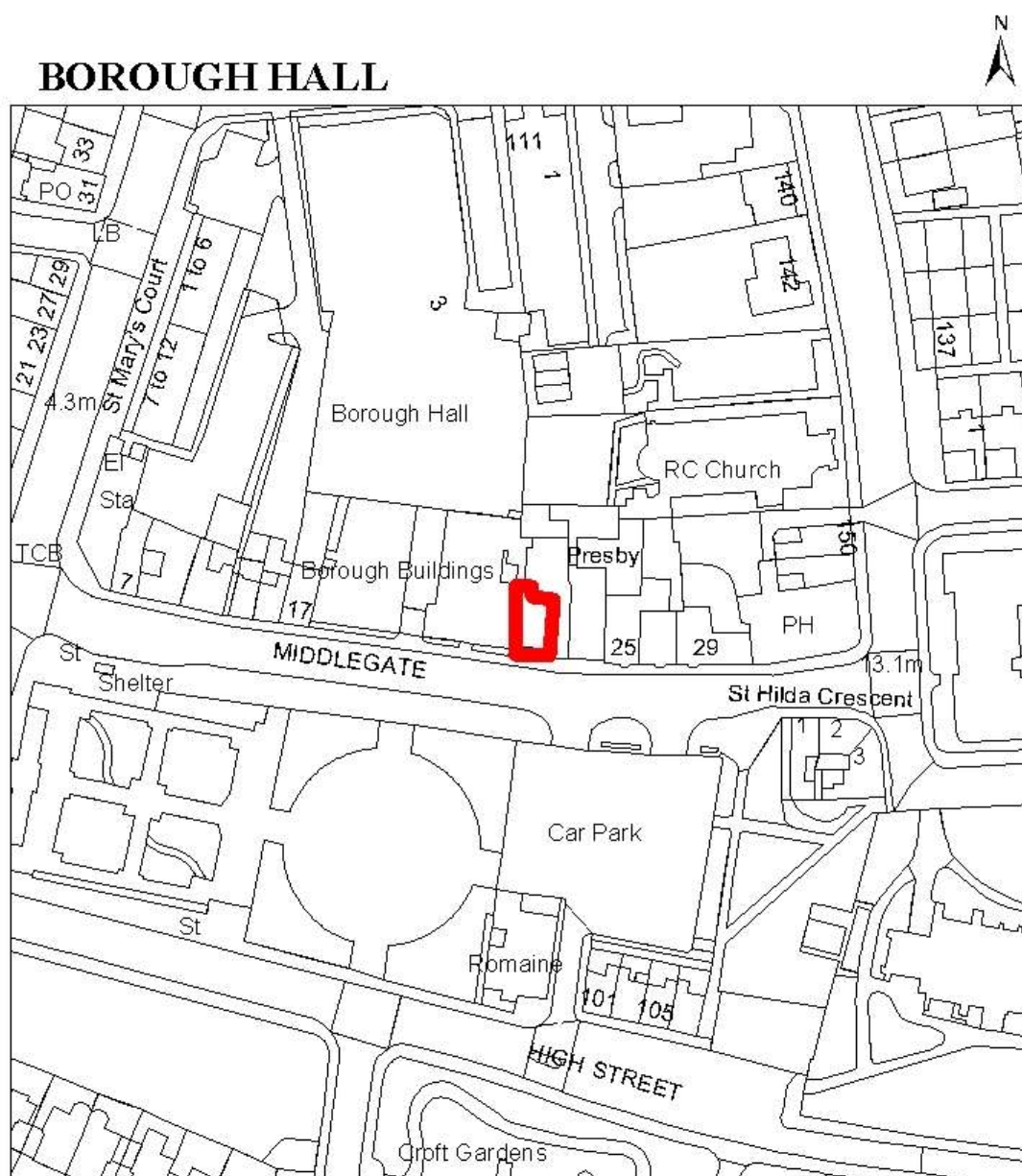
## **AUTHOR**

- 3.35 Stephanie Bell  
Planning Officer  
Level 1  
Civic Centre  
Hartlepool

TS24 8AY

Tel: 01429 523246

E-mail: [Stephanie.Bell@hartlepool.gov.uk](mailto:Stephanie.Bell@hartlepool.gov.uk)



