

# PLANNING COMMITTEE

## AGENDA



**Tuesday 3 March 2020**

**at 10.30am**

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

### MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Brewer, Brown, Buchan, Fleming, James, Lindridge, Loynes, A Richardson, 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 21 January 2020

3.2 To confirm the minutes of the meeting held on 29 January 2020

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

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

- |     |             |  |
|-----|-------------|--|
| 1.  | H/2019/0198 | 29 Coniscliffe Road (page 1)   |
| 2.. | H/2019/0369 | The Bungalow and adjacent land, Brougham Terrace (page 11)           |
| 3.  | H/2019/0467 | Kinross, Elwick Road (page 31)                                       |
| 4.  | H/2019/0525 | 36A Clifton Avenue (page 45)   |
| 5.  | H/2019/0355 | St Luke's Parish Centre, St Luke's Church, Tunstall Avenue (page 61) |
| 6.  | H/2019/0193 | 1 Coniscliffe Road (page 73)   |

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

5.1 Appeal at 10 Queen Street, Hartlepool - *Assistant Director (Economic Growth and Regeneration)*



- 5.2 Appeal at 11 Queen Street, Hartlepool - *Assistant Director (Economic Growth and Regeneration)*
  - 5.3 Appeal at 68 Grange Road, Hartlepool - *Assistant Director (Economic Growth and Regeneration)*
  - 5.4 Appeal at 1 Bute Avenue, Hartlepool - *Assistant Director (Economic Growth and Regeneration)*
  - 5.5 Appeal at 1 Bathgate Terrace, Hartlepool - *Assistant Director (Economic Growth and Regeneration)*
  - 5.6 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)*
  - 8.3 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 18 March 2020



# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

### **21 JANUARY 2020**

The meeting commenced at 10.00 am 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, Carl Richardson and Tony Richardson.

Also Present: In accordance with Council Procedure Rule 4.2 Councillor Shane Moore was in attendance as substitute for Councillor Brenda Loynes.

Officers: Andrew Carter, Assistant Director (Economic Growth and Regeneration)  
Jim Ferguson, Planning and Development Manager  
Kieran Bostock, Transport and Infrastructure Manager  
Adrian Hurst, Environmental Health Manager (Environmental Protection)  
Daniel James, Planning (DC) Team Leader  
Ryan Cowley, Senior Planning Officer  
Paul Simpson, Principal Property, Planning and Commercial Solicitor  
David Cosgrove, Democratic Services Team

### **107. Apologies for Absence**

Councillor Brenda Loynes.

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

Councillors Stephen Akers-Belcher and Marjorie James declared they had held a meeting with officers to discuss aspects of application H/2019/0346 Land at Brierton Lane for clarification but had not pre-determined their position on the application.

### **109. Confirmation of the minutes of the meeting held on 18 December 2019**

Confirmed.

## 110 Planning Applications *(Director of Regeneration and Neighbourhoods)*

<b>Number:</b>	H/2019/0352
<b>Applicant:</b>	BARRATT HOMES NORTH EAST LTD
<b>Agent:</b>	WYG CONSULTANTS MR JOHN WYATT ROTTERDAM HOUSE 116 QUAYSIDE NEWCASTLE UPON TYNE
<b>Date received:</b>	19/08/2019
<b>Development:</b>	Approval of reserved matters of planning application H/2015/0528 for outline planning permission for up to 220 residential dwellings with associated access, all other matters reserved, relating to the development, appearance, landscaping, layout (including internal roads) and scale
<b>Location:</b>	LAND AT QUARRY FARM ELWICK ROAD HARTLEPOOL

The applicant endorsed the revised proposed site layout and conditions as agreed with Planning Officers. The footpaths proposed had been a long standing part of the application and had been part of the initial outline application approved by the Committee. The footpath design adhered to good design principles and the site would include landscaping and 4.3 hectares of open spaces. There would also be significant contributions through the S.106 Agreement including a significant contribution to the Western Corridor bypass scheme.

The objector to the scheme referred to the submitted petition against the proposed development. The residents of the existing Quarry Farm site considered the proposed development did not comply with the Local Plan in that it would harm their future health through damaging many households outlook and significantly increasing the fear of crime and anti-social behaviour. There would be more pollution caused by the significant numbers of cars and inadequate roads, more pressure on local GP services and schools. The proposal would remove existing hedgerows and there were concerns around flood alleviation as there was already a large amount of standing water on the site.

The application was approved by a majority.

**Decision:** Reserved Matters Approved

### CONDITIONS AND REASONS

1. The development hereby approved shall be carried out in accordance with the following approved plan(s) and details;



RES/732 LP/01 Rev A (Location Plan)  
 BDER 00CD (Derwent Classic (Det))  
 BKNL 00CE (Kenley Classic (End))  
 BKNL 00CI (Kenley Classic (Mid))  
 BMAI 00CE (Maidstone Classic (End))  
 BMAI 00CI (Maidstone Classic (Mid))  
 BRAD 00CD (Radleigh Classic (det))  
 BALD 00CD (Alderney Classic (Det))  
 BKNR 00CD (Kennford Classic (Det))  
 BKEY 00HD (Kingsley Classic (Det – Hipped))  
 SSG1H8 (SINGLE – ELEVATIONS)  
 SSG1H8 (SINGLE – SETTING OUT PLANS)  
 SSG1H8 (SINGLE – FLOOR PLAN)  
 SSG1H8 (SINGLE – ROOF PLAN)  
 SDG1H8 (DOUBLE – ELEVATIONS)  
 SDG1H8 (DOUBLE – SETTING OUT PLANS)  
 SDG1H8 (DOUBLE – FLOOR PLAN)  
 SDG1H8 (DOUBLE – ROOF PLAN)  
 received 30th July 2019 by the Local Planning Authority;

BMMS 00CE (Moresby Classic (End))  
 received 15th November 2019 by the Local Planning Authority;

BMMS 00CD (Moresby Classic (Det))  
 received 18th November 2019 by the Local Planning Authority;

RES732-BHA-V1-ZZ-DR-A-SS/01 Rev C (Proposed Street Scenes)  
 received 16th December 2019 by the Local Planning Authority;

RES732-BHA-B1-ZZ-DR-A-MP01 Rev i (Proposed External Material on Site Plan),  
 RES732-BHA-B1-ZZ-DR-A-PL01 Rev H (Proposed Presentation Site Plans),  
 RES731-BHA-B1-ZZ-DR-A-BTP01 Rev L (Proposed Site Boundary Treatment),  
 RES732-BHA-B1-ZZ-DR-A-SL01 Rev O (Proposed Site Layout)  
 1588-1-1 Rev J (Landscape Strategy Plan) received 9th January 2020 by the Local Planning Authority.  
 For the avoidance of doubt.

2. Notwithstanding the proposals detailed in the Design and Access Statement/submitted plans and prior to the occupation of the dwellings hereby approved, details of proposed hard landscaping and surface finishes (including the proposed car parking areas, footpaths and any other areas of hard standing to be created) 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 to Local Planning Authority standards. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details

prior to the occupation of any of the dwellings hereby approved. 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.

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

3. The boundary enclosures hereby approved shall be implemented in accordance with the following plans and details; RES731-BHA-B1-ZZ-DR-A-BTP01 Rev L (Proposed Site Boundary Treatment) received 9th January 2020 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.

4. Prior to the commencement of development above ground level, a scheme for the obscure glazing and restricted opening (max. 30 degrees) of the following proposed windows (plot numbers as identified on plan RES732-BHA-B1-ZZ-DR-A-SL01 Rev O (Proposed Site Layout) received 9th January 2020 by the Local Planning Authority) shall be first submitted to and approved in writing by the Local Planning Authority;

Plot 2 - 1no. first floor east facing side elevation en-suite window

Plot 8 - 1no. first floor south facing side elevation en-suite window

Plot 21 - 1no. first floor north facing side elevation en-suite window

Plot 45 - 1no. first floor south facing side elevation bathroom window

Plot 48 - 1no. first floor north facing side elevation bathroom window

Plot 61 - 1no. first floor north-west facing side elevation en-suite window

Plot 66 - 1no. first floor south-west facing side elevation en-suite window

Plot 93 - 1no. first floor north-east facing side elevation en-suite window

Plot 108 - 1no. first floor south facing side elevation en-suite window

Plot 121 - 1no. first floor east facing side elevation en-suite window

Plot 125 - 1no. first floor south facing side elevation en-suite window

Plot 127 - 1no. first floor south west facing stairwell/landing window

Plot 141 - 1no. first floor north facing side elevation bathroom window

Plot 142 - 1no. first floor south facing side elevation bathroom window

Plot 151 - 1no. first floor south facing side elevation bedroom window

Plot 154 - 1no. first floor north facing side elevation bathroom window

Plot 192 - 1no. ground floor north facing side elevation lounge window

Plot 193 - 1no. ground floor south facing side elevation lounge window

The windows shall be glazed with obscure glass to a minimum of level 4 of the 'Pilkington' scale of obscurity or equivalent. Thereafter the windows shall be installed in accordance with the approved details and prior to the occupation of each respective plot and shall remain for the lifetime of the development hereby approved. The application of translucent film to the windows would not satisfy the requirements of this condition.

To prevent overlooking in the interests of the privacy of future occupiers.

The Committee considered representations in relation to this matter.

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<b>Number:</b>	H/2019/0346
<b>Applicant:</b>	THIRTEEN GROUP MR STUART HUTCHINSON STOCKTON ON TEES
<b>Agent:</b>	EDWARDS ARCHITECTURE MR DAVID OWEN 4 VITA HOUSE FISH QUAY NORTH SHIELDS
<b>Date received:</b>	13/08/2019
<b>Development:</b>	Residential development comprising 81 No. affordable bungalows with associated parking, landscaping and access
<b>Location:</b>	LAND AT BRIERTON LANE HARTLEPOOL

The applicant stated that the development had been designed to have a sense of its own place within the area. The site would be very accessible and while acknowledging that some separation distances were less than the standards included in the Local Plan the homes would be very accessible and had additional space for disabled / mobility reduced residents. Thirteen would maintain the landscapes and would address the concerns of the Sitwell Walk residents in relation to the boundary treatment.

Members referred to the proposal that the development will be aimed at the over 55s and asked that this be removed as there were already families and elderly residents in the Manor House Ward that needed accessible bungalows. The applicant stated that the lettings would be based on 55+ or a recognised need for a ground floor dwelling. Applicants would be appropriately assessed and those with medical priority would also be able to apply.

The objector stated that residents in Sitwell Walk that currently had an open aspect would be faced with looking at a 5 foot fence. Several of those residents had purchased their homes because of the open aspect. Residents were feeling if they were being railroaded into having to accept the scheme and were concerned that the bungalows would become two-storey houses. There were also concerns with the area being currently used by local dog walkers and once the site was developed the dog walkers would continue to use the walk in front of Sitwell Walk.

Members referred to the discussions with the applicant which had led to the proposal being amended so that the new homes would face onto Sitwell Walk, there would be no 5 foot fence. The applicant confirmed this stating there would be 1 metre high railings denoting the separation between the two areas with a footpath linking them. The applicant also confirmed the homes would all be bungalows with Members seeking this to be a condition of the

application. The Planning Team Leader stated that permitted development rights had been removed from the proposal so that implementation of dormers etc would require approval.

Members discussed aspects of the S.106 agreement and in particular the provision for playground equipment. Ward Councillors strongly objected to the potential of the funding being used on play areas outside of the Manor House Ward when the ward had no existing play area and the funding could be utilised to add to funding to develop a new play facility in the ward. It was agreed that this matter could be delegated to officers in consultation with the Planning Committee Chair, following further consultation with ward councillors. Manor House Ward Councillors also referred to the traffic issues at the junction of Brierton Lane with Catcote Road and asked when this scheme was to come forward as it had been promised when the South West Extension Scheme had been approved. Officers stated that the road scheme had been conditioned on development of the South West Extension Scheme which had not yet commenced.

The application was approved unanimously.

**DECISION:** Planning Permission minded to approve subject to the completion of a section 106 legal agreement securing planning obligations/developer contributions for the provision of on-site affordable housing (81 dwellings); financial contributions towards tennis courts (£4,618.62); bowling greens (£402.57); play facilities (£20,250); HRA financial mitigation (£20,250) for indirect adverse impacts on SPA feature birds through recreational disturbance; and obligations securing a Travel Plan; training and employment charter/local labour agreement; the provision, maintenance and long term management of open spaces and landscaping, with the final decision on where the location of the 'play facilities' contribution will be allocated being delegated to officers in consultation with the Planning Committee Chair, following consultation with ward councillors, and subject to the following planning conditions;

## 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 approved plan(s) and details;

18059-EArch-PL-EL-DR-B1A-0130-P01 (Front Elevation),  
 18059-EArch-PL-EL-DR-B1A-0131-P01 (Rear Elevation),  
 18059-EArch-PL-EL-DR-B1A-0132-P01 (Side Elevation),  
 18059-EArch-PL-EL-DR-B1A-0133-P01 (Side Elevation 2),  
 18059-EArch-PL-EL-DR-B1B-0130-P02 (Front Elevation),  
 18059-EArch-PL-EL-DR-B1B-0131-P01 (Rear Elevation),

18059-EArch-PL-EL-DR-B1B-0132-P01 (Side Elevation),  
 18059-EArch-PL-EL-DR-B1B-0133-P01 (Side Elevation 2),  
 18059-EArch-PL-GF-DR-B2A-0120-P02 (Ground Floor Plan),  
 18059-EArch-PL-EL-DR-B2A-0130-P02 (Front Elevation),  
 18059-EArch-PL-EL-DR-B2A-0131-P02 (Rear Elevation),  
 18059-EArch-PL-EL-DR-B2A-0132-P02 (Side Elevation),  
 18059-EArch-PL-EL-DR-B2A-0133-P02 (Side Elevation 2),  
 18059-EArch-PL-GF-DR-B4A-0120 (Ground Floor Plan),  
 18059-EArch-PL-EL-DR-B4A-0130-P01 (Front Elevation),  
 18059-EArch-PL-EL-DR-B4A-0131-P01 (Rear Elevation),  
 18059-EArch-PL-EL-DR-B4A-0132-P01 (Side Elevation),  
 18059-EArch-PL-EL-DR-B4A-0133-P01 (Side Elevation 2),  
 18059-EArch-PL-GF-DR-B4B-0120-P01 (Ground Floor Plan),  
 18059-EArch-PL-EL-DR-B4B-0130-P02 (Front Elevation),  
 18059-EArch-PL-EL-DR-B4B-0131-P01 (Rear Elevation),  
 18059-EArch-PL-EL-DR-B4B-0132-P01 (Side Elevation),  
 18059-EArch-PL-EL-DR-B4B-0133-P01 (Side Elevation 2),  
 18059-EArch-PL-GF-DR-B5A-0120-P01 (Ground Floor Plan),  
 18059-EArch-PL-EL-DR-B5A-0130-P01 (Front Elevation),  
 18059-EArch-PL-EL-DR-B5A-0131-P01 (Rear Elevation),  
 18059-EArch-PL-EL-DR-B5A-0132-P01 (Side Elevation),  
 18059-EArch-PL-EL-DR-B5A-0133-P01 (Side Elevation 2),  
 18059-EArch-PL-GF-DR-B5B-0120-P01 (Ground Floor Plan),  
 18059-EArch-PL-EL-DR-B5B-0130-P02 (Front Elevation),  
 18059-EArch-PL-EL-DR-B5B-0131-P01 (Rear Elevation),  
 18059-EArch-PL-EL-DR-B5B-0132-P01 (Side Elevation),  
 18059-EArch-PL-EL-DR-B5B-0133-P01 (Side Elevation 2)  
 received 26 July 2019 by the Local Planning Authority;

18059-EArch-PL-SI-DR-A-0006-P01 (Site Location Plan (Wider Context))  
 received 8 August 2019 by the Local Planning Authority;

1165\_100 Rev D (Landscape Strategy),  
 18059-EArch-CN-SI-DR-A-0110-P013 (Proposed Site Plan),  
 18059-EArch-CN-GF-DR-B3AS-0120-P03 (Ground Floor Plan Bungalow B3 Type A Semi),  
 18059-EArch-CN-RP-DR-B3AS-0121-P03 (Roof Plan Bungalow B3 Type A Semi),  
 18059-EArch-CN-EL-DR-B3AS-0130-P03 (Front Elevation Bungalow B3 Type A Semi),  
 18059-EArch-CN-EL-DR-B3AS-0131-P03 (Rear Elevation Bungalow B3 Type A Semi),  
 18059-EArch-CN-EL-DR-B3AS-0132-P03 (Gable Elevation Bungalow B3 Type A Semi)  
 received 22 November 2019 by the Local Planning Authority;

18059-EArch-PL-GF-DR-B1A-0120-P02 (Ground Floor Plan),  
 18059-EArch-PL-GF-DR-B1B-0120-P02 (Ground Floor Plan)  
 received 4 December 2019 by the Local Planning Authority;

18059-EArch-CN-SI-DR-A-0111-P08 (Proposed Boundary Treatment Plan)

received 5 December 2019 by the Local Planning Authority;

18059-EArch-PL-ST-DR-A-0130-P03 (Streetscapes),  
AMS TPP Revision B (Arboricultural Method Statement Tree Protection Plan - Trees Shown On Proposed Layout),  
AIA TPP Revision B (Arboricultural Impact Assessment Tree Protection Plan - Trees Shown on Proposed Layout),  
1165\_100 Rev D (Landscape Strategy (Colour))

received 11 December 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, road sheeting 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. The Construction Management Plan shall also include a programme to demonstrate how site access for site vehicles as well as potential residents will be maintained during the construction of the road(s), including how the block paved areas will be constructed and managed throughout the duration of the works.  
In the interests of the occupiers of adjacent and nearby premises and highway safety.
4. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Engineering Layout" dated "04/12/2019". The drainage scheme shall ensure that the foul and surface water flows discharge to the combined sewer slightly upstream of manhole 0301. 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.  
To prevent the increased risk of flooding from any sources in accordance with the NPPF.
5. Notwithstanding the provisions of condition 4, 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 prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system as required by the NPPF.

6. Notwithstanding the submitted details and prior to the commencement of development, a detailed scheme for the disposal of foul water from the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

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

7. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

To take into account the position of the buildings and impact on adjacent properties and their associated gardens in accordance with saved Policy QP4 and LS1 of the Hartlepool Local Plan.

8. Notwithstanding the submitted information and prior to commencement of works above ground level on site, details of all external finishing materials 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 development above ground level, a scheme for the obscure glazing and restricted opening (max. 30 degrees) of the following proposed windows (plot numbers as identified on plan 18059-EArch-CN-SI-DR-A-0110-P013 (Proposed Site Plan) received 22 November 2019 by the Local Planning Authority.) shall be first submitted to and approved in writing by the Local Planning Authority;

Plot 5: 1no. ground floor side elevation kitchen window,

Plot 6: 1no. ground floor side elevation kitchen window,

Plot 13: 1no. ground floor side elevation kitchen window,

Plot 14: 1no. ground floor side elevation kitchen window,

Plot 41: 1no. ground floor side elevation bathroom window;

The windows shall be glazed with obscure glass to a minimum of level 4

of the 'Pilkington' scale of obscuration or equivalent. Thereafter the windows shall be installed in accordance with the approved details and prior to the occupation of each respective plot and shall remain for the lifetime of the development hereby approved. The application of translucent film to the windows would not satisfy the requirements of this condition.

To prevent overlooking.

10. Prior to the occupation of the dwellings hereby approved, bat and bird mitigation features shall be provided in accordance with the details shown on plan 1165\_100 Rev D (Landscape Strategy) received 22 November 2019 by the Local Planning Authority. 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.

11. Notwithstanding the submitted information and prior to the occupation of the dwellings hereby approved, details for the storage of refuse, including the size, siting and design of the proposed bin stores (indicatively shown on drawing 18059-EArch-CN-SI-DR-A-0110-P013 (Proposed Site Plan) received 22nd November 2019 by the Local Planning Authority) 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.

12. The development hereby approved shall be carried out in accordance with the details provided within the submitted Sustainability Statement (Revision 01) received 26th July 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.

13. No part of the residential development shall be occupied until a scheme for the provision of electric vehicle charging apparatus to serve the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details, prior to the occupation of the dwellings.

In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.

14. No part of the residential development shall be occupied until a scheme for the provision of photovoltaic panels to serve the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details, prior to the occupation of the dwellings.

In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.



15. 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 shall 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 the occupation of the dwellings or completion of the development, whichever is the sooner. 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 and to prevent an increase in surface water runoff.
16. Prior to the removal of any vegetation on site, a scheme for the responsible disposal of buddleia and cotoneaster plants growing on the site should be submitted to and approved in writing by the Local Planning Authority. Thereafter the plants shall be disposed of in accordance with approved scheme.  
To prevent the further spread of these invasive species.
17. The development hereby approved shall be carried out in accordance with the approved details and particulars as set out in the following supporting plans and details, unless a variation to the scheme is agreed in writing with the Local Planning Authority; Arboricultural Impact Assessment (Revision B), Arboricultural Method Statement (Revision B), AMS TPP Revision B (Arboricultural Method Statement Tree Protection Plan - Trees Shown On Proposed Layout), AIA TPP Revision B (Arboricultural Impact Assessment Tree Protection Plan - Trees Shown on Proposed Layout) received 11 December 2019 by 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 which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of adequately protecting planting that is worthy of protection and in the interests of visual amenity and to enhance biodiversity in accordance with paragraph 118 of the NPPF.
18. The landscaping, open space and tree and shrub planting hereby approved shall be implemented in accordance with the following plans and details; 1165\_100 Rev D (Landscape Strategy) received 22nd November 2019 by the Local Planning Authority; and 1165\_100 Rev D (Landscape Strategy (Colour)) received 11 December 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.

19. No part of the development shall be occupied until vehicular access connecting the proposed development to the public highway to the south (as shown on drawing 18059-EArch-CN-SI-DR-A-0111-P08 (Proposed Boundary Treatment Plan) received 5 December 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.

20. No part of the development shall be occupied until a scheme and timetable for the phased construction of the pedestrian accesses connecting the proposed development to the public footpaths to the north and west (as shown on drawing 18059-EArch-CN-SI-DR-A-0111-P08 (Proposed Boundary Treatment Plan) received 5 December 2019 by the Local Planning Authority) has been submitted and approved in writing by the Local Planning Authority. Thereafter the footpath connections shall be provided in accordance with the approved scheme and timetable, 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.

21. Prior to the occupation of the dwellings hereby approved, the closed-boarded and open-boarded fencing hereby approved shall include provision of 9x9cm hedgehog access holes at ground level between garden areas and including the eastern perimeter fences, to allow access for hedgehogs between gardens and to areas of greenspace outside of the site and into wildlife corridors, including access to the playing fields adjacent, as set out on drawing 18059-EArch-CN-SI-DR-A-0111-P08 (Proposed Boundary Treatment Plan) received 5 December 2019 by the Local Planning Authority. The hedgehog holes shall thereafter be retained for the lifetime of the development.

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

22. The boundary enclosures hereby approved shall be implemented in accordance with the following plans and details; 18059-EArch-CN-SI-DR-A-0111-P08 (Proposed Boundary Treatment Plan, received 5 December 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.