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>06/09/2019</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0354</b>	REV

## **POLICY NOTE**

The following details a precis of the overarching policy documents (including relevant policies) referred to in the main agenda. For the full policies please refer to the relevant document, which can be viewed on the web links below;

### **HARTLEPOOL LOCAL PLAN POLICIES**

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

[https://www.hartlepool.gov.uk/downloads/file/4295/ex\\_hbc\\_156 -  
\\_final local plan for adoption - may 2018](https://www.hartlepool.gov.uk/downloads/file/4295/ex_hbc_156_-_final_local_plan_for_adoption_-_may_2018)

### **MINERALS & WASTE DPD 2011**

[https://www.hartlepool.gov.uk/info/20209/local\\_plan/317/tees\\_valley\\_minerals  
\\_and\\_waste\\_development\\_plan\\_documents\\_for\\_the\\_tees\\_valley](https://www.hartlepool.gov.uk/info/20209/local_plan/317/tees_valley_minerals_and_waste_development_plan_documents_for_the_tees_valley)

### **REVISED NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2019**

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

## PLANNING COMMITTEE

25<sup>th</sup> September 2019



**Report of:** Assistant Director (Economic Growth & Regeneration)

**Subject:** APPEAL AT 183 PARK ROAD, HARTLEPOOL  
APPEAL REF: APP/H0724/W/19/3234896  
Change of use from house in multiple occupation (C4)  
to a large house in multiple occupation (Sui-Generis)  
(H/2019/0051).

---

### 1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against a Planning Decision in respect of a change of use from house in multiple occupation to a large house in multiple occupation (H/2019/0051).
- 1.2 The application was refused by Planning Committee at the meeting of 08/05/19 on four grounds including i) the lack of in curtilage car parking to the detriment of highway and pedestrian safety ii) the use would give rise to the issues of crime and fear of crime iii) detrimental impact on the character of the area and iv) unacceptable levels of noise and disturbance

### 2. RECOMMENDATIONS

- 2.1 That Members note this report.

### 3. CONTACT OFFICER

- 3.1 Andrew Carter  
Assistant Director Economic Growth & Regeneration  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY  
Tel: (01429) 284271  
E-mail: [andrew.carter@hartlepool.gov.uk](mailto:andrew.carter@hartlepool.gov.uk)



**4. AUTHOR**

4.1 Caitlin Morton  
Planning Officer  
Level 1  
Civic Centre  
Hartlepool  
TS24 8AY  
Tel: (01429) 523280  
E-mail: : [caitlin.morton@hartlepool.gov.uk](mailto:caitlin.morton@hartlepool.gov.uk)

## PLANNING COMMITTEE

25<sup>th</sup> September 2019



**Report of:** Assistant Director Economic Growth & Regeneration

**Subject:** APPEAL AT 458 WEST VIEW ROAD,  
HARTLEPOOL  
APPEAL REF: APP/H0724/D/19/3230675  
TWO STOREY EXTENSION TO REAR  
(H/2019/0132)

---

### 1. PURPOSE OF REPORT

- 1.1 To advise members of the outcome of a planning appeal that has been determined in respect of refusal of planning permission for a two-storey extension to rear at 458 West View Road, Hartlepool.
- 1.2 The appeal was allowed. A copy of the Inspector's decision letter is attached.

### 2. RECOMMENDATIONS

- 2.1 That Members note the outcome of this appeal.

### 3. CONTACT OFFICER

- 3.1 Andrew Carter  
Assistant Director Economic Growth & Regeneration  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY  
Tel: (01429) 284271  
E-mail: [andrew.carter@hartlepool.gov.uk](mailto:andrew.carter@hartlepool.gov.uk)

### 4. AUTHOR

- 4.1 Laura Chambers  
Senior Planning Officer (Development Control)  
Level 1  
Civic Centre  
Hartlepool  
TS24 8AY  
Tel: (01429) 523273  
E-mail: [laura.chambers@hartlepool.gov.uk](mailto:laura.chambers@hartlepool.gov.uk)





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## Appeal Decision

Site visit made on 22 August 2019

by **Laura Renaudon LLM LARTPI Solicitor**

an Inspector appointed by the Secretary of State

**Decision date: 27 August 2019**

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**Appeal Ref: APP/H0724/D/19/3230675**  
**458 West View Road, Hartlepool TS24 9LP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Claire Griffin against the decision of Hartlepool Borough Council.
  - The application Ref H/2019/0132, dated 16 March 2019, was refused by notice dated 20 May 2019.
  - The development proposed is a 2 storey full width rear extension with pitched roof and 4m projection.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a 2 storey full width rear extension with pitched roof and 4m projection at 458 West View Road, Hartlepool TS24 9LP in accordance with the terms of the application Ref H/2019/0132 dated 16 March 2019 subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan at 1:1250; Existing Site Plan at 1:500; Proposed Site Plan at 1:500; Proposed 2 Storey Rear Extension at 458 West View Road Hartlepool (existing and proposed ground and first floor plans) at 1:100 @ A3portrait; and Proposed Rear Extension at 459 (sic) West View Road Hartlepool Rev A brick finish changed to coloured render externally to extension (existing and proposed elevations) at 1:100 @A3landscape.
  - 3) Save for the external walls of the development hereby permitted, which shall be completed with a rendered finish as shown on the elevations plan Rev A, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) The development hereby permitted shall not be occupied until the first floor bathroom window on the western side elevation of the development hereby permitted has been fitted with obscured glazing and once installed the obscured glazing shall be retained thereafter.

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### **Preliminary Matter**

2. The description of the proposed development was summarised in the Council's decision notice as 'erection of a two storey extension at the rear'. This accurately describes the proposed development, but I have considered the more particularised description as set out in the original application.

### **Main Issue**

3. The main issue arising in the appeal is the effect of the proposed development on the living conditions of the adjoining neighbour at No 456 by reason of outlook and light. The adjoining neighbour to the other side, at No 460, raises concerns of overlooking and I also consider the effect of the proposed development in this regard.

### **Reasons**

4. 458 West View Road is a detached family house facing south, with its rear garden lying to the north. To the east lies No 456 and No 460 lies to the west. The appeal proposal is to extend the dwelling to the rear, adding a dining room and utility room to the ground floor, and two additional bedrooms above as well as an extended bathroom. The extension would project around 4m northwards from the existing house, although inset to the western side by around 1.5m to retain space to enter the rear garden from the side. No 458 is separated from No 460 by the width of the existing driveway, and there is an appreciable but smaller gap from No 456.
5. From my inspection of the site and surroundings there is a mix of dwelling types and styles in the area, with no real uniformity of the rear building line along West View Road. The Council do not raise any objection to the appeal proposal on the grounds of its impact on the character or appearance of the area. They do however consider that it will adversely impact on the living conditions of the neighbouring property at No 456.
6. No 456 has itself been extended to the ground floor, and the proposed extension to No 458 would be built out to approximately the same depth. As a result, No 458 would project beyond No 456 to the first floor, and the western first floor bedroom at No 456 would thus look on to the side elevation of the proposed extension.
7. Policy HSG11 of the Hartlepool Local Plan, adopted in May 2018, is supportive of opportunities for homeowners to improve their homes, subject to a number of criteria being met. One such criterion is that house extensions should not significantly affect the amenities of adjoining occupiers through overlooking, overshadowing or by creating a poor outlook. As the properties are north facing to the rear, with eastern morning sun, I do not consider that there would be any unacceptable loss of light to the occupiers of No 456. Additionally I consider that the dwellings are sufficiently distant from each other to avoid the proposed extension appearing unduly overbearing. As a result I do not find that the proposed development would result in any significant effects on the living conditions of the occupiers of No 456 to the extent that a conflict with policy HSG11 would arise. The proposal is acceptable in this respect.
8. As to the relationship with No 460, there is presently some opportunity for overlooking from a first floor window in the side gable elevation of No 458 from the top of the stairs. A new window at first floor would be inserted but this

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would serve the extended bathroom, and the appellant states that it would be screened with opaque glazing. A further ground floor window below would serve the utility room, so not a primary habitable room, and overlooking is presently prevented at the ground floor level by the existing high fence between the two properties. As a result I do not find that there would be any unacceptable impacts on the living conditions of the occupiers of No 460.