23. Prior to the occupation of the dwellings hereby approved, sound insulation measures to the properties and the site shall be provided in accordance with the recommendations set out within the submitted Noise Impact Assessment (Revision A), dated 5th September 2019, and received 3rd October 2019 by the Local Planning Authority. Thereafter

the measures shall be retained for the lifetime of the development hereby approved.

In the interests of the amenities of future occupiers.

24. Waste generated during the demolition, construction and operational phases of the development hereby approved shall be managed and disposed of in accordance with the details set out within the submitted Construction Waste Audit received 8th August 2019 by the Local Planning Authority.

To ensure compliance with the requirement for a site specific detailed waste audit in accordance with Policy MWP1 of the Tees Valley Joint Minerals and Waste Development Plan Document 2011.

25. 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.

26. In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

To ensure that any site contamination is addressed.

27. 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 on site (other than for the repair or like-for-like replacement of an approved boundary enclosure type as shown on plan 18059-EArch-CN-SI-DR-A-0111-P08 (Proposed Boundary Treatment Plan) received 5 December 2019 by the Local Planning Authority) 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 and the character of the surrounding area.

28. 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 or externally altered

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 future occupiers and to safeguard the visual amenity of the development and the character of the surrounding area.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other revoking or re-enacting that Order with or without modification), no garage(s), or other outbuildings (with the exception of garden sheds or other storage building or structures), shall be erected without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the amenities of future occupiers and to safeguard the visual amenity of the development and the character of the surrounding area.

30. Notwithstanding the provisions of condition no. 29, prior to the erection of any garden shed(s) or other storage building(s) or structure(s), details of the siting, size and design of the proposed structure(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of adjacent residential properties.

31. The development hereby approved shall be used as C3 dwellinghouses 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.

The Committee considered representations in relation to this matter.

## **111. Any Other Items which the Chairman Considers are Urgent**

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

The meeting concluded at 11.50 am.

CHAIR

# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

### **29<sup>th</sup> January 2020**

The meeting commenced at 10.30am 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

Officers: Jim Ferguson, Planning and Development Manager  
Kieran Bostock, Transport and Infrastructure Manager  
Adrian Hurst, Environmental Health Manager (Environmental Protection)  
Daniel James, Planning (DC) Team Leader  
Laura Chambers, Senior Planning Officer  
Ryan Cowley, Senior Planning Officer  
Paul Simpson, Principal Property, Planning and Commercial Solicitor  
Jo Stubbs, Democratic Services Officer

### **112. Apologies for Absence**

None

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

None

### **114. Confirmation of the minutes of the meeting held on 21<sup>st</sup> January 2020**

Minutes deferred to the next meeting

### **115 Site Visit**

A member requested a site visit to 29 Coniscliffe Road. This request was approved by members.

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

**Number:** H/2019/0337

**Applicant:** MR A MOUTREY STOCKTON ROAD NEWTON BEWLEY BILLINGHAM

**Agent:** MR A MOUTREY MANOR HOUSE FARM STOCKTON ROAD NEWTON BEWLEY BILLINGHAM

**Date received:** 15/08/2019

**Development:** Amendment to planning application H/2018/0290 for retrospective application for conversion and alterations to former barn to create a single two storey dwelling in order to amend doors and windows and provide garage

**Location:** MANOR HOUSE FARM STOCKTON ROAD NEWTON BEWLEY BILLINGHAM

Consideration of this application had been deferred at the previous meeting to allow members to undertake a site visit.

A member referred to an assertion within the report that a window and door were not significantly different. The Senior Planning Officer advised that this related to aesthetics rather than usage.

Members approved the application by a majority. It was noted that 2 members had abstained from the vote due to having missed the site visit.

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

### CONDITIONS AND REASONS

1. The development hereby approved shall be carried out in accordance with the following plans: drawing number 170901-03f (Proposed Ground Floor Plan), drawing number 170901-04e (Proposed First Floor Plan), drawing number 170901-05e (Proposed Roof Plan & Location Plan), drawing number 170901-06d (Proposed Elevations & Section) and drawing number 170901-07c (Proposed Block Plan), all received by the Local Planning Authority 23/07/19.  
For the avoidance of doubt.
2. Notwithstanding the submitted information and prior to the occupation of development, the 2no. windows to be installed within the first floor

east elevation (serving 'Bedroom 2') and the 1no dormer window (serving 'Bedroom 3'), 1no first floor window (serving 'Bedroom 1') and 1no roof light (serving the 'landing area') to be installed within the south elevation detailed on drawing number 170901-06d (Proposed Elevations & Section) and 170901-04e (Proposed First Floor Plan), received by the Local Planning Authority 23rd July 2019 shall be obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale and non-opening, and shall remain as such for lifetime of the development hereby approved unless an alternative scheme to protect the privacy of neighbouring occupiers is submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details for the lifetime of the development.

In the interests of the privacy of neighbouring occupiers.

3. The external materials used for this development shall match those of the adjoining building to the south unless otherwise agreed in writing with the Local Planning Authority.

In the interests of visual amenity.

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

In the interests of the amenities of neighbouring occupiers.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no outbuildings shall be erected without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.

7. The residential curtilage of the dwelling hereby approved shall be limited to the area bounded in red on the submitted on Proposed Block Plan (drawing number 170901-07c), received by the Local Planning Authority 23/07/19.

For the avoidance of doubt.

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**Number:** H/2019/0391

**Applicant:** ALDI STORES LTD

<b>Agent:</b>	KLR PLANNING LTD MS KAREN READ LUGANO BUILDING 57 MELBOURNE STREET NEWCASTLE UPON TYNE
<b>Date received:</b>	28/08/2019
<b>Development:</b>	Erection of foodstore with associated car parking and landscaping.
<b>Location:</b>	LAND TO THE SOUTH WEST OF STAG AND MONKEY BRENDA ROAD HARTLEPOOL

A member referred to a tabled updated condition that a signal controlled toucan crossing would be provided on Brenda Road by the applicant as part of the development. She noted that a number of years ago Neighbourhood Services Committee had requested that a crossing be installed in this area following a fatal road accident and had been advised by officers at the time that this would not be possible as there was no appropriate position available. Despite this the Committee had voted to install a crossing in the area however this committee decision had not been complied with until 3 years later following a complaint from the member and then it had been installed in a different place to that requested by the Committee. She questioned what had changed to make the installation of the crossing viable in the last 3 years. A second member supported her comments and requested an independent enquiry as it appeared that a Committee decision had been amended without being brought back to the Committee for their consideration, something which was a breach of the constitution. The Transport and Infrastructure Manager noted that he had not been in post when the original decision had been taken. While nothing had changed in the area in terms of space the developer had carried out a safety audit and suggested that the crossing be moved forward from the original setting. The Council's road officers had also suggested that the existing bus stop be turned into a lay by to allow more room. He stressed that officers were still waiting for the completion of a safety audit and more detailed decision to ensure that the proposal could be carried out and that previous recommendations no longer applied.

The member was pleased to note a solution had been found to the requests but noted that these solutions could have been offered at the time and were not. It had taken an official complaint for the crossing to be implemented 4 years after first being requested and she did not accept this explanation. The second member concurred with these comments and asked that the Chair speak to the Chief Executive regarding the issues raised. The Chair said the matter would be investigated and reported back to Committee members. He noted however that the general consensus appeared to be that members were happy with the suggestion that a crossing be installed.



A member queried why the report made reference to 2024. The Transport and Infrastructure Manager explained that this was based on future modelling.

A representative of Aldi was present and addressed the Committee. He advised that they were looking to move from their current location at Tees Bay Retail Park as it was too small and not in keeping with Aldi's modern style. The new location would be sustainable and accessible by foot, bike and public transport thereby reducing reliance on private transport. The move would protect existing jobs and create new ones and Council departments were fully supportive. A member noted that the proposed toucan crossing was silent and that a pelican crossing with a bleeper would be preferable. The Transport and Infrastructure Manager advised that a bleeper could be added to a toucan crossing. The member requested that a bleeper be added to the proposed crossing and also to the crossing outside Asda on the Marina.

A representative of Tees Bay Retail Park spoke against the application which in his opinion failed to meet the sequential tests. He advised that there was space available at the retail park of a larger size than the proposed site and moving Aldi out would leave even more vacant space. He also questioned the assertion that the Retail Park was thriving commenting that while it was always busy more stores were needed despite rents being amongst the lowest in the country. Over the last 2 years there had been many major retail departures countrywide and nothing else was coming to replace them. 10 thousand jobs had been lost in retail in the UK so far this year, something which would lead to a negative cycle. There were already concerns around existing retailers on the site and any moves would impact on jobs and the vitality of other retailers. A member queried whether Aldi was taking a greater risk by not moving given their concerns around not meeting the needs of their customers. The Tees Bay representative confirmed that a unit of similar size to that proposed could be accommodated on the Retail Park site and that the proposed move would impact on jobs and retail.

Members felt that the Tees Bay representative had made some valid objections in relation to the retail situation locally and nationally and accepted that while the site always appeared busy it may not be thriving. However they did not feel it would be right to refuse this application which would allow another business to move forward. They suggested that Tees Bay representatives contact the Council's Economic Development Team who could provide assistance moving forward. They also felt that this move would provide a respite to parking problems at the retail park.

Members approved the application by a majority.

<b>Decision:</b>	<b>Minded to Approve subject to the completion of a section 106 legal agreement securing planning obligations/developer contributions towards green infrastructure (£21,190); and obligations securing a training and employment</b>
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**charter/local labour agreement; and the provision, maintenance and long term management of open spaces, landscaping and surface water drainage; and subject to the following conditions;**

### **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 approved plan(s) and details;

0435 PL (0) 01 (Location Plan),  
AIA TPP Revision - (Retained Trees Shown On Proposed Layout With Protective Measures Indicated),  
19-DAR-Hartlepool-06 Revision 0 (PROPOSED PLANT LAYOUT)  
received 27th August 2019 by the Local Planning Authority;

AMS TPP Revision - (Retained Trees Shown On Proposed Layout With Protective Measures Indicated)  
received 17th September 2019 by the Local Planning Authority;

0435 PL (0) 04 Revision A (Proposed Floor Plan),  
0435 PL (0) 06 Revision D (Proposed Elevations),  
0435 PL (0) 07 Revision C (Proposed Landscaping Plan)  
received 28th November 2019 by the Local Planning Authority;

0435 PL (0) 05 Revision A (Proposed Roof Plan)  
received 29th November 2019 by the Local Planning Authority;

T513\_11B Revision B (Toucan Crossing Point Visibility Splay)  
received 14th January 2020 by the Local Planning Authority;

0435 PL (0) 03 Revision B (Proposed Site Plan)  
received 15th January 2020 by the Local Planning Authority.

For the avoidance of doubt.

3. Prior to the commencement of development, a scheme for surface water management shall be 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 prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system as required by the NPPF.

4. Prior to the commencement of development, a scheme that includes the following components to deal with the risks associated with contamination of the site shall be 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.

5. Prior to the first use of the development hereby approved, a schedule of works for the provision of a signal controlled toucan crossing on Brenda Road, in accordance with plan T513\_11B Revision B (Toucan Crossing Point Visibility Splay) received 14th January 2020 by the Local Planning Authority, shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed details shall be implemented to the satisfaction of the Local Planning Authority prior to the store hereby approved being brought into use and shall be

retained for the lifetime of the development.

In the interests of highway and pedestrian safety and to provide safe pedestrian access to the site.

6. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

To take into account the position of the building, the impact on adjacent properties and the visual amenity of the area, in accordance with saved Policy QP4 and LS1 of the Hartlepool Local Plan.

7. Notwithstanding the submitted information and prior to commencement of works above ground level on site, details of all external finishing materials 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.

8. Prior to commencement of works above ground level on site, details of the siting and design of 10no. bird nest boxes and 10no. bat boxes to be installed within the application site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the submitted details prior to the first use of the store hereby approved.

To enhance biodiversity in accordance with paragraph 118 of the NPPF.

9. Prior to the first use of the development hereby approved, details of all fences, gates, walls or other means of enclosure to be erected shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

To enable the Local Planning Authority to exercise control in the interests of the visual amenities of the area.

10. Prior to the first use of the development hereby approved, a scheme for waste storage arrangements shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

In the interests of visual amenity and the amenities of the occupants of neighbouring properties.

11. Prior to the first use of the development hereby approved, a scheme for the provision of cycle stands (including size, design, amount and location) to serve the store (as shown on plan 0435 PL (0) 03 Revision B (Proposed Site Plan) received 15th January 2020 by the Local Planning Authority unless an alternative location is agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

In the interests of visual amenity and the amenities of the occupants of neighbouring properties.

12. Prior to the first use of the development hereby approved, a scheme for the provision of electric vehicle charging apparatus to serve the store (as shown on plan 0435 PL (0) 03 Revision B (Proposed Site Plan) received 15th January 2020 by the Local Planning Authority unless an alternative location is agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter be carried out in accordance with the approved details.

In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan policy CC1.

13. The landscaping, open space and tree and shrub planting hereby approved shall be implemented in accordance with the following plans and details; 0435 PL (0) 07 Revision C (Proposed Landscaping Plan) received 28th November 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 prior to its first use, 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.

14. No part of the development hereby approved shall be occupied until the agreed vehicular and pedestrian access connecting the proposed development to the public highway and car parking has been constructed to the satisfaction of the Local Planning Authority.

In the interests of highway and pedestrian safety and in the interests of the visual amenities of the surrounding area.

15. 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 shall 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 the first use of the store or completion of the development, whichever is the sooner. 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 and to prevent an increase in surface water runoff.

16. The development hereby approved shall be carried out in accordance with the approved details and particulars as set out in the following supporting plans and details, unless a variation to the scheme is agreed in writing with the Local Planning Authority; Arboricultural Impact Assessment, Arboricultural Method Statement, AIA TPP Revision - (Retained Trees Shown On Proposed Layout With

Protective Measures Indicated) received 27th August 2019 by the Local Planning Authority; and AMS TPP Revision - (Retained Trees Shown On Proposed Layout With Protective Measures Indicated) received 17th September 2019 by 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 which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

In the interests of adequately protecting planting that is worthy of protection and in the interests of visual amenity and to enhance biodiversity in accordance with paragraph 118 of the NPPF.

17. The development hereby approved shall be carried out in accordance with the sustainability and energy efficiency measures detailed within the submitted Sustainability Statement (dated August 2018) received by the Local Planning Authority on 27th August 2019.

For the avoidance of doubt and in the interests of sustainable development in accordance with Local Plan policies CC1 and QP7.

18. The development hereby approved shall be carried out in accordance with the details within the submitted Pre-Construction Method Statement Rev. 0 (dated 3/12/2019) received by the Local Planning Authority on 12th December 2019.

For the avoidance of doubt and in the interests of visual amenity and the amenities of neighbouring land users and highway safety.

19. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Impact Assessment including Flood Risk" dated "August 2019". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 9501 and ensure that surface water discharges to the existing ponds which ultimately discharge to the watercourse.

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

20. Notwithstanding the details contained within the submitted Pre-Construction Method Statement Rev. 0 (dated 3/12/2019) received by the Local Planning Authority on 12th December 2019, no construction works shall take place outside the hours of 07.00hrs - 19.00hrs Mondays to Fridays; and 08.00hrs - 13.30hrs on Saturdays. No construction works shall take place on Sundays or Bank Holidays.

In the interests of the amenities of the occupants of neighbouring properties.

21. The premises shall not be open to the public outside the following times; 08:00 to 22:00 Monday to Saturday and 10:00 to 18:00 Sundays.

In the interests of the amenities of the occupants of neighbouring properties.

22. The development hereby approved shall be laid out and operate in general conformity with drawing 0435 PL (0) 04 Revision A (Proposed Floor Plan) received 28th November 2019 by the Local Planning Authority; and there shall be no increase in the total sales area shown

therein (1254sqm), without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to retain control over the development and in order to safeguard the vitality and viability of the defined town centres in the Borough.

23. 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 development hereby approved shall not be extended 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 highway safety and parking provision.

24. 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 as a Shop Use within the A1 Use Class and for no other Use within The Town and Country Planning (Use Classes) Order 1987 (as amended).

To enable the Local Planning Authority to retain control over the development in order to safeguard the vitality and viability of the defined town centres in the Borough.

25. For the avoidance of doubt, this approval does not include consent for any signage or advertisements associated with the development hereby approved (as shown on drawing 0435 PL (0) 06 Revision D (Proposed Elevations) received 28th November 2019 by the Local Planning Authority), for which separate advertisement consent is required.

For the avoidance of doubt.

26. The development hereby approved shall be carried out in accordance with the submitted Framework Travel Plan (dated August 2019) received by the Local Planning Authority on 27th August 2019.

For the avoidance of doubt and in the interests of encouraging sustainable travel.

The committee considered representations in relation to this matter.

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<b>Number:</b>	H/2019/0349
<b>Applicant:</b>	MR B CONROY HUTTON AVENUE HARTLEPOOL
<b>Agent:</b>	GAP DESIGN MR GRAEME PEARSON EDENSOR COTTAGE 1 BLAISE GARDEN VILLAGE ELWICK ROAD HARTLEPOOL
<b>Date received:</b>	29/10/2019



**Development:** Approval of reserved matters in respect of planning application H/2018/0488 for the erection of a 2.5 storey detached dwellinghouse with detached double garage, external hard/soft landscaping and boundary treatment.'

**Location:** PLOT 7 LAND AT WORSET LANE  
HARTLEPOOL

Members approved this application by a majority.

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

### **CONDITIONS AND REASONS**

1. The development hereby permitted shall be carried out in accordance with the plans Dwg No(s) 1924.P7.P.02 Rev C (Proposed ground and first floor plans and front and rear elevations, site layout and location plan) and 1924.P7.P.01 Rev B (Proposed ground and first floor plans and front and rear elevations garage plans and elevations) and details received by the Local Planning Authority on 18 November 2019 and Acoustic Assessment report received by the Local Planning Authority on 12 November 2019.  
For the avoidance of doubt.
2. Notwithstanding the submitted levels details and prior to the commencement of development of the dwellinghouse hereby approved, details of the existing and proposed levels of the site (including the finished floor levels of the building(s) to be erected, any proposed mounding and or earth retention measures and levels of the adjacent properties/boundaries/garden levels) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.  
To take into account the position of the buildings and impact on adjacent properties.
3. Prior to the commencement of development hereby approved, a scheme shall be submitted to and agreed in writing by the Local Planning Authority that shows how the energy demand of the development and its CO2 emissions (measured by the Dwellings Emission Rate (DER)) will be reduced by 10% over what is required to achieve a compliant building in line with the Building Regulations, Part L prevailing at the time of development. Prior to the residential occupation of the dwelling 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.

4. Notwithstanding the submitted information, a detailed scheme of soft landscaping (including any hedge(s), tree(s) and shrub planting) shall be submitted to and approved in writing by the Local Planning Authority before occupation of the building(s) or completion of the development, (whichever is the sooner) hereby approved. The scheme must specify sizes, types and species of planting, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

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

5. Prior to the occupation or completion of the dwellinghouse (whichever is the sooner) hereby approved, details of all hard landscaping and surfacing materials (including car parking areas, footpaths and any other areas of hard standing to be created) of the development shall be first submitted to and approved by the Local Planning Authority. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the occupation of any of the dwelling hereby approved. 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.

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

6. Notwithstanding the submitted information and prior to the occupation or completion of the dwellinghouse (whichever is sooner) hereby approved, final details of all boundary enclosures/treatments (including driveway and other gates) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include large scale details and a typical section of the retained/protected stone wall and vegetation (as required by condition 08 of approval H/2018/0488) along the southern boundary of the site. Thereafter the development shall be carried out in accordance with the approved details and retained for lifetime of the development hereby approved.

In the interests of visual amenity.

7. 1no. bat brick shall be installed in accordance with the details shown on Dwg No: 1924.P7.P.01 Rev B (date received 18 November 2019) prior to the occupation of the dwelling. The bat brick shall be retained for the lifetime of the development.

In the interest of bio-diversity enhancement in line with requirements of the NPPF.

8. Notwithstanding the submitted information, the 2no. windows to be installed within the first floor side elevations (east serving an ensuite, west serving a bathroom) and 1no. window to be installed in the second floor side/west elevation (serving a cinema room) as detailed on plans 1924.P7.P.02 Rev C and 1924.P7.P.01 Rev B (both date received by the Local Planning Authority 18 November 2019) shall be fitted with a restricted opening mechanism (limiting to a 30 degree opening) and obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale or equivalent, details of which shall be first submitted to and agreed in writing with the Local Planning Authority prior to the installation of the windows and occupation of the dwellinghouse. The agreed scheme shall be implemented prior to the occupation of the dwellinghouse and shall remain for lifetime of the development hereby approved. The application of translucent film to clear glazed windows would not satisfy the requirement of this condition.

In the interests of the amenities of the occupants of neighbouring properties

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<b>Number:</b>	H/2019/0350
<b>Applicant:</b>	MR P CONROY HUTTON AVENUE HARTLEPOOL
<b>Agent:</b>	GAP DESIGN MR GRAEME PEARSON EDENSOR COTTAGE 1 BLAISE GARDEN VILLAGE ELWICK ROAD HARTLEPOOL
<b>Date received:</b>	29/10/2019
<b>Development:</b>	Approval of reserved matters in respect of planning application H/2018/0488 for the erection of a 2.5 storey detached dwellinghouse with detached double garage, external hard/soft landscaping and boundary treatment.
<b>Location:</b>	PLOT 8 LAND AT WORSET LANE HARTLEPOOL

Members approved the application by a majority.

**Decision:** Planning Permission Approved

### CONDITIONS AND REASONS

1. The development hereby permitted shall be carried out in accordance with the plans Dwg No(s) 1924.P8.P.02 Rev C (Proposed ground and first floor plans and front and rear elevations, site layout and location

plan) and 1924.P8.P.01 Rev B (Proposed ground and first floor plans and front and rear elevations garage plans and elevations) and details received by the Local Planning Authority on 18 November 2019.

For the avoidance of doubt.

2. Notwithstanding the submitted levels details and prior to the commencement of development of the dwellinghouse hereby approved, details of the existing and proposed levels of the site (including the finished floor levels of the building(s) to be erected, any proposed mounding and or earth retention measures and levels of the adjacent properties/boundaries/garden levels) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

To take into account the position of the buildings and impact on adjacent properties.

3. Prior to the commencement of development hereby approved, a scheme shall be submitted to and agreed in writing by the Local Planning Authority that shows how the energy demand of the development and its CO2 emissions (measured by the Dwellings Emission Rate (DER)) will be reduced by 10% over what is required to achieve a compliant building in line with the Building Regulations, Part L prevailing at the time of development. Prior to the residential occupation of the dwelling 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.

4. Notwithstanding the submitted information, a detailed scheme of soft landscaping (including any hedge(s), tree(s) and shrub planting) shall be submitted to and approved in writing by the Local Planning Authority before occupation of the building(s) or completion of the development, (whichever is the sooner) hereby approved. The scheme must specify sizes, types and species of planting, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

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

5. Prior to the occupation or completion of the dwellinghouse (whichever is the sooner) hereby approved, details of all hard landscaping and surfacing materials (including car parking areas, footpaths and any

other areas of hard standing to be created) of the development shall be first submitted to and approved by the Local Planning Authority. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the occupation of any of the dwelling hereby approved. 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.

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

6. Notwithstanding the submitted information and prior to the occupation or completion of the dwellinghouse (whichever is sooner) hereby approved, final details of all boundary enclosures/treatments (including driveway and other gates) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include large scale details and a typical section of the retained/protected stone wall and vegetation (as required by condition 08 of approval H/2018/0488) along the southern boundary of the site. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of visual amenity.

7. The hereby approved dwelling shall install a bat brick as shown on Dwg No: 1924.P8.P.01 Rev B date received 18 November 2019 prior to the occupation of the dwelling. The bat brick shall be retained for the life time of the development.

In the interest of bio-diversity enhancement in line with requirements of the NPPF.

8. Notwithstanding the submitted information, the 2no. windows to be installed within the first floor side elevations (east serving an ensuite, west serving a bathroom) and 1no. window to be installed in the second floor side/west elevation (serving a cinema room) as detailed on plans 1924.P8.P.02 Rev C and 1924.P8.P.01 Rev B (both date received 18 November 2019) shall be fitted with a restricted opening mechanism (limiting to a 30 degree opening) and obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale or equivalent, details of which shall be first submitted to and agreed in writing with the Local Planning Authority prior to the installation of the windows and occupation of the dwellinghouse. The agreed scheme shall be implemented prior to the occupation of the dwellinghouse and shall remain for lifetime of the development hereby approved. The application of translucent film to clear glazed windows would not satisfy the requirement of this condition.

In the interests of the amenities of the occupants of neighbouring properties

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**Number:** H/2019/0410

**Applicant:** MS Sandra Rountree

**Agent:**

AJ RILEY ARCHITECTS MR A RILEY 24  
BEDFORD ROAD NUNTHORPE  
MIDDLESBROUGH

**Date received:** 29/10/2019

**Development:** Approval of all reserved matters in respect of planning application H/2018/0488 for the erection of 1no. detached dwellinghouse with attached triple garage with room above.

**Location:** PLOT 6 LAND AT WORSET LANE  
HARTLEPOOL

Members approved the application by a majority.

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

### **CONDITIONS AND REASONS**

1. The development hereby permitted shall be carried out in accordance with the plans Dwg No(s) AJR19:58 - 100 (Proposed Floor Plans & Elevations) and SJR19:58 - 102 (Site Location Plan) received by the Local Planning Authority on the 11 September 2019 and AJR19:58 - 101 Rev A (Proposed Site Block Plan) received by the Local Planning Authority on 7 November 2019.  
For the avoidance of doubt.
2. Notwithstanding the submitted levels details and prior to the commencement of development of the dwellinghouse hereby approved, details of the existing and proposed levels of the site (including the finished floor levels of the building(s) to be erected, any proposed mounding and or earth retention measures and levels of the adjacent properties/boundaries/garden levels) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.  
To take into account the position of the buildings and impact on adjacent properties.
3. Prior to the commencement of development hereby approved, a scheme shall be submitted to and agreed in writing by the Local Planning Authority that shows how the energy demand of the development and its CO2 emissions (measured by the Dwellings Emission Rate (DER)) will be reduced by 10% over what is required to achieve a compliant building in line with the Building Regulations, Part L prevailing at the time of development. Prior to the residential occupation of the dwelling 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.

4. Notwithstanding the submitted information, a detailed scheme of soft landscaping (including any hedge(s), tree(s) and shrub planting) shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground construction of the development hereby approved. The scheme must specify sizes, types and species of planting, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

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

5. Prior to the occupation or completion of the dwellinghouse (whichever is the sooner) hereby approved, details of all hard landscaping and surfacing materials (including car parking areas, footpaths and any other areas of hard standing to be created) of the development shall be first submitted to and approved by the Local Planning Authority. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the occupation of the dwelling hereby approved. 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.

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

6. Notwithstanding the submitted information and prior to the occupation or completion of the dwellinghouse (whichever is sooner) hereby approved, final details of all boundary enclosures/treatments (including driveway and other gates) 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.

In the interests of visual amenity.

7. Notwithstanding the submitted information, the 2no. windows to be installed within the first floor and 1no. window to be installed in the second floor (roof Space) of the west/side elevation (serving an ensuite and bedroom, and master suite respectively) as detailed on plan AJR19:58 - 100 (Proposed Floor Plans & Elevations) date received by the Local Planning Authority 11 September 2019) shall be fitted with a restricted opening mechanism (limiting to a 30 degree opening) and obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale or equivalent, details of which shall be first submitted

to and agreed in writing with the Local Planning Authority prior to the installation of the windows and occupation of the dwellinghouse. The agreed scheme shall be implemented prior to the occupation of the dwellinghouse and shall remain for lifetime of the development hereby approved. The application of translucent film to clear glazed windows would not satisfy the requirement of this condition.

In the interests of the amenities of the occupants of neighbouring properties.

8. The bat tube hereby approved shall be installed in accordance with Dwg No: AJR19:58 - 100 (Proposed Floor Plans & Elevations, date received by the Local Planning Authority 11 September 2019) prior to the occupation of the dwelling. The bat tube shall be retained for the life time of the development.

In the interest of bio-diversity enhancement in line with requirements of the NPPF.

9. The accommodation above the triple garage hereby approved (as detailed on plan AJR19:58 - 100 (Proposed Floor Plans & Elevations) date received by the Local Planning Authority 11 September 2019) shall be occupied in conjunction with the use of the existing property as a single dwellinghouse only and shall not be used as a separate dwellinghouse or business.

In the interests of the amenities of the occupants of neighbouring properties.

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<b>Number:</b>	H/2019/0198
<b>Applicant:</b>	K Whitfield Coniscliffe Road HARTLEPOOL
<b>Agent:</b>	GAP DESIGN MR GRAEME PEARSON EDENSOR COTTAGE 1 BLAISE GARDEN VILLAGE ELWICK ROAD HARTLEPOOL
<b>Date received:</b>	02/10/2019
<b>Development:</b>	Section 73 application for the variation of condition no. 1 and removal of condition no. 3 of planning permission H/2018/0466 (for the erection of a single storey extension to rear (retrospective) including associated raised access and fencing, first floor extension to side and the creation of balconies to the rear) to allow for the provision of a 1.0m high guarding screen/enclosure to the first floor balcony to the rear and for amendments to the proposed decking and boundary fencing to the rear
<b>Location:</b>	29 CONISCLIFFE ROAD HARTLEPOOL
<b>Decision:</b>	<b>Deferred for a site visit</b>



**117. Appeal at 1 Grassholme Road, Hartlepool TS26 0QH**  
(Assistant Director (Economic Growth and Regeneration))

Members were advised that an appeal had been submitted against the refusal of an application for alterations to ground levels and erection of retaining walls and boundary fencing to rear, erection of boundary fencing to front and side at 1 Grassholme Road. The application had been refused by members contrary to officer recommendation.

**Decision**

That the report be noted.

**118. Appeal at 8 The Front, Hartlepool TS25 1AS** (Assistant Director (Economic Growth and Regeneration))

Members were advised that an appeal against the refusal of planning permission for the installation of uPVC windows and alteration to the shop front had been dismissed by the Planning Inspector. A copy of the decision letter was attached.

**Decision**

That the outcome of the appeal be noted.

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

Members were given details of 5 complaints currently under investigation and 8 complaints where investigations had been completed.

**Decision**

That the report be noted.

**120. 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 121 – (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 122 – (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 123 – (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 124 – (Any Other Items which the Chairman considers are urgent) – 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

**121. 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.

This item was deferred to a future meeting.

### **Decision**

That the item be deferred.

- 122. 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 whether it was expedient to issue an enforcement notice in respect of a change of use. Further details are provided in the closed minutes.

#### **Decision**

Detailed in the closed minutes.

- 123. 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 whether it was expedient to issue an enforcement notice. Further details are provided in the closed minutes.

#### **Decision**

Detailed in the closed minutes.

### **124. Any Other Items which the Chairman Considers are Urgent**

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

Members discussed the protocols around site visits. Further details are provided in the exempt minutes.

The meeting concluded at 11.55am

CHAIR

**No:** 1.  
**Number:** H/2019/0198  
**Applicant:** K Whitfield Coniscliffe Road HARTLEPOOL TS26 0BT  
**Agent:** GAP DESIGN MR GRAEME PEARSON EDENSOR  
COTTAGE 1 BLAISE GARDEN VILLAGE ELWICK  
ROAD HARTLEPOOL TS26 0QE  
**Date valid:** 02/10/2019  
**Development:** Section 73 application for the variation of condition no. 1  
and removal of condition no. 3 of planning permission  
H/2018/0466 (for the erection of a single storey extension  
to rear (retrospective) including associated raised access  
and fencing, first floor extension to side and the creation  
of balconies to the rear) to allow for the provision of a  
1.0m high guarding screen/enclosure to the first floor  
balcony to the rear and for amendments to the proposed  
decking and boundary fencing to the rear  
**Location:** 29 CONISCLIFFE ROAD 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. This application was deferred at the last committee meeting of 29.01.2020 to allow members to undertake a site visit.

## BACKGROUND

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

H/1982/0394 – Planning permission was granted on 4<sup>th</sup> August 1982 for a garage, lounge and kitchen extension.

HFUL/1987/0499 – Planning permission was granted on 19<sup>th</sup> October 1987 for erection of a front porch and cloaks extension.

HFUL/1993/0372 – Planning permission was granted on 31<sup>st</sup> August 1993 for erection of a rear bedroom extension and an attached garage to side.

H/2018/0466 – Planning permission was granted on 8<sup>th</sup> March 2019 for the part retrospective erection of a single storey extension to rear (retrospective) including associated raised access and fencing, first floor extension to side and the creation of balconies to the rear.

## PROPOSAL

1.3 This Section 73 application seeks planning permission for a variation to condition no. 1 (approved plans) and removal of condition no. 3 (requirement for provision of 1.8m high balcony screens) of the above referenced planning permission H/2018/0466 which was granted for the erection of a single storey extension to rear (retrospective) including associated raised access and fencing, first floor extension to side and the creation of balconies to the rear) of No 29 Coniscliffe Road. The proposed variation of conditions seeks to allow for the provision of a 1.0m high guarding screen/enclosure to the first floor balcony to the rear and for amendments to the proposed decking and boundary fencing to the rear.

1.4 Planning permission was granted for the proposal described in application H/2018/0466. The part of the amendment relating to condition no. 3 whereby satisfactory screening on the balcony was agreed as part of planning approval H/2018/0466 which showed the provision of 1.8m high guarding screen(s) to the first floor balcony serving the master bedroom (approved plan Drwg. No. 1826.P.02, date received by the Local Planning Authority on 31<sup>st</sup> January 2019). In view of the balcony being in situ at the time of the application, condition 3 required details of the requisite 1.8m high screens to be provided within 2 months of the decision notice and implemented within 3 months from the written agreement of the LPA (to date, such details have not been formally agreed or implemented). The proposed amendments seeks to substitute the requirement for 1.8m high screens with the provision of a 1.0 metre guarding screen to serve the balcony at the host property. The applicant contends that 1.8m high screens are not required because they consider that there is no overlooking as a result of the design and siting of the balcony and relationship to adjacent plots.

1.5 Additionally, part of the current application relates to the amendments to the decking and boundary fencing to the rear of 29 Coniscliffe Road (along the adjacent boundary to No 27) that was previously approved. The planning approval by virtue of H/2018/0466 was for a raised platform with an approximate height of 0.8 metres (measuring approximately 3.6 metres x 1.3 metres), and a fence of approximately 1.8 metres; the proposed amendment (which is retrospective) features a larger raised decking area of approximately 5.8 metres x 3.7 metres, with a height of approximately 0.6 metres, stepping down to approximately 0.4 metres. The fence to No 27 is approximately 2 metres in height, from the lowest part of the raised decking and approximately 2.4 metres in height from the main rear garden level, with the existing boundary fence retained behind it.

1.6 The application has been referred to the Planning Committee due to the retrospective nature of the works and the Officer recommendation, in line with the Council's Scheme of Delegation.

## SITE CONTEXT

1.7 The application site comprises a detached two storey dwellinghouse in a residential street at 29 Coniscliffe Road, Hartlepool. The host dwellinghouse sits within a generous plot, which is characteristic of the area, and is bounded to the east (side) by 27 Coniscliffe Road and to the west (side) by 31 Coniscliffe Road. To the

south (rear), the site is bounded by 30 Parklands Way. To the north (front), the site is bounded by adopted highway on Coniscliffe Road, with 30 Coniscliffe Road beyond.

## **PUBLICITY**

1.8 The application has been advertised by way of neighbour letters (6). To date, there has been one response, indicating no objections to the proposal.

1.9 The period for publicity has expired.

1.10 Copy letters **A**

## **CONSULTATIONS**

1.11 The following consultation replies have been received in respect of the application:

**HBC Flood Risk Officer:** No objections in respect of surface water management or contaminated land.

**HBC Traffic and Transport:** There are no highway or traffic concerns.

**HBC Public Protection:** No objections.

## **PLANNING POLICY**

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

### Local Policy

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

QP4: Layout and Design of Development

HSG11: Extensions to Existing Dwellings

LS1: Locational Strategy

SUS1: Presumption in Favour of Sustainable Development

### National Policy

1.14 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 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

## **PLANNING CONSIDERATIONS**

1.15 The main issues for consideration in this instance are the appropriateness of the proposed amendments in terms of the policies and proposals held within the Development Plan and in particular the impact of the proposals on the host dwelling and visual amenity of the application site and the character and appearance of the surrounding area, the amenity and privacy of neighbouring land users, and highway and pedestrian safety. These and any other planning and residual matters are considered in detail below.

### **IMPACT ON CHARACTER AND APPEARANCE OF HOST DWELLING + VISUAL AMENITY OF THE AREA**

1.16 The host dwellinghouse is set back from the adopted highway by approximately 16 metres (to the main front elevation). The rear garden of the host dwellinghouse measures approximately 38 metres in length and is enclosed by various high timber fences (approx. 1.8 metre high) with significant planting to all sides.

1.17 With respect to the proposed amendments to the planning approval H/2018/0266 relating to the screening afforded to the first floor balcony and the raised decking area, given the location of both elements of the works being to the rear of the host dwellinghouse with limited views from the front/wider street scene, the abovementioned rear boundary enclosures, and the significant size of the rear garden of the host dwellinghouse, it is considered that these elements would not have a significant detrimental impact on the visual amenity of the application site or the character and appearance of the surrounding area.

1.18 With respect to the other elements of planning approval H/2018/0466 consisting of the proposed single storey rear extension (retrospective) and proposed first floor extension to the side, the consideration of these elements remains unaffected as a result of the current application (and proposed amendments) and therefore are considered to remain acceptable in respect of the impact on the character and



appearance of the host dwelling and surrounding area, as per the detailed considerations of these elements set out in the report for the previous, extant approval H/2018/0466.

1.19 In view of the above, it is considered on balance that the proposals are acceptable with respect to the impact on the visual amenity of the application site and the character and appearance of the surrounding area in accordance with policies QP4 and HSG11 of the adopted Hartlepool Local Plan (2018) and paragraph 124 and 127 of the National Planning Policy Framework (NPPF) (2019).

## AMENITY + PRIVACY OF NEIGHBOURING PROPERTIES

### Impact on 27 Coniscliffe Road (east)

1.20 To the east, the application site is bounded by the neighbouring property at 27 Coniscliffe Road. The extensions as per planning approval H/2018/0266 extend along the shared boundary with this neighbouring property, and therefore the raised decking area has the potential to have an aspect toward this neighbouring property. Notwithstanding this, consideration is given to this element being at an oblique distance of approximately 7 metres from the nearest side/rear elevation of No. 27.

1.21 It was noted from the case officer's site visit that there is a small but noticeable difference in levels between the two dwellings (as is characteristic of the street), with the host dwelling sitting at a higher level. Owing to this, it is considered that the provision of a fence with an approximate height of 2 metres above the raised platform of an approximate height of 0.4 metres (as proposed by the current amendment) would not result in a fence height so significantly high as to be overbearing when viewed from windows in the rear of this neighbouring property at No. 27.

1.22 The proposed amendments also relate to the raised decking (approx. 0.6m high, dropping to 0.4m high) to serve the rear patio doors of the single storey rear extension. It is considered that the proposed fence, being an approximate height of 2metres above the highest level of the decking would sufficiently prevent views toward this neighbour (including its main rear garden). In view of the above considerations, it is considered that this element of the proposal would not result in an adverse loss of amenity and privacy for the adjacent neighbouring property in terms of outlook, overbearing, overshadowing and overlooking.

1.23 With respect to the first floor balcony serving the master bedroom, this is located approximately 15 metres from the shared boundary with 27 Coniscliffe Road at its closest point, with approximately 20 metres to the immediate rear garden area of this neighbouring dwellinghouse (immediately outside the rear elevation), with views into the immediate garden area (that is partially screened by the single storey rear extension referred to above). Whilst it is also noted that the rear garden of the property is currently significantly screened on all sides by heavy planting/tree cover, and during the case officer's site visit it was difficult to achieve views from this balcony into neighbouring gardens, paragraph 127 of the NPPF requires that planning decisions ensure a high standard of amenity for existing and future users. As such, it is a consideration that should this planting be removed in future (it is not

formally protected in anyway and is outside of the applicant's boundary), then the balcony would allow clear views further down this neighbour's garden and would likely have a detrimental impact on the privacy of the occupiers of this neighbouring property in terms of overlooking and perception of overlooking.

1.24 In view of these concerns raised as part of the assessment of application H/2018/0266, the applicant agreed to install 1.8 metre high privacy screens to the sides of the balcony with an approx. 0.55 metre return to limit views to/from the balcony and therefore reduce any unacceptable impacts. It is considered that the reasons for the condition have not changed since this approval and without the provision of 1.8m high screens, it is considered that the balcony could potentially result in a significant detrimental impact on the privacy of existing and future occupiers of this neighbouring property (No 27) in terms of overlooking and perception of overlooking, as to warrant refusal of the application.

1.25 With respect to the other elements of planning approval H/2018/0466 consisting of the proposed single storey rear extension (retrospective) and proposed first floor extension to the side, the consideration of these elements remains unaffected as part of the current application and therefore are considered to remain acceptable in respect of the impact on the amenity and privacy of No. 27 to the east, as per the detailed considerations of these elements set out in the report for the previous approval H/2018/0466.

#### Impact on 31 Coniscliffe Road (west)

1.26 With respect to the proposed first floor balcony to serve the master bedroom, this is situated approximately 6 metres from the shared boundary. It is acknowledged that views into this neighbour's immediate garden area are obscured by the existing rear offshoots to the host dwelling and No. 31 and (at present) completely obscured by landscaping along the shared boundary. As explained above, it is considered that should this planting be removed in future (again the planting is not formally protected and is understood to be partially outside of the applicant's boundary and could be removed), then the balcony would allow clear views further down this neighbour's garden and would likely have a detrimental impact on the privacy of the occupiers of this neighbouring property in terms of overlooking and perception of overlooking. It is for this reason that the requirement for the provision of 1.8m screens, as per the original planning approval H/2018/0266, was required to assist in reducing this identified potential impact on the privacy of 31 Coniscliffe Road in terms of overlooking and perception of overlooking.

1.27 It is therefore considered that, without the abovementioned 1.8m high screening, the balcony could potentially result in a significant adverse impact on the privacy of existing and future occupiers of this neighbouring property in terms of overlooking and perception of overlooking, and that this would be so significant to warrant refusal of the application in this instance.

1.28 With respect to the amendment to the raised decking and fencing, this is located at the opposite side of the garden to the shared boundary with 31 Coniscliffe Road and as such this element of the proposal is set back approximately 17.5 metres from the shared boundary. A satisfactory separation distance of

approximately 19 metres therefore exists between the single storey rear extension and the side elevation of the existing single storey offshoot to the rear of this neighbouring dwellinghouse. Furthermore, as outlined above this shared boundary is significantly screened by boundary fencing and planting. On balance, therefore, it is considered that the raised decking area would not have a significant detrimental impact on the amenity or privacy of neighbouring land users to the west.

1.29 With respect to the other elements of planning approval H/2018/0466 consisting of the proposed single storey rear extension (retrospective) and proposed first floor extension to the side, the consideration of these elements remains unaffected as part of the current application and therefore are considered to remain acceptable in respect of the impact on the amenity and privacy of 31 Coniscliffe Road to the west, as per the detailed considerations of these elements set out in the report for the previous approval H/2018/0466.

#### Impact on 28 & 30 Parklands Way, to the rear (south)

1.30 As set out above, the rear garden of the host dwellinghouse measures approximately 38 metres in length and is enclosed by various timber fences (approx. 1.8 metre high) with significant planting to all sides. A significant separation distance, in excess of the guideline separation distances set out in policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan 2018, of approximately 30 metres exists between the host property and the rear (southern) boundary of the site with a separation distance in excess of 50 metres to the closest neighbouring dwellings to the south. In view of these significant separation distances and the nature of the proposals, it is considered that there is/would be no appreciable impact on the amenity or privacy of neighbouring land users to the south from any element of the application to vary or remove the planning conditions on H/2018/0266.

1.31 With respect to the other elements of planning approval H/2018/0466 consisting of the proposed single storey rear extension (retrospective) and proposed first floor extension to the side, the consideration of these elements remains unaffected as part of the current application and therefore are considered to remain acceptable in respect of the impact on the amenity and privacy of neighbouring properties to the rear, including 28 and 30 Parklands Way, as per the detailed considerations of these elements set out in the report for the previous approval H/2018/0466.

#### Impact on 30 Coniscliffe Road to the front (north)

1.32 It is considered that adequate separation distances (in excess of 40 metres) exist between the host property and neighbouring properties to the front on the opposite side of Coniscliffe Road, including 30 Coniscliffe Road. Furthermore, it is considered that the position of the host property itself primarily screens both the rear balcony and the rear decking area pertaining to the application from views from the north and as such this element would have no appreciable adverse impacts on the privacy or amenity of neighbouring land users to the north, including 30 Coniscliffe Road.

1.33 With respect to the other elements of planning approval H/2018/0466 consisting of the proposed single storey rear extension (retrospective) and proposed first floor

extension to the side, the consideration of these elements remains unaffected as part of the current application and therefore are considered to remain acceptable in respect of the impact on the amenity and privacy of properties to the front (north, including 30 Coniscliffe Road), as per the detailed considerations of these elements set out in the report for the previous approval H/2018/0466.

1.34 Overall and on balance, the proposed amendment is not considered to be acceptable with respect to the impact of the development on the amenity and privacy of neighbouring land users and in accordance with policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 54 and 127 of the National Planning Policy Framework (NPPF) (2019).

#### **HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING**

1.35 The Council's Highways, Traffic and Transport section has been consulted on the application and has confirmed that there are no highway or traffic concerns. The application is therefore considered to be acceptable with respect to matters of highway and pedestrian safety and car parking.

#### **PLANNING BALANCE AND OVERALL CONCLUSION**

1.36 Whilst it is considered that the element of the proposal relating to the variation of condition 1 which relates to amending the raised platform and associated boundary fencing would not result in any significant adverse impacts on visual or neighbour amenity to warrant refusal of the application, the application also contains the element relating to the condition 3 requiring obscurely glazed screens and returns on the first floor balcony to be complied with. This latter element of the proposal is not be considered acceptable in terms of the impacts on the privacy (real and perceived) on neighbouring land users, and as the LPA is unable to issue a split decision, it is considered that the Section 73 application to amend to conditions appended to planning permission H/2018/0266 is unacceptable with respect to the abovementioned material planning considerations and in accordance with policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 54, 124 and 127 of the NPPF (2019). It is therefore recommended the application is refused.