9. For the above reasons I do not consider that any conflict with Policy HSG11 would arise, and the appeal proposal is supported by the development plan for the area.

#### **Conditions**

10. The Council have suggested that 3 planning conditions are necessary. The first is to require the permission to be implemented (if at all) within the standard statutory timescale of 3 years, and I agree that this is necessary. The second is to require compliance with the application plans, which is necessary to achieve certainty about what has been permitted. The third is to require the materials used in the proposed development to match those in the existing building. Revision A to the elevations plan shows that the facing walls of the extension are to be rendered, rather than completed in a brick finish, and so I have reflected this in the condition imposed. The condition is necessary in order to achieve a satisfactory finished appearance.
11. Additionally, I consider that a condition requiring the opaque glazing to the bathroom window to be installed and subsequently retained to be necessary in order to avoid the overlooking concerns that have been raised by the adjoining neighbour at No 460.

#### **Conclusion**

12. Having regard to all matters raised, and subject to the conditions I have imposed, I consider that the appeal proposal complies with the development plan for the area and permission is accordingly granted.

*Laura Renaudon*

INSPECTOR

# PLANNING COMMITTEE

25 September 2019



**Report of:** Assistant Director (Economic Growth and Regeneration)

**Subject:** UPDATE ON CURRENT COMPLAINTS

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## 1. PURPOSE OF REPORT

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

1. The enclosure of land at the rear of a commercial premises on Northgate.
2. Non-compliance with a condition relating to the use of an emergency exit at a commercial premises in White Hart Court.
3. The installation of roof dormers at a residential property in Ardrossan Road.
4. Extensions and roof alterations at a residential property in Oakland Avenue.
5. The erection of a high fence, paving of a front garden and running a business from at residential property in Endeavour Close.
6. Unauthorised internal alterations to a listed building on Church Square.
7. The erection of a high wall to the rear and alterations to the driveway at a residential property in Applewood Close.
8. The erection of a high wall to the front of a residential property in Jutland Road.
9. The erection of an outbuilding in the rear garden of a residential property in Hereford Street.
10. Non-compliance with conditions relating to boundary treatments and landscaping scheme at a residential development site at land off Coniscliffe Road.

11. Non-compliance with the approved layout (relates to the location of a vehicle access) at a commercial redevelopment site in Jesmond Gardens.
- 1.2 Investigations have been completed as a result of the following complaints:
1. The erection of a timber outbuilding in the rear garden of a residential property in The Darlings. A retrospective planning application seeking to regularise the development has since been approved.
  2. The erection of an extension to the side of a residential property in Applewood Close. A retrospective planning application seeking to regularise the development has since been approved.
  3. The untidy condition of a front garden at a residential property in Bolton Grove. The front garden has now been brought to an acceptable condition.
  4. The untidy condition of a privately owned allotments site in Bolton Grove. The site has since been brought to an acceptable condition.
  5. Non-compliance with a condition relating to working hours at a residential development site at Worset Lane. The site is now operating in accordance with the relevant condition.
  6. The provision of outside seating to the front of a licensed premises at Navigation Point. A retrospective planning application seeking to regularise the development has since been approved.

## **2. RECOMMENDATION**

- 2.1 Members note this report.

## **3. CONTACT OFFICER**

- 3.1 Andrew Carter  
Assistant Director Economic Growth & Regeneration  
Level 3  
Civic Centre  
Hartlepool  
TS24 8AY  
Tel 01429 523596  
E-mail [andrew.carter@hartlepool.gov.uk](mailto:andrew.carter@hartlepool.gov.uk)



**AUTHOR**

- 3.2 Tony Dixon  
Enforcement Officer  
Level 1  
Civic Centre  
Hartlepool  
TS24 8AY  
Tel (01429) 523277  
E-mail: [tony.dixon@hartlepool.gov.uk](mailto:tony.dixon@hartlepool.gov.uk)