#### **EQUALITY AND DIVERSITY CONSIDERATIONS**

1.37 There is no evidence of equality or diversity implications.

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

1.38 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.

1.39 There are no Section 17 implications.

## **REASON FOR DECISION**

1.40 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

## **RECOMMENDATION – REFUSE** for the following reason;

1. In the opinion of the Local Planning Authority, by virtue of the design, scale and siting of the first floor rear balcony and without the provision of the requisite 1.8m high privacy screens (and returns), the proposal would result in an unsatisfactory form of development that would have a detrimental impact on the privacy of existing and future occupiers at No 27 (east) and No 31 (west) Coniscliffe Road, through issues of overlooking and a perception of overlooking, contrary to paragraph 127 of the NPPF (2019), policies HSG11 and QP4 of the Hartlepool Local Plan (2018) and the adopted Hartlepool Residential Design SPD (2019).

## **BACKGROUND PAPERS**

1.41 Background papers used in the compilation of reports relating to planning items are available for inspection in Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line:

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

## **CONTACT OFFICER**

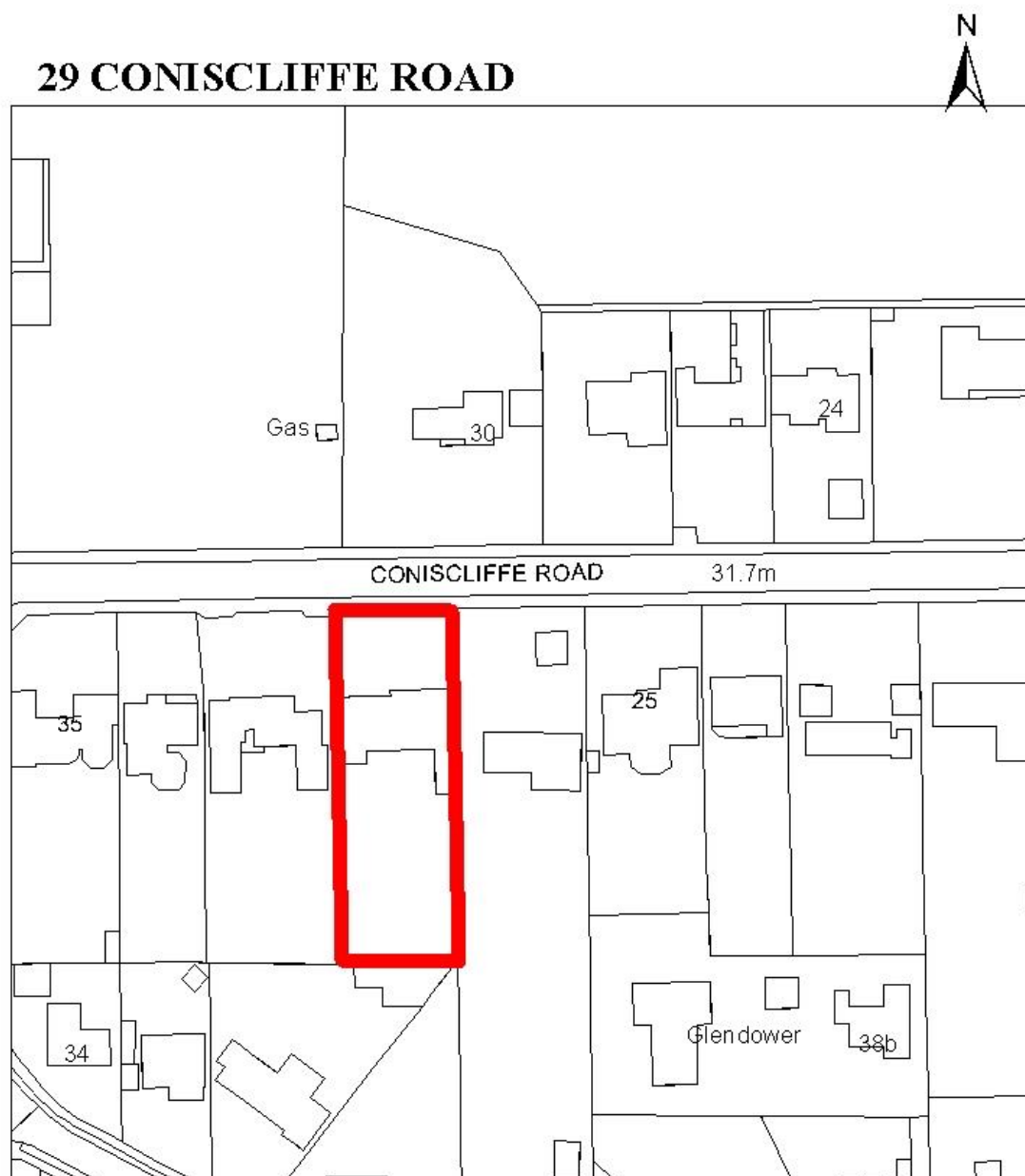
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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>25/11/2019</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0198</b>	REV

**No:** 2.  
**Number:** H/2019/0369  
**Applicant:** AWG LAND HOLDINGS LTD  
**Agent:** HYDE HARRINGTON LTD MRS KATIE TOWNER 3  
WAVELL DRIVE CARLISLE CA1 2ST  
**Date valid:** 11/09/2019  
**Development:** Erection of four detached dwellings, erection of single storey extension at the rear of existing bungalow and erection of detached double garage.  
**Location:** THE BUNGALOW AND ADJACENT LAND BROUGHAM TERRACE 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.

## BACKGROUND

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

## PROPOSAL

2.3 Planning permission is sought for the erection of four detached dwellings on land on the south side of Brougham Terrace (between The Bungalow to the west and 50 Brougham Terrace to the east). The proposals also include a single storey extension to the rear of The Bungalow itself and a detached garage to serve The Bungalow.

2.4 The application as originally submitted proposed two and a half storey, five bedroom properties with dormer windows serving a room in the roof space. Following discussion with officers the scheme has since been amended, reducing the properties proposed to two-storey only, approximately 8.4m in height, with four bedrooms. Each of the properties would be accessed off Brougham Terrace with a low boundary wall to the front (approximately 1m).

2.5 The proposed extension to The Bungalow would project 6.3m to the rear, spanning 7.4m in width. The overall height of the proposed extension would be 5.2m. The proposed single storey garage would be located to the west of the existing bungalow, towards the rear of the plot. The garage would measure approximately 5.7m in width, 5.6m in depth and would have an overall height of approximately 4.6m.

2.6 The application has been referred to Planning Committee due to the number of objections received in accordance with the Council's scheme of delegation.

## SITE CONTEXT

2.7 The application site is located on the south side of Brougham Terrace, approximately 56m from the junction with Lancaster Road to the east, directly to the north of the Hartlepool Water Depot, which is accessed via Lancaster Road. There is an existing bungalow ('The Bungalow') and its garden in the western part of the site, while the remainder is scrub land, largely overgrown and of varying levels. The northern boundary of the site is enclosed by a concrete panel wall of approximately 2.5m in height.

## PUBLICITY

2.8 The application has been advertised by way of neighbour letters (28no) and site notice. To date, three objections have been received from neighbouring land users.

The objections received can be summarised as follows:

- Noise and dust during construction,
- Loss of privacy,
- Increased traffic and safety concerns close to a school,
- Loss of property value.

2.9 The period for publicity has expired.

2.10 Copy Letters **B**

## CONSULTATIONS

2.11 The following consultation replies have been received:

**HBC Traffic and Transport** – There are no highway or traffic concerns with this proposal. The proposed drive crossings should be constructed in accordance with the HBC specification and installed by a NRASWA accredited contractor.

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

A Construction Management Plan shall be submitted and agreed in writing with the Local Planning Authority, prior to the commencement of development, 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, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

Demolition or construction works and deliveries or despatches shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

There should be adequate dust suppression facilities on site.



There should be no open burning at any time on the site.

### **HBC Engineering Consultancy – Surface water management**

No information relating to surface water management was seen to be submitted with the application with the exception of the planning application form stating that surface water will be disposed of to an existing watercourse. I do not believe there is a watercourse adjacent to the site, if this is the case this disposal route will need to be revised. The Planning Statement acknowledges Local Plan Policies CC1 and CC2, the applicant is advised to note the requirement for sustainable drainage systems contained within these policies.

Notwithstanding the absence of surface water management information, there is nothing to indicate that surface water cannot be successfully managed at this site. As such I have no objection in principle to proposals and ask that you require details of surface water management by adding our basic surface water condition to any decision notice issued for this application.

### **Contaminated land**

In respect of contaminated land I note that the Phase 1 Desk Study submitted with the application recommends a detailed Phase 2 Ground Investigation to determine the extent of contamination on site. As such I ask that you add our standard residential contaminated land condition to any decision notice issued for this application.

**HBC Ecologist** – I have studied the submitted Preliminary Ecological Assessment Report (Lucy Gibson Consulting, dated March 2019). It is extremely unlikely that reptiles are present on site and I do not require further survey. I support the recommendation for native- species landscaping on the southern bank and a landscaping plan should be conditioned. This will compensate for destroyed grassland and scrub habitat. The standard bird nesting season condition should be applied.

### **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) minimizing 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 declining birds such as starling, house sparrow and tree sparrow. These can be helped through the provision of robust nest boxes such as a sparrow terrace. The following should be conditioned: the fitting of one sparrow terrace nesting box to each house and the garage (total 5). The boxes to be >3m above ground level and face east where possible.

**HBC Landscape Architect** – I've been to site to have a quick look and levels are the issue. I would ask for sections to be produced through each property and also across the long dimension of the site. The ridge lines are shown as level and we would need to establish whether this is just illustrative or there is going to be level adjustment on site. If so we would need to understand how this ties in with existing.

In terms of building relationships, I agree it looks a bit odd. I don't really understand why they are keeping the bungalow. Would there be a problem with 5 new build?

I would ask for all hard and soft landscaping details up front. There are some nice existing granite kerb and scoria channel detail that should be retained and incorporated into any highway crossing details.

#### Updated Comments

Previous comments remain regarding the retention of the bungalow, and the retention of the granite kerb/ scoria block channel detail the highway pavement.

Full details and specification should be provided for surface materials, enclosure and planting.

**HBC Arboricultural Officer** – I have looked at the site and Planning Statement and can confirm that there are no existing tree issues with the site. My only comments are aimed at the proposed landscaping, part of which is to be planted along the Southern boundary to act as a buffer between the Waterworks and the proposed new build. Whereas I welcome this, the final details need to be submitted and reinforced by a planning condition. The declivity should not be a problem here and trees are adapted to grow almost anywhere.

My previous comments on this site reference I/2018/0052 read as “There is a TPO on the land occupied by Anglian Water (TPO 19) but not on the proposed site in question with the redlined area devoid of mature trees and the rest amounting to self- sown scrubby trees and bushes (ruderal species) offering no significant visual amenity at this moment in time. Should the application be successful I would however require a landscaping scheme as part of the development”

This latest submission has addressed this and I look forward to see the scheme in more detail now.

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

**Tees Archaeology** – I have reviewed the above planning application and can confirm that there will be no archaeological requirements for the development.

**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 we have the following comments to make:

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

**CONDITION:** Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

#### How to Satisfy the Condition

The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

Soakaway, Watercourse, and finally Sewer.

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre-planning enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6559.

Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

**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.

**Anglian Water** – Anglian Water Services Ltd is fully supportive of the proposed development by AWG Property as it will enhance this piece of scrub land and offer us greater security in having more residents overlooking our depot.

The depot is used during normal working hours with traffic moving around site and does sometimes have vehicle movements out of hours when dealing with emergencies. Our Call Centre is open 7 days per week, 8am to 8pm but this consists only of office workers with associated car parking from Lancaster Rd entrance.

On the matter of security, it is paramount importance to us that the design of the new boundary fence to the back and sides of new properties (and especially the eastern fence on the most easterly new property) is sufficient in terms of height and resilience to prevent access to our depot through the new properties. We have been targeted in recent months by those seeking to steal from the depot and this risk cannot be increased by the new development. Any planning controls that can be added to the proposal in respect of maintaining and enhancing security to our depot will therefore be most welcomed.

## PLANNING POLICY

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

### Local Policy

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

Policy	Subject
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and Adapting to Climate Change
QP1	Planning Obligations
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP7	Energy Efficiency
HSG1	New Housing Provision
HSG9	Affordable Housing

### National Policy

2.14 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 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
009	Achieving sustainable development
010	Achieving sustainable development
011	The presumption in favour of sustainable development
012	The presumption in favour of sustainable development
038	Decision making
047	Determining applications
091	Promoting healthy and safe communities
124	Creation of well-designed places
127	Creation of well-designed places
130	Refusal of poor design
150	Planning for climate change
153	Planning for climate change

#### HBC Planning Policy Comments

As the proposal is for residential development, the recently adopted Residential Design SPD should be considered when assessing the development. This SPD highlights various criteria that development should seek to meet and highlights the Council's aspirations when it comes to residential design. With particular reference to this scheme, when it is viewed as a whole with the surrounding area it is considered that it reflects the surrounding densities and will boost the overall architectural standard of the area. The dwellings are also thought to be of a similar scale, height and massing to the surrounding buildings which are predominantly 2 storey terraces. The proposed dwellings would all be detached, something which is highlighted as an aspirational dwelling type within the Strategic Housing Market Assessment, and this development would help to contribute towards the need for these type of dwellings within the area. Appropriate setbacks have been provided in order to match the dwellings opposite the site, and avoids visual dominance in the street scene. The use of detailed design features such as the dormer windows the canopies will provide visual points of interest on the dwellings and provides a higher quality dwelling design.

It is acknowledged that the developer has amended the scheme slightly from that which was proposed in order to provide more amenity space for the residents, and the final proposal seems to be more appropriate. The Residential Design SPD seeks to encourage developers to consider the Nationally Described Space Standards when designing their dwellings, in order to ensure that new dwellings provide at least the gross internal floor area and built-in storage area asset out in the NDSS and that the bedrooms meet the prescribed sizes.

It is encouraged that in order to make the proposal compliant with policies CC1 and QP7 of the Local Plan, the development is required to be energy efficient. Where feasible and viable, the development is required to;

- 1) Ensure that the layout, building orientation, scale and form minimises energy consumption and makes the best use of solar gain, passive heating and cooling, natural light and natural ventilation.
- 2) Ensure that green infrastructure is used appropriately to assist in ensuring energy efficiency.
- 3) Incorporate sustainable construction and drainage methods.

Through assessment of the planning statement, it is clear that the developer has designed the dwellings with consideration of this and that steps have been taken to ensure the development is energy efficient. In this instance, it is considered that QP7 and CC1 have been met.

The site is located in an existing residential area, and is situated within walking distance or bus to a variety of local facilities and amenities and so is deemed to be in a sustainable location. As the land is previously developed and is situated within the urban area of Hartlepool, the principle of development is acceptable and planning policy have no objections.

## **PLANNING CONSIDERATIONS**

2.15 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact on the character and appearance of the area, the impact on the amenity of neighbouring land users, the impact on highway safety and parking. These and any other planning matters are considered as set out below.

## **PRINCIPLE OF DEVELOPMENT**

2.16 The application site is not allocated for a particular purpose in the Local Plan, the area is somewhat mixed use with residential uses on the northern side of Brougham Terrace but other community facilities elsewhere in the street (such as a primary school and places of worship), while to the south of the site is the Hartlepool Water depot. The site is situated within walking distance to a variety of local facilities and amenities and is served by public transport, so is deemed to be in a sustainable location. As this section of Brougham Terrace is primarily residential, the use of the site for dwellings is considered appropriate in principal, subject to other relevant planning considerations being found to be satisfactory.

## **CHARACTER AND APPEARANCE OF AREA**

2.17 In this section of Brougham Terrace, properties on the northern side of the street are set back from the road with a wide verge with tree planting between them and the public footpath and road. Levels vary in the area with the road at a lower level than properties on the northern side of the street and the application site to the south, which is also at a higher level, though this is currently largely screened by the substantial boundary treatment.

2.18 Properties on the northern side of the street vary between two-storey houses and three storey flats; the three storey elements are set further back from the road, by approximately 17m, and therefore it is not considered they create an overbearing impression within the street scene.

2.19 Following revisions to the plans submitted, the proposed houses would be two storey and set approximately 8m back from the road. There would remain a gradient within the site, with houses being approximately 1m higher than the adjacent footpath. The existing substantial boundary treatment would be removed and in its place low level brick walls (of approximately 1m in height) would be positioned either side of driveway openings. This would have the effect of opening up the site somewhat, although the impression of properties where there currently are none would change the street scene, given the set back from the road this is not considered to be oppressive or overbearing. Having driveways and front gardens alongside the footpath is considered to be less imposing than the current concrete boundary wall with security wire on top.

2.20 While the properties would be raised above the road level, this would be similar to the properties on the northern side of the street. Those properties are set back further than would be the case here and therefore the reduction of the proposed scheme from two and a half storey to two-storey only (removing dormer windows serving rooms in the roof) is considered appropriate to limit the impact on the street scene. The larger scale of the properties originally proposed was considered to create too imposing an impression. This is particularly the case when the relationship between the existing bungalow on the site and the proposed properties are taken into account, as noted in the concerns raised by the Council's Landscape Architect.

2.21 While noting the disparity between the bungalow and proposed two storey dwellings, this was considered to be a substantial difference initially but now the proposed properties have been reduced to two-storey, it is considered they relate better to the single storey neighbouring bungalow, whereas the larger scale properties did not sit comfortably. As such, retention of the bungalow alongside the proposed properties is not considered to detract from the wider street scene to the extent that it would be significantly detrimental so as to warrant refusal of the application, subject to the imposition of a condition to secure final details of the proposed levels and finished floor levels.

2.22 The properties are considered to be well designed, with detailing including bay windows to the front and canopy extending over the front door. This taken with the relationship between the site and existing neighbouring properties and differences in levels, the proposed houses are considered to be appropriate in this location and to have an acceptable impact on the character and appearance of the area. Furthermore, the proposed dwellings would be served by gardens commensurate with their size, which is considered to further reflect the prevailing character of the area.

2.23 To the west of the existing bungalow on the site it is proposed to erect a single storey double garage of a typical design with its roof pitched front to back. Both the eaves and ridge line of the garage are proposed to be lower than that of the host bungalow and therefore its scale is subservient to the main property. Although the

changes in levels in the area noted above will mean the garage would be at a higher level than the road, this is true of the existing bungalow and the garage would relate well with it and is not therefore considered to detract from the character and appearance of the wider area.

2.24 A single storey extension is proposed to the rear of the existing bungalow, the extension is substantial given the modest scale of the existing bungalow, at 6.3m in projection and 7.4 in width. Notwithstanding this, the height of the extension would be set below that of the overall height of the bungalow and is positioned to the rear and therefore would not be readily visible from the main street scene of Brougham Terrace. The extension is located to the eastern side of the bungalow, given the relationship of the dwellings proposed to the east, the new dwellings would also screen any views of the side of the bungalow currently available from Brougham Terrace.

2.25 The bungalow as extended would retain private amenity space to the rear as well as a front garden with drive that is considered to be commensurate with the scale of the property. As such, although the proposed extension is substantial, it is not considered to detract from the character or appearance of the area.

2.26 Overall, each of the proposed elements of the development proposed are considered to be well designed, appropriate to their location and therefore acceptable with regards to the character and appearance of the wider area.

#### AMENITY OF NEIGHBOURING LAND USERS

2.27 To the west of the application site is an area of green space associated with the adjacent primary school. As such, the proposed detached garage and single storey extension to the existing bungalow would not be alongside another property and are not therefore considered to result in an adverse impact on the amenity and privacy of any neighbouring occupier to the west in terms of outlook, loss of light, and overlooking.

2.28 It is proposed to locate the new properties so their front elevation is set back from the front elevation of the existing bungalow by approximately 2m. The closest principal window in the property at plot 1 (closest to the existing bungalow) would be 2.5m from the side of the bungalow and although that window would be set behind the bungalow it is considered this would not result in a significant loss of light or overbearing appearance that would adversely affect the amenity of the future occupier taking into account the remaining distance and single storey nature of the bungalow. Due to the offset position at the front of the bungalow and proposed houses, the proposed extension to the rear of the bungalow would follow a similar building line to the rear of the proposed dwellings. As a result, although the proposed extension is notable in scale, it is not considered that it would adversely impact the amenity and privacy of future neighbouring occupiers in relation to outlook, loss of light, overlooking or overbearing appearance.

2.29 There would be two windows in the eastern side elevation of the bungalow as extended; these serve a bathroom and an en-suite. However, as these are not primary habitable rooms it is not considered the impact of the proposed new dwelling



to the east would have a significant negative impact on the amenity of the occupiers of the bungalow and therefore the proposed relationship is considered acceptable.

2.30 To the south of the application site is the Hartlepool Water depot. Given the commercial nature of the adjacent site, it is not considered to be a sensitive land user that would be unduly affected in terms of light, privacy or overbearing appearance. Notwithstanding that, the proposed development would be approximately 24m from the nearest buildings on the depot site. While the application site is notably higher than the land level within the depot site, this is in excess of the separation distance required by policy QP4 of the Hartlepool Local Plan and the Council's Residential Design Guide SPD, and therefore it is not considered to significantly negatively affect the amenity and privacy of the land user to the south. In addition to this, it is noted from the comments submitted by Hartlepool Water that they welcome the development, which would offer natural surveillance and enclosure to the north of their site which is likely to be beneficial in terms of their security.

2.31 The neighbouring property to the east of the application site has a substantial side garden and is therefore located approximately 32m from the eastern boundary of the site. Given this level of separation it is not considered the proposed dwellings on the site would have a negative impact with regards to the amenity and privacy enjoyed by the occupier in terms of outlook, loss of light, overlooking or an overbearing appearance. In addition, there are no windows proposed in the side elevation of the proposed dwelling that would directly overlook the garden of the property to the east.

2.32 The closest neighbouring property to the north of the site in relation to plot 1 of the proposed development is located approximately 27m away, with the closest properties to plots 2, 3 and 4 being approximately 39m away with the presence of the highway in between. These distances exceed the relevant separation required by policy QP4 of the Local Plan and the Council's Residential Design Guide SPD and therefore it is considered there would not be an unacceptable loss of privacy, light or the creation of an overbearing appearance for the neighbouring occupiers to the north.

2.33 The proposed properties do not include windows within their side elevations (with the exception of a utility door to the ground floor side elevation of each dwelling that would primarily look onto proposed boundary treatment and would serve a non-habitable room) and are of a uniform building line. As such, it is considered that there would not be an unacceptable impact on the principal windows of these properties by virtue of the layout of the site overall in terms of loss of light, privacy or overbearing appearance.

2.34 Disruption during construction is an inevitable aspect of new development, however it is not a reason to refuse planning permission. Any approval would be subject to standard working hours and construction management plan conditions to ensure the amenities of occupiers are not unreasonably disrupted and therefore the development would be acceptable in this respect.

2.35 Subject to the imposition of relevant planning conditions the Council's Public Protection team have raised no objections to the proposals. Taking this and the above assessment into account, the application is considered to be acceptable in relation to the amenity and privacy of neighbouring land users.

#### HIGHWAY SAFETY & PARKING

2.36 The proposed development would see the creation of five new vehicle crossings on the south side of Brougham Terrace, one to serve each of the new dwellings and another to serve the new garage proposed for the existing property on the site.

2.37 As the existing property does not currently benefit from off street parking, the proposed development would improve the current arrangement, allowing occupants to park vehicles within their own curtilage and therefore reduce reliance on on-street parking. Each of the new dwellings would be served by a driveway and an integral garage.

2.38 HBC Traffic and Transport have confirmed they have no objections to the application and are satisfied with the proposed layout and parking arrangements. As such, the application is considered to be acceptable in this respect.

#### OTHER PLANNING MATTERS

2.39 The Council's Ecologist has confirmed there are no objections to the principle of development, providing sparrow nesting boxes are provided for each dwelling and the garage (5 in total) in order to deliver biodiversity enhancement. Subject to a condition requiring details of such a scheme to be submitted for approval, the application is considered acceptable in this regard.

2.40 In terms of soft landscaping, indicative details relating to the front and rear gardens have been provided, subject to a condition requiring final details to be submitted for approval the proposals are considered to be acceptable by the Council's Arboricultural Officer and Landscape Architect. It is noted that a landscaped buffer to the southern boundary of the site is proposed to assist in screening the development and the adjacent depot site. This area is indicated to be outside of the curtilages of the properties proposed and therefore a condition requiring a long-term management and maintenance scheme to be submitted for approval is recommended.

2.41 Further to this, the Council's Landscape Architect has requested details of hard landscaping and boundary enclosures be provided for approval, noting this should include retention of existing granite kerb and scoria channel detailing within new highway crossing details. Conditions to this effect are duly recommended.

2.42 With regards to the requirements of policy QP7 of the Local Plan, the submitted Planning Statement outlines the design measures that have been used to ensure the proposals are energy efficient primarily in respect of the layout and building orientation of the proposed dwellings. The Council's Planning Policy team have

confirmed the application is in accordance with policy QP7 as a result. The proposed development is considered satisfactory in this regard.

2.43 Full drainage details have not been provided at this stage, however the Council's Flood Risk Officer and Northumbrian Water have confirmed that no objection would be raised if a condition requiring such details to be submitted for approval prior to development commencing were imposed. Such a condition is duly recommended and the application is considered to be acceptable in this regard in light of that.

## **RESIDUAL MATTERS**

2.44 One of the objections received raises concerns about the potential impact of the proposed development on property value, this is not a material planning consideration and cannot be taken into account in determining the application.

2.45 The Council's Public Protection team note there should be no open burning on the site at any time, this would be covered by separate legislation and is not therefore something that could be secured by planning condition. It is, however proposed to include this recommendation as an informative for the applicant's attention.

## **CONCLUSION**

2.46 The proposed development would provide new dwellings in an existing residential area of the town, bringing a currently vacant area of land into use. The location of the development is considered appropriate in principle and all relevant material considerations are considered to have been addressed and subject to suitable conditions, the application is recommended for approval.

## **EQUALITY AND DIVERSITY CONSIDERATIONS**

2.47 There is no evidence of equality or diversity implications.

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

2.48 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.

2.49 There are no Section 17 implications.

## **REASON FOR DECISION**

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

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

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following plans: drawing number 00218:06 (Proposed Bungalow Garage Plan & Elevations), drawing number 00218:08 (Proposed Bungalow Plans & Elevations), received by the Local Planning Authority 12/08/19, Existing Site Plan at a scale of 1:1250, received by the Local Planning Authority 04/09/19, drawing number 00218:02, revision F (Proposed House Type), drawing number 00218:05, revision D (As Proposed Site Plan), received by the Local Planning Authority 10/01/20, drawing number 00218:10, revision D (As Proposed Site Sections A & B), drawing number 000218:11, revision D (As Proposed Site Sections C & D), received by the Local Planning Authority 18/02/20.  
For the avoidance of doubt.
3. Notwithstanding the submitted details prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected, garden levels, car parking levels, and the areas adjoining the site boundary any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
To take into account the position and levels of the buildings and car parking areas and the impact on adjacent residential properties.
4. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority.  
Thereafter the development shall take place in accordance with the approved details.  
To prevent the increased risk of flooding from any sources in accordance with the NPPF.
5. A Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development, 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, road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.  
In the interests of the amenities of the area.
6. 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. archaeological sites and ancient monuments;
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

## 2. Submission of Remediation Scheme

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

## 3. Implementation of Approved Remediation Scheme

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

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

## 4. Reporting of Unexpected Contamination

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

2 (Submission of Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report shall be prepared in accordance with 3 (Implementation of Approved Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

#### 5. Long Term Monitoring and Maintenance

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

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

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

#### 6. Extensions and other Development Affecting Dwellings.

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

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

7. Prior to the commencement of development, a scheme for the long term maintenance and management of all landscaping within the site including the 'landscape buffer' to the south of the dwellings hereby approved as indicated on drawing number 00218:05, revision D (As Proposed Site Plan), received by the Local Planning Authority 10/01/20 shall be first submitted to and agreed in writing with the Local Planning Authority. Thereafter the development hereby approved shall be carried out in accordance with agreed scheme.

In the interests of visual amenity.

8. Notwithstanding the submitted information, details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before above ground construction commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of visual amenity.

9. Prior to above ground construction details of sparrow nesting boxes to be installed in each of the approved 4no dwellings and to the 1no approved

detached garage (5 in total) shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, the approved scheme shall be implemented in accordance with the approved details and thereafter retained for the lifetime of the development.

To ensure that the site is developed in a way that contributes to the nature conservation value of the site in accordance with the National Planning Policy Framework (NPPF) paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

10. Notwithstanding the proposals detailed in the submitted plans and prior to the implementation of such works on site, details of proposed hard landscaping and surface finishes (including the proposed car parking areas, footpaths, access and any other areas of hard standing to be created) 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. Such a scheme shall detail the retention of the existing granite kerb and scoria channel detailing in forming highway crossings. The scheme, including car parking provision, shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the occupation of the 4no. approved dwellings and the first use of the garage hereby approved. 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.

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

11. Notwithstanding the proposals detailed in the submitted plans and prior to the commencement of development, a detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity.

13. No part of the dwellings and detached garage hereby approved shall be occupied until vehicular and pedestrian access connecting the proposed development to the public highway has been constructed to the satisfaction of the Local Planning Authority.

- In the interests of highway and pedestrian safety and in the interests of the visual amenities of the surrounding area.
14. Notwithstanding the submitted information, prior to their implementation on site, details of the boundary means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be implemented in accordance with the approved details prior to first occupation of the new dwellings hereby approved.  
In the interests of a satisfactory form of development and in the interests of the amenities of future occupiers.
  15. No construction/building/demolition works or deliveries shall be carried out except between the hours of 8.00 am and 18.00 on Mondays to Fridays and between 9.00 am and 13.00 on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.  
To ensure the development does not prejudice the enjoyment of neighbouring occupiers of their properties.
  16. Demolition and the clearance/removal of trees and vegetation shall take place outside of the bird breeding season. The breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority. An exception to this timing restriction could be made if 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 breeding birds.
  17. The development hereby approved shall be used as 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.
  18. 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 external alterations or extensions shall be made to the dwellings hereby approved 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 properties, the appearance of the wider area and to ensure appropriate parking provision.
  19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no outbuildings shall be erected within the curtilage the properties hereby approved 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 properties and the appearance of the wider area.
  20. 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 or footpath, without the prior written consent of the Local Planning Authority with the exception of those enclosures approved as part of this permission under condition 14.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and the appearance of the wider area.

21. The detached garage hereby approved shall only be used for purposes incidental to the use of the dwellinghouse ('The Bungalow') and no trade or business shall be carried out therein. The development hereby approved shall not be extended, converted or altered in any way.  
In the interests of the amenities of the occupants of neighbouring properties and to control the development.

## **BACKGROUND PAPERS**

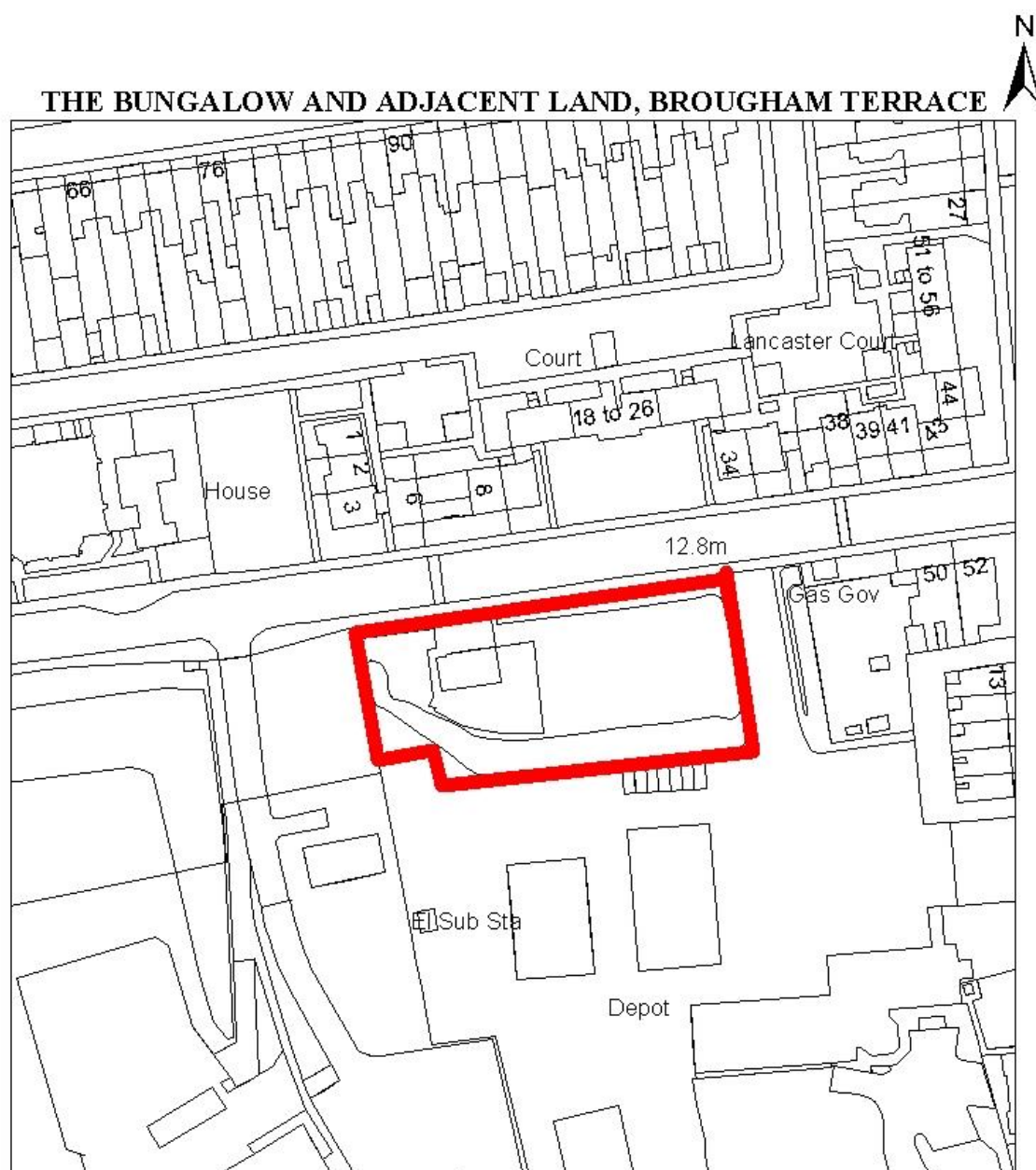
2.51 Background papers used in the compilation of reports relating to planning items are available for inspection in Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line: <http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>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

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**THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY**

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>13/01/2020</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0369</b>	REV

**No:** 3.  
**Number:** H/2019/0467  
**Applicant:** MR M CROSBY ELWICK ROAD HARTLEPOOL TS26  
ODL  
**Agent:** MGH DESIGN MR MICHAEL HENDERSON 18  
WESTGARTH GROVE SHOTTON COLLIERY DURHAM  
DH6 2YB  
**Date valid:** 19/11/2019  
**Development:** Erection of a two storey extension to the side and a single  
storey extension at the rear  
**Location:** KINROSS ELWICK ROAD 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.

## PROPOSAL

3.2 This application seeks planning permission for the demolition of the existing single storey extensions on the side (northern) and rear, the erection of a two storey extension on the side (northern) and a single storey extension on the rear of Kinross, Elwick Road. The proposed two storey extension would primarily be situated on the footprint of the existing single storey extension on the side of the host property, and therefore would project approximately 3.6 metres from the existing northern elevation of the main dwelling x approximately 8.3 metres in length. The proposal features a dual pitched roof with a total ridge height of approximately 9.2 metres, dropping to approximately 7.7 metres at the eaves.

3.3 The proposed single storey extension on the rear would project from the existing main rear elevation of the host property by approximately 2.9 metres x approximately 5.9 metres in width, and would partly replace the existing single storey garden extension on the property. The proposed single storey extension on the rear would feature a dual hipped roof with a ridge height of approximately 4.1 metres, dropping to approximately 2.5 metres at eaves level.

3.4 The proposal would include a window in the ground floor and a window in the first floor in the western side elevation, with no windows or doors proposed in the rear elevation (north) or the eastern side elevation of the proposed two storey extension to the side. Bi-fold doors would be positioned in the rear elevation of the single storey extension to the rear. The proposal indicates that the external brickwork would be painted to match the existing dwelling (detailed above). The proposal would facilitate a kitchen, utility and w.c. at ground floor level and an additional (third) bedroom and bathroom at first floor.

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

## **SITE CONTEXT**

3.6 This application site relates to a two storey detached property on the eastern side of Elwick Road, in Hartlepool. The property in its present state includes two main storeys, with additional rooms in the attic (front), and single storey flat roof extension on the side (northern), topped with a railing. The host property also includes a single storey garden room extension on the rear, with a raised platform and stepped access to the rear garden. The property benefits from a large plot with a large garden to the rear and a small garden and driveway to the front, as is a characteristic of the street.

3.7 The property is bounded by Holmewood, Elwick Road to the south, by 263, 261a, 261 and 259 Park Road to the north, and 2 and 4 Queensberry Road to the east/rear. To the west lies the main highway of Elwick Road, beyond which is Greentyles, Elwick Road. Boundary treatments comprise a fence with an approximate height of 1.8 metres along the northern side, a fence and mature landscaping with a height of approximately 2 metres to 3.5 metres at the rear, and a fence with an approximate height of 2 metres.

## **PUBLICITY**

3.8 The application has been publicised by way of eight neighbour notification letters, along with the local ward members. Following the expiry of the consultation period, 1 representation offering no objections to the proposal has been received.

3.9 The period for publicity has expired.

3.10 Copy Letter **C**

## **CONSULTATIONS**

3.11 The following consultation responses were received in respect of the application:

### **HBC Ecology: 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 site is in an area that supports bats, which would benefit from the availability of artificial roost bricks.

### Condition

The dwellings should be built with one integral bat roost brick. The bat brick should be installed at a minimum height of 4m, preferably in the gable end (house or garage). It can be built into the wall as a brick or fitted into the ridge of the roof.

**HBC Traffic and Transport:** For a 3 bedroom property 2 off street parking spaces should be provided, the applicant should demonstrate that 2 vehicles can be accommodated.

### UPDATE (following receipt of clarification from the applicant regarding car parking)

I can confirm that I have no objections to this application.

## **PLANNING POLICY**

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

### Local Policy

3.13 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 to Existing Dwellings

### 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 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 007: Purpose of the planning system

PARA 011: Presumption in favour of sustainable development

PARA 017: Core planning principles  
PARA 038: Decision-making  
PARA 047: Determining applications  
PARA 124: High quality buildings and places

## **PLANNING CONSIDERATIONS**

3.15 As identified in Section 38(6) of the Planning and Compulsory Purchase Act (2004) the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

3.16 The main issues for consideration when assessing this application are 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 highway safety. These, and any other matters are detailed below.

### **IMPACT ON CHARACTER AND APPEARANCE OF EXISTING PROPERTY & SURROUNDING AREA**

3.17 As noted above, the host dwelling is a detached property containing two storeys, with additional living space in the attic. The dwelling is generally representative of other properties in this section of the street, in terms of its character and scale. As noted above, it is a consideration that the property itself sits within an expansive plot, with a large garden and boundary treatments including mature landscaping around all sides (including the front).

3.18 It is acknowledged that the proposed two storey side extension would be sited on the side of the property, and that it would be readily visible from the main highway to the front (west). Notwithstanding this, it is a consideration that there are varying designs of properties in the wider street scene and the proposal would not appear out of character in comparison with other properties in the vicinity. Furthermore the proposed extension would be of a design, scale and width that is considered to be sympathetic to the design and proportions of the existing dwelling and the application site as a whole (notwithstanding concerns regarding the impact on adjoining properties as set out below). Further consideration is given to the dual pitched/hipped roof to the front of the proposal that would reflect the existing roof detail on its southern side, albeit it would remain subservient to the main architectural features of the existing property (the existing projecting element to the south being larger in scale). Furthermore, the two storey extension to the side of the host property would use matching materials and fenestration that would result in a sympathetic design.

3.19 Finally, whilst the proposal would not feature a set back, in view of the above consideration and the existing and retained relationship to the nearest property to the north, it is considered that the proposal would not result in a terracing effect nor would it result in a significant incongruous feature within the street scene. As such and in design terms there would be no requirement for a set back in this instance and is considered to comply with Policy HSG11 in respect.

3.20 The proposed single storey extension to the rear is considered to be of a design and scale that respects the proportions of the host dwelling and the application site as a whole. Furthermore, the proposal would be located to the rear with limited views from the wider street scene.

3.21 Overall, in view of the reasons detailed above, the proposals are considered to be acceptable in that it would safeguard the character and appearance of the existing property and visual amenity of the surrounding area and to be in accordance with the provisions of HSG11 and QP4 and paragraph 130 of the National Planning Policy Framework (2019).

## AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

3.22 Policy QP4 and Policy HSG11 of the Hartlepool Local Plan (2018) require, amongst other provisions, that proposals should not significantly affect the amenity or privacy of the occupiers of adjacent/adjoining or nearby properties.

### Impact on 263 Park Road, to the north

3.23 To the side/north of the application site there is a distance of approximately 1.5 metres from the proposed two storey extension at the host property and the boundary with the adjacent neighbour to the north at 263 Park Road, and a distance of approximately 8 metres to the rear elevation of this neighbour (at its closest point). It was observed by the case officer during the site visit that the ground levels were such that the host property was approximately 0.5 metres higher than the rear of the neighbour at 263 Park Road. The existing boundary treatment comprises a fence and shrubbery with an approximate height of 2 metres, which runs along the northern boundary with this neighbour at No. 263, with a shed in the garden of No. 263 Park Road. It was noted on site by the case officer that No. 263 Park Road features windows in both the ground floor and first floor rear elevations (south) of this property; the officer has confirmed with the occupier of No. 263 Park Road on site that the main ground floor bay window in the rear/south elevation serves a dining room (whilst it was observed that an internal set of glazed doors connect the dining room to a living room, which in turn is served by a bay window in the front/west elevation, the dining room is not directly served by any other windows and therefore any other sources of natural light and outlook). In addition, a second ground floor window in the rear/south elevation serves a utility room. The 2no. first floor windows in the rear/south elevation were confirmed as serving a bedroom and a bathroom.

### *Two storey extension to the side*

3.24 Policy HSG11 of the Hartlepool Local Plan (2018) requires that proposals for extensions on residential properties do not significantly affect the amenities of the occupiers of neighbouring properties. Policy QP4 requires that proposals do not negatively impact upon the relationship with neighbouring land users and their amenity by way of general disturbance, and specifies that a minimum distance of 10 metres is required to safeguard privacy. Additionally, the Council's Residential Design Guide Supplementary Planning Document (2019) requires that development appropriately safeguards daylight and sunlight (overshadowing, overbearing and outlook), privacy (overlooking) and amenity space considerations. In the context of

the current proposal, the SPD requires such proposals to provide and maintain separation distances of at least 10m from habitable rooms (in this instance the single dining room bay window to the rear of No 263) to a non-habitable room and/or gable end (in this instance the side/north elevation of the proposed two storey side extension).

3.25 It is noted that the design and layout of the existing host dwelling is such that the nearest first floor element of the host property is set away from the adjacent boundary to the north by approximately 5m. As a result of the proposed two storey side extension, the scheme would result in an expanse of two storey extension measuring a total of approximately 8.3 metres along the entire side of the host property and approximately 3.4 metres closer to the ground floor rear elevation of the neighbour at 263 Park Road; the resulting separation distance would be approximately 8 metres (with a remaining distance of approximately 12m between the side elevation of the proposed two storey element and the bedroom window (habitable room) and bathroom window (non-habitable room) in the main first floor rear/south elevation of No 263). This distance (approx. 8m) between the proposed two storey extension and the dining room window in the ground floor rear elevation of this neighbour would therefore not meet the minimum separation distances specified in Policy QP4 of the Hartlepool Local Plan (2018) or the Residential Design Guide SPD (2019).

3.26 As a result, it is considered that the proposed extension would result in a significant unacceptable impact on the amenity of existing and future occupiers of No. 263 Park Road in terms of overshadowing, loss of outlook and creating an overbearing impression to the habitable room windows identified in the rear elevation of 263 Park Road (in particular the ground floor dining room window) as well as the immediate amenity area/garden serving this property. The proposal is therefore considered to be contrary to Policies HSG11 and QP4, the Residential Design Guide SPD (2019) and the provisions of paragraph 127 of the NPPF which requires that planning decisions ensure a high standard of amenity for existing and future users

3.27 In terms of privacy, there are two windows proposed in the side elevation of the proposed extension, one at ground floor and one at first floor level, which have an aspect toward 263 Park Road. However, as noted, the boundary treatment is such that it is considered to prevent any direct views being achievable toward the rear of the neighbour at 263 Park Drive or its rear garden space from the ground floor window of the proposal. The first floor window proposed is indicated to be obscurely glazed, and had the application been acceptable in all respects, this could have been secured via an appropriate planning condition. It is further considered that no direct views would be achievable from the windows in the front/west and rear/east elevations of the proposal towards the rear elevation of No 263 Park Road. In light of the above, it is considered that the proposal would not result in an adverse loss of privacy for this property in terms of overlooking.

#### *Single storey extension to the rear*

3.28 The proposed single storey extension to the rear would project along the boundary with the neighbour to the side at 263 Park Road at a distance of approximately 1 metre from the boundary and approximately 8 metres from the



ground floor rear elevation of the neighbour at the closest point. Although it is acknowledged that the separation distance would not meet the requirements of policy QP4 of the Hartlepool Local Plan (2018), it is considered that the proposed extension would be modest in scale (with a total height of approximately 4.2 metres that pitches away from the boundary), and would not therefore give rise to any adverse impacts on the amenity of No. 263 Park Road, in terms of overshadowing, outlook or overbearing to warrant a refusal of the application.

3.29 The proposed single storey extension to the rear would not contain any windows in the northern side elevation with an aspect toward the neighbour at No. 263 Park Road and it is considered that there would be no direct views achievable between the windows and doors in the rear elevation/east of the proposal towards the rear elevation of No 263 Park Road taking into account the orientation and existing boundary treatment. It is therefore considered that there would not be any adverse overlooking on the neighbour at 263 Park Road as a result of this element of the proposal.

3.30 Overall and in view of the above considerations, whilst the proposed single storey rear element is considered to be acceptable. However it is considered that the proposed two storey extension to the side would result in a significant adverse impact on the amenity of existing and future occupiers of the neighbouring property at 263 Park Road in terms of loss of outlook, overbearing and overshadowing to habitable room windows and amenity areas, which would be so significant in this instance as to warrant refusal of the application.

#### Impact on 261A, 261 and 259 Park Road, to the north east

3.31 It was observed by the case officer during the site visit that the ground levels were such that the host property was approximately 0.5 metres higher than the rear of the neighbour to the north east (side/rear) at 261A Park Road. The existing boundary treatment comprises a fence and shrubbery with an approximate height of 2 metres, which runs along the northern boundary with these neighbours at 261A, 261 and 259 Park Road, with additional outbuildings in the gardens.

#### *Two storey extension to the side*

3.32 As noted above, policies HSG11 and QP4 of the Hartlepool Local Plan (2018) and the Council's Residential Design Guide SPD requires that development appropriately safeguards daylight and sunlight, privacy and amenity space considerations. It was noted by the case officer that there are windows in the rear of the neighbour at No. 261A Park Road at both upper and ground floor levels, the nearest of which would be approximately 11 metres and at an oblique angle from the proposed two storey extension on the side of the host property. Although it is acknowledged that the proposed two storey extension would project closer to the boundary with this neighbour at the upper floor level (than the existing single storey extension), taking into account the remaining separation distance (approximately 11 metres at its closest point) and taking into account the hipped roof that would pitch away from the adjacent boundary, it is considered that the proposed extension would not result in an unacceptable loss of amenity for occupiers of the neighbouring property and the neighbouring properties beyond (261, 259) in terms of

overshadowing, loss of outlook and overbearing impression as to warrant refusal of the application in its own right.

3.33 In terms of privacy, the proposed two storey extension to the side includes a window in the first floor rear elevation/east. There would be a separation distance of approximately 5 metres from this window to the rear garden space serving 261A Park Road and a distance of approximately 11 metres to the rear elevation of this neighbour. This has the potential to result in an adverse impact on the privacy of this neighbour (261A) as a result of direct views being achievable toward windows in the rear of 261A Park Road and its rear garden space. Had the proposal been acceptable in all respects it is considered that a planning condition would have been necessary to safeguard the adverse impact on privacy identified for residents of 261A Park Road. Subject to this and taking into account the remaining separation distance to the properties beyond (261, 259), it is considered that the two storey element of the proposal would not result in an adverse loss of privacy for neighbours to the side/rear (including 261A, 261 and 259 Park Road) in terms of overlooking.

#### *Single storey extension to the rear*

3.34 The proposed single storey extension to the rear would project toward the boundary with the neighbour to the side/rear at 261A Park Road at a distance of approximately 2.5 metres from the boundary and approximately 8 metres from the rear of this neighbour. Although it is acknowledged that the separation distance would not meet the requirements of policy QP4 of the Hartlepool Local Plan (2018), it is considered that the proposed extension would be modest in scale (with a total height of approximately 4.2 metres that pitches away from the boundary), and would not therefore give rise to any adverse impacts on the amenity of No. 261A Park Road (or 261 and 259 Park Road that are located beyond/further away), in terms of overshadowing, outlook or overbearing.

3.35 The proposed single storey extension to the rear would include bi-fold windows in the main rear (eastern) elevation with an aspect toward the neighbour at No. 261A Park Road. On balance, taking into account the existing boundary treatment which includes a fence and shrubbery with a height of approximately 2 metres, it is considered that there would not be any adverse overlooking on the neighbours at 261A, 261 or 259 Park Road as a result of this element of the proposal.

3.36 Overall and in view of the above considerations, it is considered that the proposed two storey extension to the side and single storey extension on the rear would not result in a significant adverse impact on the amenity of existing and future occupiers of the neighbouring properties at 261A, 261 and 259 Park Road in terms of loss of outlook, overbearing and overshadowing to habitable room windows and amenity areas, so significant in this instance as to warrant refusal of the application.

#### Impact on Holmewood, Elwick Road, to the south

3.37 There would be a distance of approximately 8 metres to the boundary and approximately 9 metres to the side elevation of the adjacent neighbour to the south, at Holmewood, Elwick Road from the proposed single storey extension at the rear of the host property, and a separation distance of 12 metres to the boundary and 13

metres to the side elevation of this neighbour from the two storey extension to the side, with the orientation of the main host dwelling between. As noted above, the rear of the host property comprises a platform which the case officer observed extends across the boundary to the adjacent neighbour at Holmewood, and therefore the two properties are at approximately the same level.

#### *Two storey extension to the side*

3.38 The two storey extension on the side of the host property would be on the side furthest from this neighbour at Holmewood and would be primarily obscured by the orientation of the host property itself, which would therefore not give rise to any appreciable impacts on the amenity of this neighbour in terms of overshadowing, outlook, overbearing. In terms of privacy, the two storey extension to the side would include a window on the first floor of the front and rear elevations. On balance, it is not considered that views toward the front and rear of the neighbour to the south would be readily achievable due to the oblique angles, the boundary treatment in place and the provision of an outbuilding in the rear of Holmewood. Therefore it is considered this element of the proposal would not give rise to adverse impacts on the privacy of Holmewood in terms of overlooking.

#### *Single storey extension to the rear*

3.39 The boundary treatment in place between the host property and the neighbour at Holmewood comprises an open trellis fence with an approximate height of 2 metres; that would not serve to obscure views toward the proposed development at the host property from neighbours at the rear. Nevertheless, the relationship of the two properties is such that the single storey extension on the northern side of the rear of the host property, being modest in scale and design, would not result in an adverse impact on the amenity of this neighbour in terms of overshadowing, overbearing or loss of outlook.

3.40 It is noted that the proposed single storey extension on the rear includes bi fold doors on the southern side, with an aspect toward the neighbour at Holmewood. It is considered that the boundary treatment and separation distances are such that adverse overlooking could not be achieved and therefore the proposal is acceptable in terms of privacy.

#### Impact on 2 and 4 Queensberry Road (east)

3.41 The proposed single storey extension on the rear of the host property would be a distance of approximately 25 metres to the boundary and approximately 50 metres to the rear elevation of the closest neighbour to the rear at 2 Queensberry Road. As such, it is considered that the modest scale of the proposal, including the two storey extension to the side which would project no further than the existing garage serving the host property, and the single storey extension to the rear which would partly replace the existing garden room extension on the property, would not result in any adverse loss on the amenity of neighbours to the rear, including 2 and 4 Queensberry Road in relation to overbearing, overshadowing or loss of outlook.

3.42 The separation distances exceed the requirements of policy QP4 of the Hartlepool Local Plan (2018) and therefore it is considered there would be no impacts on the privacy of the neighbours at 2 and 4 Queensberry Road in terms of overlooking.

#### Impact on Greentyles, Elwick Road, to the west (front)

3.43 There would be a distance of approximately 18 metres to the boundary and 22 metres to the front elevation of Greentyles, Elwick Road from the proposed two storey extension to the front of the host property. Owing to the modest scale of the proposal which would not project any further forward or to the side than the existing footprint of the garage serving the host property, and the separation distances that meet the requirements of policy QP4 of the Hartlepool Local Plan (2018), it is considered there would be no adverse impacts on the privacy or amenity of these neighbours in terms of overlooking, overshadowing, loss of outlook or overbearing.

3.44 The single storey extension to the rear of the host property would be obscured from views at the front by the orientation of the main dwelling itself. It is therefore considered that this element of the proposal would not give rise to any adverse impacts on the amenity or privacy of neighbours to the front (including Greentyles).

#### HIGHWAY SAFETY

3.45 The proposals would not alter the existing parking arrangements at the property or the number of parking spaces required by the Design Guide. The Council's Traffic and Transport section have been consulted in respect of the application and have advised that there are no issues with the application in terms of highway safety or parking provision. The application is therefore considered acceptable in this regard.

#### OTHER MATTERS

3.46 The Council's Ecologist has been consulted in respect of the proposal and has confirmed that the site is in an area which supports declining birds such as house sparrow, tree sparrow and starling. These can be helped through the provision of integral nest boxes such as a sparrow terrace. To that effect, the Council's Ecologist has requested that a condition for the instalment of an integral bird nesting box or brick be appended to any planning approval. Had the proposal been considered acceptable in all respects, a condition could have been appended in respect of this requirement. The Council's Ecologist has highlighted that bats are found in the area, and therefore the applicant should be aware of their obligations with regard to the protection of species of bats. An informative would have been necessary in respect of this.

#### CONCLUSION

3.47 The application is considered, on balance, to result in a significant degree of overbearing impression and loss of outlook, as well as a degree of overshadowing, for existing and future occupiers of No. 263 Park Road, which would be so significant in this instance as to warrant a refusal of the application. Therefore, for the reasons outlined in detail above, the proposal is considered not to be acceptable or to accord

with the relevant policies of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2019). It is therefore considered that the application be refused.

## **EQUALITY AND DIVERSITY CONSIDERATIONS**

3.48 There is no evidence of equality or diversity implications.

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

3.49 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.

3.50 There are no Section 17 implications.

## **REASON FOR DECISION**

3.51 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

## **RECOMMENDATION – REFUSE**, for the reason below:

1. In the opinion of the Local Planning Authority, the proposed two storey extension to the side by virtue of its siting and scale, would result in an unacceptable loss of amenity for the adjoining neighbouring properties in terms of loss of outlook and an overbearing and overshadowing impression to habitable room windows in the rear/south elevation of the adjoining neighbouring property and their immediate outside amenity/garden area, contrary to Policies HGS11 and QP4 of the Hartlepool Local Plan (2018), the Residential Design Guide SPD (2019) and paragraph 127 of the National Planning Policy Framework (2019) which requires that planning decisions ensure a high standard of amenity for existing and future users.

## **BACKGROUND PAPERS**

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

## **CONTACT OFFICER**

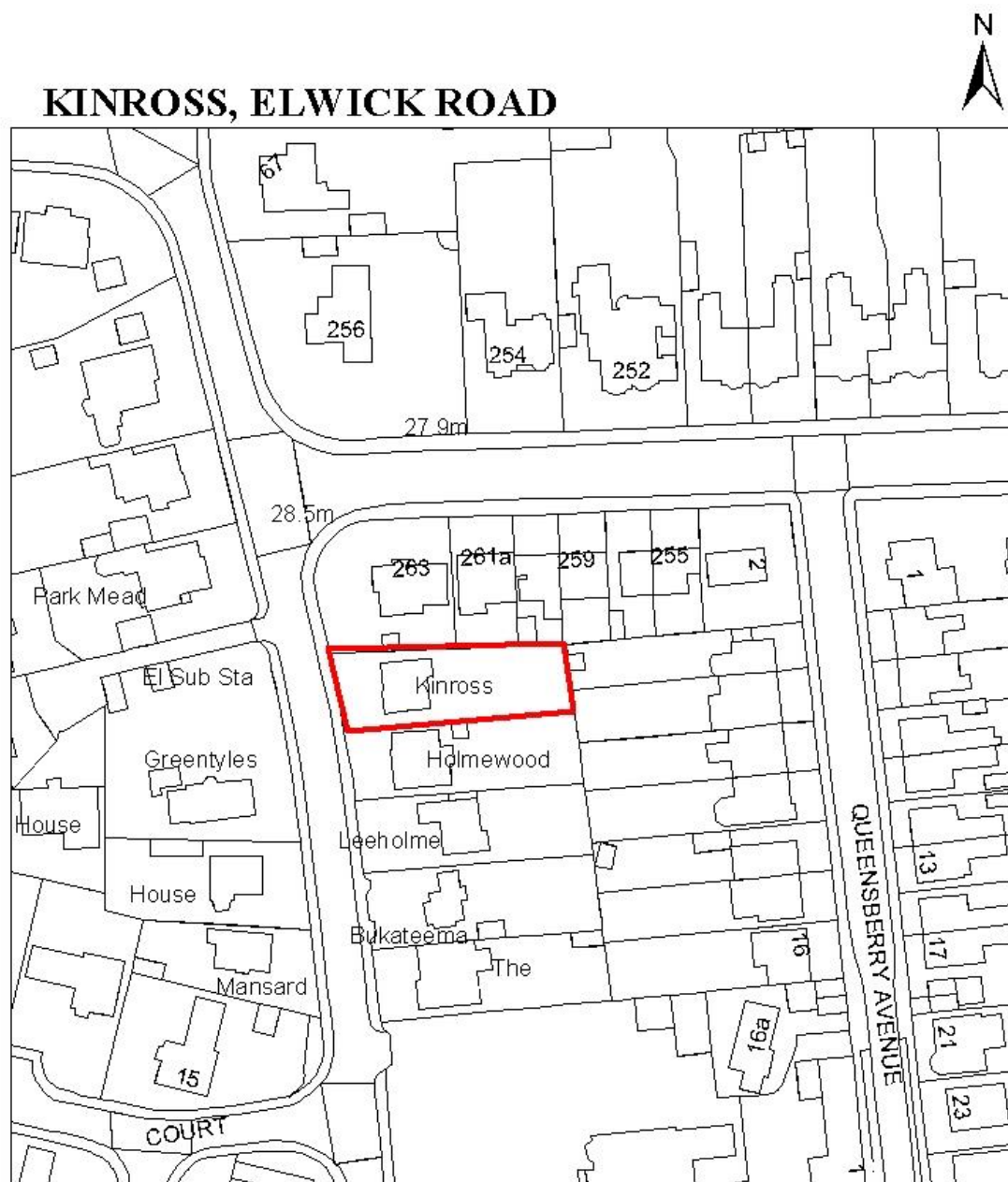
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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>17/02/2020</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0467</b>	REV





**No:** 4.  
**Number:** H/2019/0515  
**Applicant:** MRS D HAMMOND NEWLANDS AVENUE  
HARTLEPOOL TS26 9NU  
**Agent:** CMF PLANNING AND DESIGN LTD MR CHRISTOPHER  
FISH OLD WEST END GARAGE BOWES BARNARD  
CASTLE DL12 9LW  
**Date valid:** 12/12/2019  
**Development:** Erection of a single storey extension to the side and rear  
(resubmitted application)  
**Location:** 36A CLIFTON AVENUE HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

4.2 The following application is considered relevant to the current application.

H/2019/0211 – planning permission was refused for the previous application for the erection of a single storey extension to the side and rear, on 26<sup>th</sup> July 2019 under delegated powers for the following reason:

*In the opinion of the Local Planning Authority, the proposed single storey extension to the side and rear would cause less than substantial harm to the designated heritage asset of Grange Conservation Area and the non-designated heritage asset of the locally listed building, by virtue of the design, scale and siting of the proposed development that would detract from the character and appearance of the identified heritage assets. 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, HE3, HE5 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 124, 127, 130, 185, 190, 192, 193, 196, 197 and 200 of the National Planning Policy Framework 2019.*

## PROPOSAL

4.3 The re-submitted planning application seeks permission for the demolition of existing garage and erection of a single storey extension to the side and rear of No 36A Clifton Avenue. The proposed extension would measure approximately 10.9 metres by approximately 9.6 metres (approximately the same length as the existing offshoot and approximately 1.1 metres wider than the existing property at its widest point). The proposed roof design would consist of a predominantly flat roof (with roof lights) with a hipped perimeter. The roof would have a maximum height of

approximately 3.4 metres to the ridge, reducing to approximately 2.4 metres at the eaves height.

4.4 The extension would be finished using render (off-white) with red brick detail to the walls and matching finishing materials for the roof tile, doors and windows.

4.5 The proposal includes alterations to the boundary treatment with timber fencing (approximately 1.6m - 1.9m in height) proposed to the front and side of 36A Clifton Avenue (to form aside yard with access to the rear garden beyond). In addition, the proposal includes a timber terrace/decking area to the rear and side of the proposed extension with a height of approximately 0.3 metres above ground level, with a railing with an approximate 1 metre height.

4.6 The application is referred to the planning committee at the request of local ward councillors to which the request was agreed by the Chair of Planning Committee in line with the Council's Scheme of Delegation.

## **SITE CONTEXT**

4.7 The application site relates to a substantial two-storey (with living accommodation in the roof space) detached Victorian property on the northern side of Clifton Avenue, the property is subdivided into two flats; this application relates to the ground floor flat (with associated rear garden). The majority of the properties in the street are positioned forward on the plot with relatively small front gardens but substantial rear gardens. The property has a part two-storey, part single storey offshoot to the rear, as is a characteristic of properties in the area.

4.8 The host property is a Locally Listed Building within the Grange Conservation Area, characterised by large Victorian properties, though Clifton Avenue has a prevailing sense of character through the use of materials and some unifying features, there are a variety of designs and styles of property throughout the street, reflecting its gradual development by individual plot owners.

4.9 To the east is a detached garage beyond which is the residential property of No. 32 Clifton Avenue and to the west is No. 38 Clifton Avenue. Nos. 39 and 41 Hutton Avenue are to the north of the site and the site is bounded by the public highway of Clifton Avenue to the south with the further residential properties of Nos. 1 Eltringham Road & 31 Clifton Avenue beyond.

## **PUBLICITY**

4.10 The application has been advertised by way of neighbour letters (7 in total). To date, there have been two representations received. One representation has raised concerns regarding the siting of a vent through the boundary wall between 36A and 32 Clifton Avenue.

4.11 A second representation has raised a number of concerns regarding the impact of the proposed extension during both construction and any resultant impacts. The concerns raised can be summarised as follows:

- Several long lengths of supporting wall would be removed which could affect the structural integrity of the flat above. Some sections currently support a single storey, while others support two storeys. The small pillars of the original wall will have extra force on them.
- The proposals raise concerns over drainage (provision and maintenance) in particular for the flat above (No 36)
- The proposed chimney seems to stop on a level with the window of the upstairs flat raising concerns over smoke/fumes.
- The applicant's supporting information 'discredits' the Local Listing criteria
- The new fence and gate would have the same visual impact as the current garage and fence. Views will be obscured, contrary to statements in the accompanying Heritage Statement.
- Restrictions should be imposed on hours of construction
- The correct land ownership certificates/notices have not been served as part of the planning process

#### 4.12 Copy Letters D

4.13 The period for publicity has expired.

### CONSULTATIONS

4.14 The following consultation replies have been received:

**HBC Traffic and Transport:** There are no highway and traffic concerns.

**HBC Flood Risk Officer:** In response to your consultation on the above application I have no objection to proposals in respect of contaminated land or surface water management. Please can you include our standard unexpected contamination condition on any permission granted for the proposals.

**HBC Heritage and Countryside Manager:** This is a resubmission of an application refused in July 2019. The application site is located in the Grange Conservation Area, a designated heritage asset and is identified as a locally listed building which is considered to be a heritage asset. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

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

Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, 'seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation

approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.'

Policy HE3 of the Local Plan states that, 'Proposals for demolition within Conservation Area will be carefully assessed' with demolition only permitted if it can be demonstrated that it would help conserve and/or enhance the character, appearance and significance of the area, and it's condition is beyond reasonable repair or removal is necessary to deliver a public benefit.

The NPPF looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 197, NPPF). Further to this Policy HE5 of the Local Plan states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings particularly when viable appropriate uses are proposed. Where a proposal affects the significance of a non-designated heritage asset a balanced judgment should be weighed between the scale or the harm or loss against the public benefits of the proposal.

The application site is located in the Grange Conservation Area. It is a predominantly residential area located to the west of the town centre. The area is characterised by large Victorian properties in generous gardens providing a spacious feel to the area. The conservation area appraisal notes that, 'it is the rhythm of repeated plot sizes along the streets which generates a distinctive regular grain to the area, even where the buildings on each plot differ.' The houses are not uniform in design however the common characteristics such as the large bay windows, panelled doors, and slate roofs link them together to give the area a homogenous feel.

The significance of the Grange Conservation Area is derived from the aesthetic value in the architectural detail found on individually designed buildings and their wider plots which combine to form the area. In addition there is historic value resulting from the way in which the area has developed and its links to the development of industry in the town.

The significance of the locally listed building originates from the architectural detail of the property and in particular the number of original features which are retained including windows, doors and railings.

The proposal is identical to the previous application in that it is the demolition of a garage to the side of the property and the erection of a single storey extension to the side and rear of the building.

There is no objection to the demolition of the existing garage structure.

With regard to the extension, there is already an off shoot to the rear of the property, constructed as part of the original building, which features an original bay window and two sashes. It is acknowledged that at a later date alterations have been made including the insertion of a UPVC window and French doors, along with the partial

covering of the wall with pebble dash. Despite these changes the property as a whole remains remarkably intact when considering the exterior detailing.

The proposal comprises an addition to the existing off shoot which would project past the original line of the house. In front of this it is proposed to build a fence which will partly screen the proposal leaving the roof visible.

The extension would bring the rear of the property into view when standing in Clifton Avenue, and whilst only partially seen it would disrupt the rhythm of the plots and the street scene. It is accepted that this will predominantly be when directly viewing the house, rather than more widely in the street, however it is nonetheless the case, it will be visible.

In addition it is also noted that although only glimpsed from a distance, given the light tree coverage at this time of year, it is possible to identify the rear of the property from Hutton Avenue, therefore there is the potential for the proposal to be viewed from this area as well.

Information provided in the heritage statement notes that elsewhere in the conservation area there are examples of properties where this has already occurred. Apart from the proposal highlighted at 28 Clifton Avenue all of the other works were carried out prior to the conservation area being designated in 2004. This aside the presence of other alterations cannot be considered to be a justification for development elsewhere which cause harm to the area. Predominantly extensions or offshoots are found to the rear of buildings and few cover the whole of the back elevation and extend beyond the existing building line within this area.

Whilst the new information submitted in the Heritage Statement is noted it is considered that the proposed works would be out of character in the Grange Conservation Area. It is considered that the proposal will cause less than substantial harm to the designated heritage asset (NPPF, 196) and the non-designated heritage asset (NPPF, 197).

#### UPDATE

The Heritage and Countryside Manager verbally advised that there would be no objections to a 1.6 metre high (approx.) fence to the front and side.

**HBC Public Protection:** No comments received at the time of writing.

#### **PLANNING POLICY**

4.15 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

4.16 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;  
 HE1: Heritage Assets;  
 HE3: Conservation Areas;  
 HE5: Locally Listed Buildings and Structures;  
 HSG11: Extensions and alterations to Existing Dwellings;  
 QP3: Location, Accessibility, Highway Safety and Parking;  
 QP4: Layout and Design of Development; and  
 QP6: Technical Matters.

### National Policy

4.17 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 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 124: Achieving well-designed places;  
 PARA 127: Achieving well-designed places;  
 PARA 130: Achieving well-designed places;  
 PARA 185: Conserving and enhancing the historic environment;  
 PARA 190: Proposals affecting heritage assets;  
 PARA 192: Proposals affecting heritage assets;  
 PARA 193: Considering potential impacts;  
 PARA 196: Considering potential impacts;  
 PARA 197: Considering potential impacts;  
 PARA 200: Considering potential impacts.

**HBC Planning Policy comments:** With regards to the proposed extension, great weight must be given to the fact that the building is locally listed, thus making it a heritage asset. This gives it a strong level of protection in both local and national policy. Within the Local Plan, policy HE5 relates specifically to locally listed buildings and stipulates that particular regard will be given to;

- The historic or architectural importance of the building,
- Features which contribute significantly to the character of the building,
- Their contribution to the appearance of the locality,
- Their scarcity value to the Borough,
- The scale, nature and importance of the proposed redevelopment which should clearly demonstrate how it would conserve or enhance the site or setting of other buildings nearby.

Alongside this, consideration must be given to the Grange Conservation Area, and policy HE3's criteria against which development within these conservation areas will be assessed;

- The scale and nature of the development in terms of appropriateness to the character of the particular conservation area;
- The design, height, orientation, massing, means of enclosure, materials, finishes and decoration to ensure development is sympathetic to and/or complementary to the character and appearance of the conservation area;
- The retention of features of special architectural interest such as walls, gateway entrances and architectural details.

The Grange Conservation Area has its own set of specific characteristics, and the extension is expected to be in conformance with these and ensure the character of the area is not negatively impacted upon.

Within national policy, the NPPF has specific paragraphs which should be considered and adhered to during the decision making process. Particularly, when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation and that any harm to or loss of the significance of a designated heritage asset should require justification. The comments of the Heritage and Countryside manager will specify whether they deem the development acceptable with regard to the heritage considerations specific to the local area.

## **PLANNING CONSIDERATIONS**

4.18 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 (including impact upon conservation area and locally listed building), the impact on the amenity and privacy of neighbouring land users and highway safety and parking provision. These and any other planning and non-planning related matters are set out below.

### **IMPACT ON CHARACTER AND APPEARANCE OF EXISTING DWELLING AND THE SURROUNDING AREA (INCLUDING IMPACT UPON CONSERVATION AREA AND LOCALLY LISTED BUILDING)**

4.19 The application site is located in the Grange Conservation Area, a designated heritage asset and is identified as a locally listed building which is considered to be a non-designated heritage asset.

4.20 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).

4.21 Further to this at a local level, Policy HE1 of the Hartlepool Local Plan (2018) states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. In addition, 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.'

4.22 Policy HE3 furthers the above by stating that, 'Proposals for demolition within Conservation Area will be carefully assessed' with demolition only permitted if it can be demonstrated that it would help conserve and/or enhance the character, appearance and significance of the area, and it's condition is beyond reasonable repair or removal is necessary to deliver a public benefit.

4.23 Further to this Policy HE5 of the Hartlepool Local Plan (2018) states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings particularly when viable appropriate uses are proposed. Where a proposal affects the significance of a non-designated heritage asset a balanced judgment should be weighed between the scale or the harm or loss against the public benefits of the proposal.

4.24 The NPPF also looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 197, NPPF).

4.25 The application is within a predominantly residential area located to the west of the town centre. The area is characterised by large Victorian properties in generous gardens providing a spacious feel to the area. The conservation area appraisal notes that, 'it is the rhythm of repeated plot sizes along the streets which generates a distinctive regular grain to the area, even where the buildings on each plot differ.' The houses are not uniform in design however the common characteristics such as the large bay windows, panelled doors, and slate roofs link them together to give the area a homogenous feel.

4.26 It is considered that the significance of the Grange Conservation Area is derived from the aesthetic value in the architectural detail found on individually designed



buildings and their wider plots which combine to form the area. In addition, it is considered that there is historic value resulting from the way in which the area has developed and its links to the development of industry in the town.

4.27 Furthermore, it is considered the significance of the locally listed building originates from the architectural detail of the property and in particular the number of original features which are retained including windows, doors and railings.

4.28 The proposal, as re-submitted, is of the same design, scale and siting to the previously refused application (H/2019/0211) with the main difference being the applicant's submission of a more detailed Heritage Statement which the applicant has provided in order to seek to justify the proposal and seek to address the previously refused application (H/2019/0211). The applicant's Heritage Statement advises that the proposals would "remain subservient" to the main dwelling and the "limited projection" to the side would be "more than compensated for by the removal of existing modern timber garage and by the screening proposed in the form of a new fence and boundary treatment to the yard area". Finally, the applicant's Heritage Statement concludes that the proposal is "a significant improvement to the heritage asset" and "better expresses the host building and allows longer views through the site to the rear garden".

4.29 In response, the Council's Heritage and Countryside Manager has commented that the proposed demolition of the existing garage structure and erection of fencing would be acceptable in principle, subject to final details of the height (there is a slight discrepancy in the submitted plans over the overall proposed fence height) and materials of the fence being agreed by a planning condition, had the application been considered acceptable in respect of all planning matters.

4.30 However as the proposal comprises an extension which would project past the original building line (side elevation) of the property, the Council's Heritage and Countryside Manager considers that such works would be out of character in the Grange Conservation Area where extensions, are found to the rear of buildings, but few cover the whole of the back elevation or beyond the original side elevation. Furthermore, the Heritage and Countryside Manager considers that the proposal would bring the rear of the property into view when standing in Clifton Avenue and it is considered that the proposal would disrupt the rhythm of the plots and the street scene. It was also noted by both the case officer and the Heritage and Countryside Manager during the site visit that the rear of the application site could be partially viewed from the main street scene of Hutton Avenue to the rear.

4.31 In view of the above, the Council's Heritage and Countryside Manager maintains the view that the proposal would result in less than substantial harm to the designated heritage asset of the Grange Conservation Area and the non-designated heritage asset of the locally listed building as a result of the design, scale and siting of the proposed extension.

4.32 It is acknowledged that paragraph 196 of the NPPF (2019) states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. As part of the applicant's submission, no details of any identified

and clear public benefits have been provided that would outweigh the LPA's identified harm (as required by the NPPF).

4.33 It must be stressed that the threshold for public benefits to outweigh any harm identified on a heritage asset is a high one. Ultimately, it is considered that the applicant has failed to satisfactorily demonstrate that the resultant identified harm on the heritage asset would be outweighed by any real or identified public benefits of the proposal.

4.34 With respect to the applicant's reference (in their Heritage Statement) to other infill extensions in the area, each application should be considered on their own individual merits. Furthermore, the Council's Heritage and Countryside Manager has commented that the presence of other alterations cannot be considered to be a justification for development elsewhere which cause harm to the area.

Predominantly, extensions or offshoots are found to the rear of buildings and few cover the whole of the back elevation and extend beyond the existing building line within this area.

4.35 The current application is a resubmission of the proposal previously refused (in July 2019) with no notable amendments to the actual design. Officers have offered a potential solution to the applicant in order to make the development acceptable, primarily by reducing the width of the proposed extension to the original building line/side elevation of the property (a reduction in width of approximately 1.9 metres). However, the applicant is unwilling to amend the plans and has not offered an alternative or acceptable solution.

4.36 Without such required amendments, and taking the above matters into account, it is considered the proposal would result in less than substantial harm to the designated heritage asset of Grange Conservation Area and the non-designated heritage asset locally listed building as a result of the design, scale and siting of the proposed extension. The proposal is therefore contrary to policies HE1, HE3 HE5 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 124, 127, 130, 185, 190, 192, 193, 196, 197 and 200 of the National Planning Policy Framework 2019. This would therefore warrant refusal of the application in this instance.

## AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

### Impact on property to the west (No. 38 Clifton Avenue)

4.37 The boundary with the neighbour at No. 38 Clifton Avenue would be approximately 2 metres from the proposal, with the main side elevation of No. 38 being approximately 7.5 metres to the west of the proposed extension at the nearest point, with the provision of the new boundary treatment running along the boundary with this neighbour. In view of this distance and the north facing orientation of the properties, it is considered that the above mentioned separation distance would prevent any adverse impact in terms of loss of light or overbearing appearance. The proposed extension is single storey and therefore the windows in the side elevation of the extension would be of a similar arrangement to the existing fenestration, albeit closer to the neighbouring property to the west, while the intervening boundary wall and proposed fence would assist in preventing any direct views into the neighbouring

property's windows. In light of this, it is considered that due to the separation distance mentioned above and the screening provided, the proposal would not have a significant adverse impact upon the residential amenity or privacy of the occupiers of No. 38 Clifton Avenue in relation to overshadowing, loss of outlook, overbearing impression or overlooking.

#### Impact on property to the east (No. 32 Clifton Avenue)

4.38 There would be a remaining separation distance of approximately 5 metres to the boundary and approximately 15 metres to the nearest part of the neighbouring property at 32 Clifton Avenue to the east, with the main two storey off-shoot serving the host property between. It is also noted that there is a detached garage present between the host property and No. 32. It is considered due to the separation distance mentioned above and the screening provided by the off-shoot to the rear of the host property, that the proposal would not have a significantly adverse impact upon the residential amenity or privacy of the occupiers of No. 32 Clifton Avenue in relation to overshadowing, loss of outlook, overbearing or overlooking (as a result of there being no direct views achievable to the main dwelling of the neighbour at No. 32 or its main amenity garden space).

#### Impact on existing upper floor flat (No. 36 Clifton Avenue)

4.39 It is acknowledged that No. 36 Clifton Avenue is the flat to the 1<sup>st</sup> floor of the application site (36A Clifton Avenue). An objection has been received raising a number of concerns, as summarised in the publicity section of this report above.

4.40 Due to single storey scale and layout of the proposed development in relation to the windows serving the upper floor flat, it is considered that the proposal would not have a significant adverse impact upon the residential amenity of the occupiers of No. 36 Clifton Avenue in relation to overshadowing, loss of outlook and overbearing. Given the single storey nature of the proposal and in respect of the siting of first floor windows in the rear of the building serving No 36, it is considered the proposal would not give rise to any adverse overlooking toward residents of the flat above (No. 36). Furthermore, it is acknowledged the proposed extension includes roof lights however, it is considered that there would be no direct views from the proposed extension to any window of No. 36 Clifton Avenue. Therefore it is considered the impact upon the privacy of No. 36 Clifton Avenue would be limited and therefore acceptable in this instance.

4.41 It is acknowledged that the proposed chimney would be approximately 1.9 metres from the nearest upper floor window of 36 Clifton Avenue but would not project appreciably above the lowest part of the window in question. The Council's Public Protection section have not offered any objections or comments at the time of writing. In this instance, taking the above into account including the modest scale of the proposed chimney, it is considered that this element of the proposal would not give rise to any adverse impacts on the amenity of the residents above the host property at No. 36. Any future issues such as odours and fumes would need to be considered through separate environmental legislation.

Impact on properties to the north (Nos 39 & 41 Hutton Avenue)

4.42 Nos 39 & 41 Hutton Avenue are approximately 55 metres to the north of the proposed development at the nearest point (No. 39 to the single storey rear/side extension). It is noted that this would comply with the required 20 metre separation distance (principal to principal elevation) of Policy QP4 of the Local Plan. It is considered due to the separation distance mentioned above and partial screening provided by the existing boundary treatment to the rear (which consists of brick walling to a maximum height of approximately 1.8 metres and intermittent bushes and trees and is to remain) the proposal would not have a significantly adverse impact upon the residential amenity and privacy of these properties in relation to loss of light or outlook, overshadowing or overlooking.

Impact on properties to the south (No. 1 Eltringham Road & 31 Clifton Avenue)

4.43 No. 1 Eltringham Road & No. 31 Clifton Avenue are approximately 32 metres to the south of the proposed development at the nearest point (No. 1 Eltringham Road to the single storey rear/side extension). It is noted that this would comply with the required 20 metre separation distance (principal to principal elevation) of Policy QP4 of the Local Plan. It is considered due to the separation distance mentioned above across the public highway of Clifton Avenue and partial screening provided by the existing building, the proposal would not have a significantly adverse impact upon the residential amenity and privacy of these properties in relation to loss of light or outlook, overshadowing or overlooking.

Impact of other proposed elements

4.44 The proposed development includes a timber terrace/decking area to the rear and side of the proposed extension that would be approximately 0.3 metres above ground level, and contained by a railing fence with an approximate height of 1 metre. As noted above, given the height of the proposed timber terrace/decking area, it is acknowledged that this element of the proposal could hypothetically, be constructed under permitted development. Any resultant impact of such development therefore represents a “fall-back” position of what could be done without any further planning permission and the Council must have regard to it when considering this application.

4.45 In view of the above, the modest scale and design of this element, and existing boundary treatment comprising a wall to all sides of the rear garden with a maximum height of approximately 1.8 metres, and the remaining separation distances to the adjacent properties to include the adjacent neighbours at the east and west (32 and 38 Clifton Avenue) and those to the rear (north) as well as the relationship to the first floor flat (36) it is considered that this element of the proposal would not result in an adverse loss of amenity and privacy for surrounding properties as to warrant a refusal of the application.

4.46 It is noted that the proposal includes timber fencing of approximately 1.6m - 1.9m in height to the side of 36A Clifton Avenue, to enclose the side yard/ rear garden. The proposed fencing would be a similar height as the existing boundary walling to the western boundary of the site and would be set back from the public highway to the south by approximately 11 metres. Taking the above into account and

remaining distances/relationship to neighbouring properties it is considered that this element of the proposal would not result in an adverse loss of amenity and privacy for surrounding properties.

## HIGHWAYS SAFETY AND PARKING PROVISION

4.47 It is acknowledged that the proposed development includes the demolition of the existing garage. The hardstanding to the front of the host property would remain. The Council's Traffic and Transport team were consulted on the proposal and have not raised any objections to the application. The proposal is therefore considered to be acceptable in this respect.

## OTHER PLANNING MATTERS

4.48 The Council's Flood Risk Officer has been consulted with respect to the proposal and has offered no objections in terms of flood risk, resulting from the development. Final details of drainage (foul and surface water) would need to be considered through the Building Regulations process.

4.49 The Council's Flood Risk Officer has further advised that the applicant should be made aware of the need to comply with the legal requirement to stop works in the instance that any contaminated land is found. This could have been secured via a planning condition, had the application been considered acceptable in all regards.

## OTHER MATTERS

4.50 An representation received raises concerns over working hours and states that they should be restricted. In this instance, given the domestic scale and nature of the proposal, it is not considered appropriate to limit construction hours (had the scheme been considered acceptable in all other respects). Any resultant issues of noise disturbance would need to be considered through relevant separate legislation.

4.51 With respect to concerns over property damage and maintenance of drains, these would be civil matters. With respect to the removal of walls and structural integrity of the proposed extension this would need to be considered through the Building Regulations process.

4.52 The neighbour has also questioned whether the correct land ownership certificate/notice had been sent to the wrong address. It is understood that this matter has been addressed/satisfactory clarification provided. Notwithstanding this, the neighbour has been consulted as part of the planning process and representation has been made. Thereafter, any further matters of ownership and rights of access would be civil matters.

4.53 It is acknowledged that a representation has been received from the adjacent neighbour that makes reference to the installation of a vent on the eastern wall (of the host property). The submitted plans do not indicate such provision and therefore no weight can be given to this objection.

## CONCLUSION

4.54 Having regard for the above policies identified within the Hartlepool Local Plan (May 2018) and relevant paragraphs of the NPPF (2019), it is considered the proposed single storey extension to the side and rear would cause less than substantial harm to the designated heritage asset of Grange Conservation Area and the non-designated heritage asset of the locally listed building, by virtue of this design, scale and siting. It is considered that the proposed works detract from the character and appearance of the designated heritage asset and the non-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. It is therefore considered the proposal should be recommended for refusal.

## EQUALITY AND DIVERSITY CONSIDERATIONS

4.55 There is no evidence of equality or diversity implications.

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

4.56 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.

4.57 There are no Section 17 implications.

## REASON FOR DECISION

4.58 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

## RECOMMENDATION – REFUSE, for the following reason:

1. In the opinion of the Local Planning Authority, the proposed single storey extension to the side and rear would cause less than substantial harm to the designated heritage asset of Grange Conservation Area and the non-designated heritage asset of the locally listed building, by virtue of the design, scale and siting of the proposed development that would detract from the character and appearance of the identified heritage assets. 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, HE3, HE5 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 124, 127, 130, 185, 190, 192, 193, 196, 197 and 200 of the National Planning Policy Framework 2019.

## BACKGROUND PAPERS

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

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

## **CONTACT OFFICER**

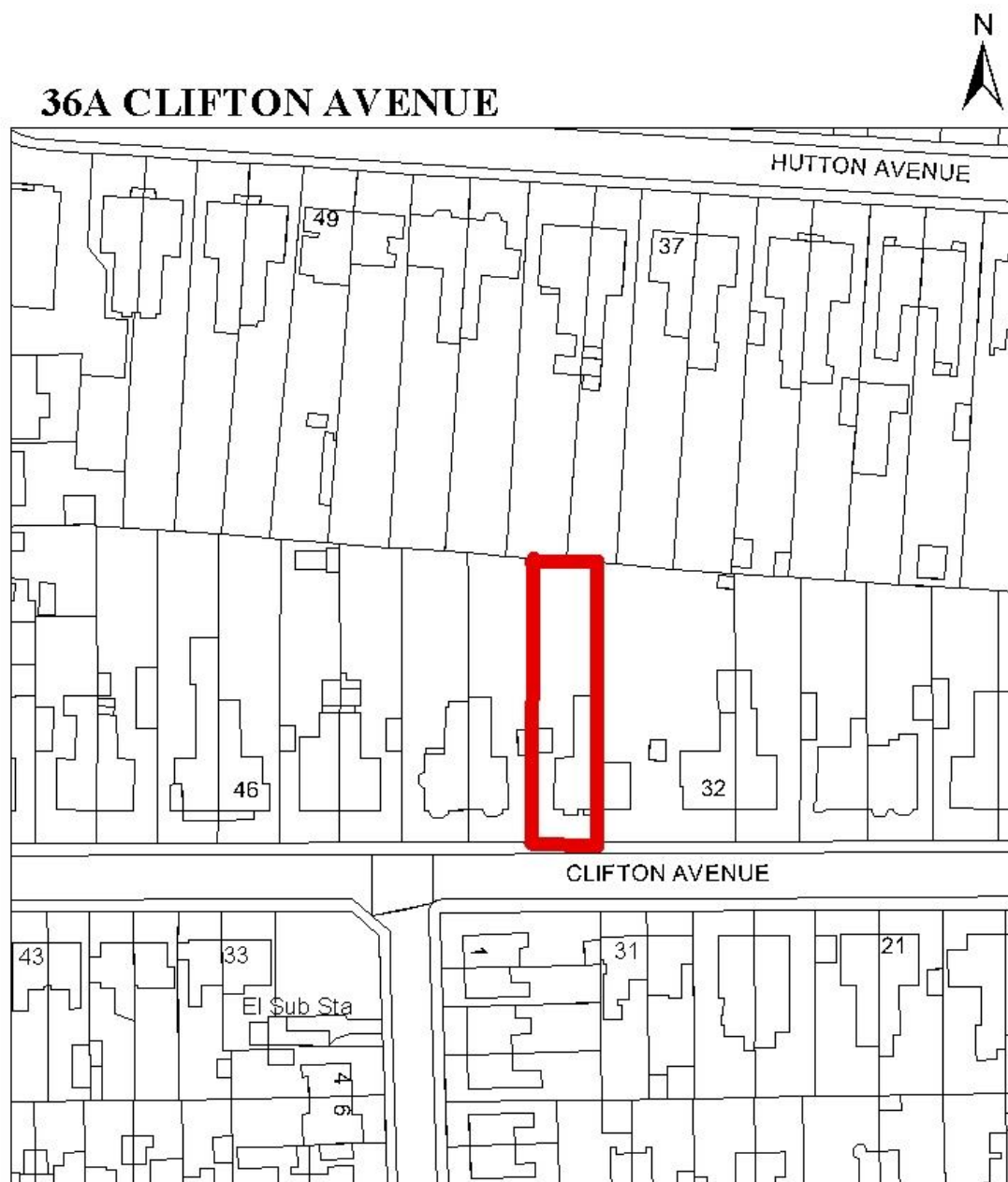
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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>17/02/2020</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0515</b>	REV



**No:** 5.  
**Number:** H/2019/0355  
**Applicant:** MRS JULIA TAYLOR ST LUKES PCC ELM GROVE  
HARTLEPOOL TS26 8LZ  
**Agent:** MRS JULIA TAYLOR 6 ELM GROVE HARTLEPOOL  
TS26 8LZ  
**Date valid:** 04/11/2019  
**Development:** Variation of condition 7 of planning permission  
H/FUL/0120/92 to allow for wider community and public  
use of meeting rooms  
**Location:** ST LUKES PARISH CENTRE ST LUKES CHURCH  
TUNSTALL AVENUE HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

5.2 The site to which the enquiry relates has a somewhat complex planning history with respect to the uses permitted and restrictions on operations.

5.3 Planning permission was granted in 1992 (ref H/FUL/0120/92) for “extension to church to provide meeting rooms, store and toilet facilities” subject to a condition (no. 7) as follows;

- 7. Notwithstanding the provisions of Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, the meeting rooms hereby approved shall be used in connection with worship and associated activities at the Church, scouts, girl guides and boys brigade meetings only and for no other purpose without the prior written consent of the Local Planning Authority.*

5.4 A further temporary (1 year) planning permission was granted in 2003 (ref H/FUL/0751/03) for “Variation of condition 7 attached to planning permission H/FUL/0120/92 to allow meeting rooms to be used for public use” subject to the following conditions (no. 2 and no. 4, respectively);

- 2. The use of the meeting rooms shall be restricted to the uses approved by condition 7 under the provisions of permission H/FUL/0120/92, and/or to the art class use and music school use at the times and dates detailed in the applicants letter of 14 August 2003 and for no other purpose or in the case of the art class and music school uses at no other times without the prior written consent of the Local Planning Authority.*

4. *This permission shall be limited to one year from the commencement of the use of the meeting rooms by the Art Class or Music School detailed in the applicant's letter of 14 August 2003, or other such user approved as in accordance with condition 2.*

5.5 The applicant's letter of 14 August 2003 referred to in the above condition(s) sets out the operations of the approved use(s) as follows;

- *The George Colley Art Classes meet on Tuesday and Wednesday mornings and afternoons, the times being 9.30am till 12.30pm and 1.30pm till 4.30pm Tuesdays, 10.00am till 12.00noon and 1.00pm till 4.00pm Wednesdays, with each class having approximately 18 members enrolled and average attendance of 15 members. Some of the class are people who live in the parish and walk to the class, whilst others arrive in cars together, estimated that there are approximately 6 cars parked at any one class. The Alison Moore School of Music meet on a Saturday morning between 9.30am and 12.30pm, with class numbers of 25 to 30 children who are dropped off and collected, only 2 cars parked for supervisory staff.*

5.6 The above temporary planning permission has however now expired, by virtue of condition no. 4 (above).

5.7 In view of the above and in summary, the Parish Centre meeting rooms have planning permission to operate in line with the following uses and restrictions only;

- Use in connection with worship and associated activities at the Church, scouts, girl guides and boys brigade meetings and for no other purpose.

## PROPOSAL

5.8 Planning permission is sought for the variation of condition 7 of planning permission H/FUL/0120/92 to allow for wider community and public use of the meeting rooms. The 3no. meeting rooms are situated to the eastern side of the building at ground floor. The applicant has advised that the facilities available comprise a large parish room (10.5mx8m in area) with a capacity of 85 people, a choir vestry room (6mx5m in area) with a capacity of 30 people, an office (5mx5m in area) with a capacity of 25 people, and supporting facilities comprising toilets, including a disabled toilet, a fully stocked kitchen and storage areas for robes, books and craft equipment.

5.9 The applicant is seeking permission for the rooms to be used from 08:00am until 10:00pm, with a variation for when used as a polling station to operate from 07:00am to 10:00pm. The applicant is seeking permission for the rooms to be used by any groups within the proposed hours, and has indicated examples of potential users could include slimming groups, adult training groups, children's parties, keep fit groups etc. Whilst it is noted that the above referenced temporary permission (H/FUL/0751/03) has now expired, the applicant has indicated in their supporting statement that the meeting rooms have continued to be used by youth and children's groups and an art group, in addition to use as church meeting rooms and for church coffee mornings.

5.10 The applicant has been referred to the planning committee as more than 2 objections have been received, in line with the Council's scheme of delegation for planning applications.

## **SITE CONTEXT**

5.11 The application site comprises an existing church/parish centre at St Luke's Church, Tunstall Avenue, Hartlepool. The site is bounded to the north and west by the adopted highway on Hart Lane and Tunstall Avenue respectively, with residential dwellings beyond to the west, and residential dwellings and a school playing field beyond to the north. To the east, the application site is bounded by residential dwellings at 2, 4 and 6 Granville Avenue. To the south, the application site is bounded by the associated vicarage, with further residential dwellings on Tunstall Avenue beyond.

## **PUBLICITY**

5.12 The application has been advertised by way of neighbour letters (16), and a site notice. To date, 6 objections have been received. A petition objecting to the application with 22 signatures has also been received. The petition was accompanied by a number of photos of car parking issues in the area. The concerns and objections raised in both the individual objections and the resident's petition are (summarised):

- Lack of parking / increase in traffic
- Impact on highway and pedestrian safety (incl. visitors, residents and children)
- Impact on access to private properties
- Hours of operation
- Undue noise and disturbance
- Lack of public consultation on planning application

## **5.13 Copy Letters E**

5.14 The period for publicity has expired.

## **CONSULTATIONS**

5.15 The following consultation replies have been received:

**HBC Public Protection** - Do not object.

UPDATE - Public Protection would agree with the proposed restrictions on hours with no further conditions, as we can use statutory nuisance powers to deal with any complaints that might arise concerning noise nuisance.

**HBC Traffic & Transport** - There have been a number of parking issues raised by residents over the years concerning this part of Tunstall Avenue. This has been caused by the School time parking and activities at the Church. During these periods vehicles park on both sides of the road, which can cause issues for vehicles passing through. Parking for residents during these periods can also be difficult and it is often

necessary to park further down the street. On occasions drive crossings can be become blocked.

Although I have concerns the proposal to extend the activities at the Church will further increase parking demand in Tunstall Avenue, I would not consider it at a level to formally object to the proposal.

**HBC Heritage and Countryside Manager** - The site is not in a conservation area nor is the building listed or locally listed

**HBC Arboricultural Officer** – No representation received

## **PLANNING POLICY**

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

### Local Policy

5.17 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  
INF4: Community Facilities  
LS1: Locational Strategy  
QP3: Location, Accessibility, Highway Safety and Parking  
QP4: Layout and Design of Development  
QP5: Safety and Security  
QP6: Technical Matters  
QP7: Energy Efficiency  
SUS1: The Presumption in Favour of Sustainable Development

### National Policy

5.18 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 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 092: Promoting healthy and safe communities  
 PARA 124: Achieving well-designed places  
 PARA 127: Achieving well-designed places  
 PARA 130: Achieving well-designed places  
 PARA 150: Planning for Climate Change  
 PARA 153: Planning for Climate Change  
 PARA 182: Ground conditions and pollution  
 PARA 212: Implementation

**HBC Planning Policy comments** - Within the Hartlepool Local Plan, policy INF4 relates to community facilities and details that the Council will seek to protect, maintain and improve existing facilities where appropriate, in order to ensure that all sections of the local community have access to a range of community facilities to meet education, social, leisure/recreation and health needs. If the variation of condition was permitted, the aspiration is to provide a variety of clubs and enable room hire, something which would support the financial side of the Parish Centre and enable its continued use. Paragraph 92 of the NPPF stipulates that planning policies and decisions should guard against the unnecessary loss of valued facilities and services. It is considered that this alteration to the restrictions currently in place will enable the Parish Centre to diversify its offerings and reduce the risk of closure due to lack of funds. Planning policy would have no concerns with the variation of condition 7.

## PLANNING CONSIDERATIONS

5.19 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact on highway and pedestrian safety and car parking, the amenity and privacy of neighbouring land users and the visual amenity of the application site and the character and appearance of the surrounding area. These and all other planning and residual matters are considered in detail below.

## PRINCIPLE OF DEVELOPMENT

5.20 The site is located within the development limits of Hartlepool, in the main urban area of the town. The proposal relates to an existing church/parish centre. Uses for, or in connection with, public worship or religious instruction, and uses as a public hall, public meeting room or exhibition hall, fall within use Class D1 of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended). Whilst

the site is outside of the designated centres for main town centre uses (including D1 uses) as set out in the Local Plan, the application relates to an established Church building, and the proposals do not include any increase in floor space and do not comprise a change in use class. The proposals instead constitute a variation to the restrictions imposed on the existing use class.

5.21 Policy INF4 (Community Facilities) of the adopted Hartlepool Local Plan (2018) details that the Council will seek to protect, maintain and improve existing facilities where appropriate, in order to ensure that all sections of the local community have access to a range of community facilities to meet education, social, leisure/recreation and health needs. Similarly, paragraph 92 of the National Planning Policy Framework (NPPF) (2019) stipulates that planning policies and decisions should guard against the unnecessary loss of valued facilities and services.

5.22 The Council's Planning Policy section has commented that the proposals would provide a variety of clubs and enable room hire, diversifying the use of the Parish Centre, which would support its financial viability and continued use, reducing the risk of closure due to lack of funds. Furthermore, the application site is considered to be a sustainable location within the defined limits to development. The Council's Planning Policy section has confirmed that there are no policy concerns with the proposals. In view of the above, it is considered that the proposals are acceptable in principle subject to the consideration of all other relevant material planning considerations, as set out below.

#### HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

5.23 The existing church is served by a small car park to the south with space for 4 vehicles. The proposals do not include any changes to existing parking arrangements.

5.24 A number of objections and a petition have been received (as set out above) citing concerns including the impact on highway and pedestrian safety (including for visitors, residents and children) by virtue of a lack of parking, increase in traffic, and the impact on access to private properties.

5.25 The Council's Highways, Traffic & Transport section has been consulted and has highlighted that a number of parking issues have previously been raised by residents concerning this part of Tunstall Avenue, and it is acknowledged that this has been caused by school time parking (in respect of the neighbouring primary school at Sacred Heart RC Primary School) and activities at the Church. The Council's Highways, Traffic & Transport section has advised that during these periods, vehicles park on both sides of the road, which can cause issues for vehicles passing through, and it is acknowledged that parking for residents during these periods can also be difficult and it is often necessary for residents to park further down the street. The Council's Highways, Traffic & Transport section also acknowledges that on occasions drive crossings can become blocked.

5.26 Notwithstanding this, the Council's Highways, Traffic and Transport section has concluded that although there are some concerns the proposal to extend the activities at the Church will further increase parking demand in Tunstall Avenue, it is

not considered that this would be at such a level to warrant a formal objection to the application from the Council's Highways, Traffic and Transport section.

5.27 In view of the above, it is considered on balance that the proposals would not have such a significant detrimental impact on highway and pedestrian safety and car parking to warrant refusal of the application. The application is therefore considered to be acceptable in this respect.

## AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

5.28 Objections have been received from neighbouring land users citing concerns including the impact from the proposed hours of operation and undue noise and disturbance for neighbouring occupiers.

5.29 The proposals do not include any physical alterations to the existing church building and meeting rooms and as such the existing relationship to neighbouring properties will be maintained as described above.

5.30 Notwithstanding this, the applicant is seeking to extend the uses of the church meeting rooms to wider public use (as described above) and also to expand opening hours from 08:00am to 10:00pm, with allowance for 07:00am openings to accommodate use of the meeting rooms as a polling station on election days.

5.31 Whilst it is noted that the proposals include expanded opening hours for general public use of the meeting rooms, the use of the meeting rooms for church related activities and the church itself are not subject to any planning restrictions with respect to opening hours, and it is noted that the proposed hours of operation are within the policy restrictions set out in policy RC17 (Late Night Uses Area), which restricts the opening hours of businesses/organisations outside of the late night uses area to between 07:00am and 11:30pm.

5.32 Notwithstanding this, and to ensure the use of the meeting rooms operates in line with the details set out in the application, a planning condition is recommended to ensure the meeting rooms continue to be used in connection with details and conditions of the original planning permission and/or as a public hall, exhibition hall or public meeting room(s) only, and for no other purpose within the D1 (or D2) use class. Conditions are also recommended to ensure the hours of operation are restricted to between 08:00am and 10:00pm, or between 07:00am and 10:00pm should the meeting room(s) be used as a polling station. The Council's Public Protection section has confirmed that they do not object to the proposals including the proposed hours of operation.

5.33 In view of the above, and subject to the identified conditions, the application is considered on balance to be acceptable with respect to the impact on the amenity and privacy of neighbouring land users and in accordance with the relevant policies of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2019)

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

5.34 The proposals do not include any external alterations to the building and as such it is not considered that there would be any appreciable impact on the visual amenity of the application site or the appearance of the surrounding area. It not considered that opening up the meeting rooms to wider public use would have a significant impact on the character of the area, as the proposals do not constitute a change of use and so the nature of the building will remain as a church and parish centre, with the proposals simply allowing different groups to use the existing meeting rooms, albeit at more times throughout the day.

5.35 In view of the above, it is considered that the proposals are acceptable with respect to the impact on the visual amenity of the application site and the character and appearance of the surrounding area and in accordance with the relevant policies of the Hartlepool Local Plan (2018) and relevant paragraphs of the NPPF (2019).

## OTHER PLANNING MATTERS

5.36 The Council's Heritage and Countryside Manager has confirmed that the site is not in a conservation area nor is the building listed or locally listed. The application is therefore considered to be acceptable with respect to the impact on heritage assets.

## RESIDUAL MATTERS

5.37 Objections have been received citing concerns that insufficient public consultation has been carried out on the planning application.

5.38 In response and as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), for applications of this nature the Local Planning Authority has a statutory obligation to publicise the application by giving requisite notice by site display in at least one place on or near the land to which the application relates for not less than 21 days; or by serving the notice on any adjoining owner or occupier. The Local Planning Authority must also publish information relating to the application (as defined in the above legislation) on its website.

5.39 Upon receipt of a valid application, neighbour notification letters were sent to 16 neighbouring properties, including all 6 properties that adjoin the application site. A site notice was also displayed on Tunstall Avenue, adjacent to the pedestrian access to the Parish Centre. The Local Planning Authority has therefore exceeded the statutory requirements with respect to publicising the application.

## CONCLUSION

5.40 The application is considered to be acceptable with respect to the abovementioned relevant material planning considerations and is considered to be in accordance with the relevant policies of the adopted Hartlepool Local Plan 2018 and



relevant paragraphs of the NPPF. The development is recommended for approval subject to the planning conditions set out below.

## **EQUALITY AND DIVERSITY CONSIDERATIONS**

5.41 There is no evidence of equality or diversity implications.

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

5.42 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.

5.43 There are no Section 17 implications.

## **REASON FOR DECISION**

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

**RECOMMENDATION – APPROVE** subject to the following conditions;

1. The development hereby permitted shall be carried out in accordance with the plans and details; Location Plan (at a scale of 1:1250) received by the Local Planning Authority on 29th October 2019 and 'Existing Floor Plan' and 'Proposed Floor Plan', both date received by the Local Planning Authority on 4th November 2019.  
For the avoidance of doubt.
2. Notwithstanding the provisions of Classes D1 and D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), the use of the meeting rooms (as defined by the approved plans under condition no. 1) to which this permission relates shall be restricted to the uses approved by condition 7 under the provisions of permission H/FUL/0120/92 and/or for community use as a public hall, exhibition hall or public meeting room(s) only and for no other purpose within the D1 and D2 use classes.  
For the avoidance of doubt and to enable the Local Planning Authority to control the planning permission in accordance with the details considered through the application.
3. The meeting rooms to which this application relates shall only be open to the public between the hours of 08:00am and 10:00pm.  
In the interests of the amenities of neighbouring properties.
4. Notwithstanding the provisions of condition no. 2, the meeting rooms to which this application relates may be open to the public between the hours of 07:00am and 10:00pm when in use as a polling station only.  
In the interests of the amenities of neighbouring properties.

## **BACKGROUND PAPERS**

5.45 Background papers used in the compilation of reports relating to planning items are available for inspection in Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line:

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

## **CONTACT OFFICER**

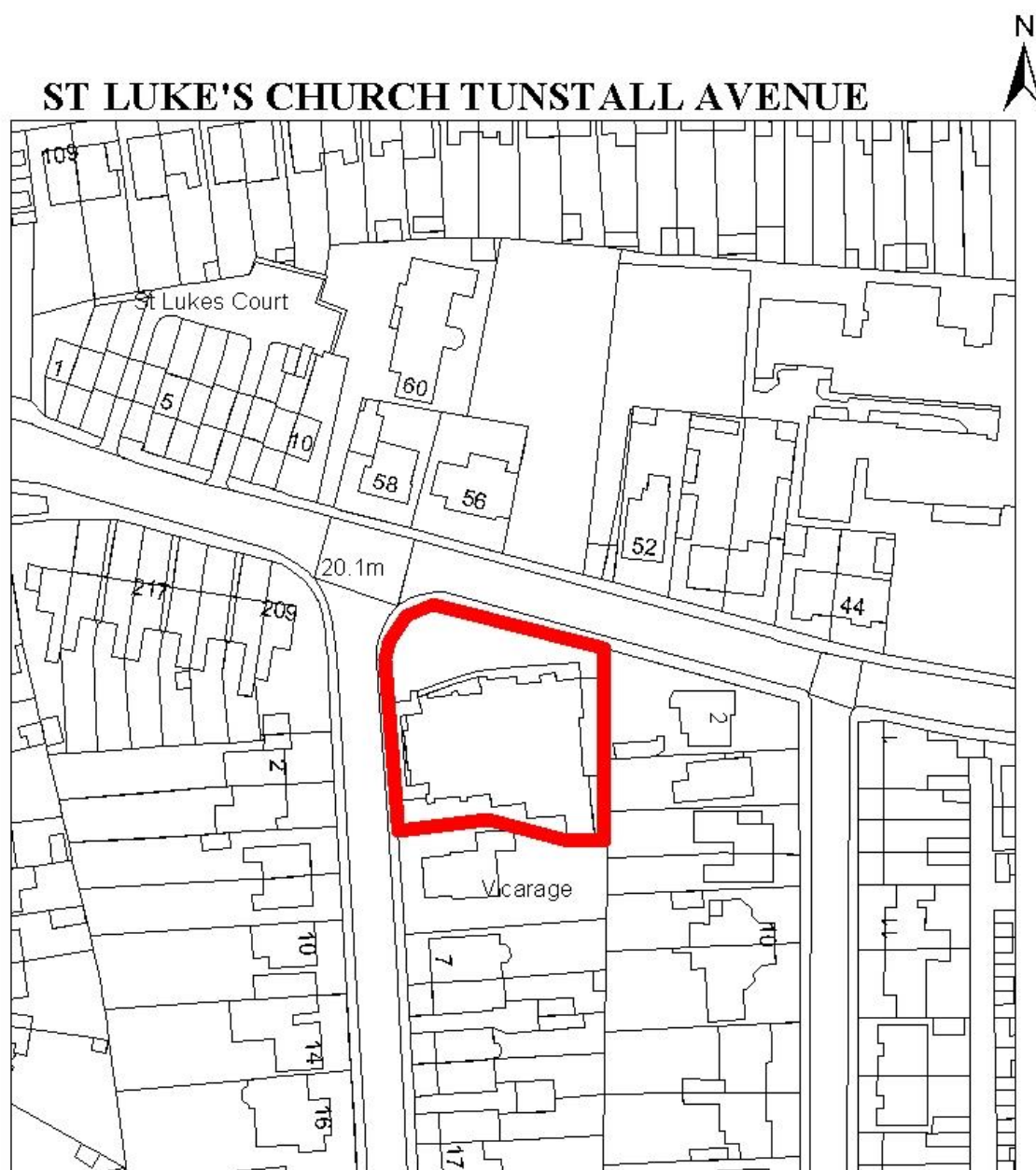
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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>13/01/2020</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0355</b>	REV



**No:** 6.  
**Number:** H/2019/0193  
**Applicant:** MR S BROWN CONISCLIFFE ROAD HARTLEPOOL  
 TS26 0BS  
**Agent:** ASP ASSOCIATES 8 GRANGE ROAD HARTLEPOOL  
 TS26 8JA  
**Date valid:** 30/10/2019  
**Development:** Installation of 2 no. french doors with balconies at first  
 floor to the rear, erection of detached summerhouse and  
 timber garden canopy/gazebo to rear, and erection of  
 boundary fence to front (retrospective application)  
**Location:** 1 CONISCLIFFE ROAD HARTLEPOOL HARTLEPOOL

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## PURPOSE OF REPORT

6.1 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

6.2 The following planning application at the site is considered relevant:

H/1975/0275 – Extension to the kitchen at the rear of the house. Approved 17<sup>th</sup> June 1975.

H/2010/0555 – Erection of a two storey extension to side to form kitchen, utility, family room and bedrooms. Approved 16<sup>th</sup> November 2010.

H/2011/0442 – Erection of a two storey extension at the front to provide hall with bedroom over and a single storey extension to the side to provide lobby. Approved 3<sup>rd</sup> November 2011.

H/2012/0153 – Non Material Amendment to planning application H/2011/0442 for the erection of a two storey extension at the front to provide hall with bedroom over and a single storey extension to the side to provide lobby in order to provide canopy to the front and side of the property, alterations to windows and doors. Approved 23<sup>rd</sup> December 2012.

## PROPOSAL

6.3 This application seeks permission for the installation of 2no. French doors with balconies at first floor to the rear, erection of detached summerhouse and timber garden canopy/gazebo to the rear, and the erection of a boundary fence to the front of No 1 Coniscliffe Road. Apart from the boundary fence to the front, the works are all retrospective.

6.4 The upper floor balconies include one on the western side elevation (within the rear garden), to serve a guest bedroom, and one on the main rear (southern) elevation to serve an en-suite of a bedroom. The upper floor balcony to serve the guest bedroom measures approximately 1.8 metres in width x 0.5 metres in depth and is accessed via glass French doors, and includes a barrier/balustrade with an approximate height of 0.5 metres along all three sides. The upper floor balcony on the main rear elevation (to serve the en-suite bathroom) measures approximately 2.75 metres in width x 1.8 metres in depth and is accessed via obscurely glazed French doors, with a barrier/balustrade approximately 0.5 metres in height on all three sides.

6.5 The detached summerhouse is a hexagon shape and measures approximately 4.75 metres at its longest length (eastern) x approximately 3.25 metres in width. The summer house is rendered in cream to match the existing dwelling and includes glazed French doors in its main (western) elevation, and windows in the north-west, south-west and south elevations. The summer house features a hipped roof design, with a total height of approximately 4 metres, dropping to approximately 2.2 metres at eaves level.

6.6 The timber garden canopy/gazebo is situated on the south western corner of the rear garden. It comprises a symmetrical structure measuring approximately 2.5 metres in width x 2.5 metres in length, and features a chamfer on one side measuring approximately 1.8 metres. The garden canopy/gazebo is open on the 3 sides facing the host property's garden, and enclosed on the sides on the western and southern boundaries. The height of the garden canopy is approximately 2.8 metres in total, dropping to approximately 2 metres at the eaves.

6.7 The proposed timber fence to the front boundary (north) would be close boarded with an approximate height of 2 metres, and would be sited in place of the existing boundary wall on the front boundary of the host property.

6.8 It was noted by the case officer during the site visit that the retrospective works include a section of timber trellis affixed to the main boundary to the south. As this is over 2 metres in height, it would require planning permission in its own right. However, the applicant has not included this element as part of the proposals comprising the current application. It was also noted by the case officer during the site visit that additional outbuildings (a shed and a further gazebo) were sited in the rear garden of the host property, which are not considered to require planning permission.

6.9 The application has been referred to the planning committee due to the retrospective nature of the works, in line with the Council's Scheme of Delegation.

## **SITE CONTEXT**

6.10 The application site comprises a detached two storey dwellinghouse in a residential street at 1 Coniscliffe Road, Hartlepool. The host dwellinghouse sits within a generous plot, which is generally a characteristic of the area, and is bounded to the east (side) by 1A Coniscliffe Road and to the west (side) by 3

Coniscliffe Road. To the south (rear), the site is bounded by 26 Egerton Road. To the north (front), the site is bounded by adopted highway on Coniscliffe Road, with 2 and 4 Coniscliffe Road beyond. Boundary treatments to the rear comprises fencing with an approximate height of 1.8 metres on all sides, with some additional mature landscaping, with the southern boundary including a hedge with an approximate height of 3 metres.

## **PUBLICITY**

6.11 The application has been advertised by way of neighbour letters (8) and notification to ward councillors. To date, there have been two representations from members of the public, including one neighbour objection.

6.12 The concerns raised are:

- Privacy concerns since views are achievable directly into windows of neighbouring properties
- Summer house is too close to the boundary with neighbour
- Timber canopy/gazebo is 3.3m high and is overbearing, and “an eyesore” when viewed from the rear of neighbouring property

6.13 One letter of support was also received, stating that the retrospective works had been in place for more than 4 years.

6.14 Copy Letters **F**

6.15 The period for publicity has expired.

## **CONSULTATIONS**

6.16 The following consultation replies have been received:

**HBC Public Protection:** No objections.

**HBC Traffic and Transport:** There are no highway or traffic concerns.

**HBC Flood Risk Officer:** No objection in terms of flood risk or contaminated land.

**HBC Arboricultural Officer:** There are some conifer trees in the neighbouring garden but are unlikely to be affected by the Summerhouse which is only a lightly loaded structure and would not require deep foundations. No trees are otherwise affected. No objection.

## **PLANNING POLICY**

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

### Local Policy

6.18 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

6.19 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 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

## **PLANNING CONSIDERATIONS**

6.20 The main issues for consideration in this instance are the appropriateness of the proposed amendments in terms of the policies and proposals held within the Development Plan and in particular the impact of the proposals on the host dwelling and visual amenity of the application site and the character and appearance of the surrounding area, the amenity and privacy of neighbouring land users, the impact on flood risk and highway and pedestrian safety. These and any other planning and residual matters are considered in detail below.



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

6.21 As noted above, the host dwelling is a detached two storey dwelling which benefits from a distinguishing L-shape, located on a substantial plot. The host dwelling is set back from the adopted highway by approximately 10 metres (to the main front elevation). The rear garden of the host dwellinghouse measures approximately 20 metres in length at its longest side (western), and approximately 9 metres from its shortest side (eastern), by virtue of the shape, and is enclosed by various high timber fences (approx. 1.8 metre high) with significant planting along the southern and eastern boundaries.

6.22 The surrounding area is distinguished by a variety of house designs. It is a consideration that some of these properties have benefited from additions or alterations to the properties, which are considered to be generally modest in scale and form and to retain much of the space beyond the buildings to the site boundaries.

6.23 Owing to the unique shape of the main dwelling, with its gap in the building line at the front, it is considered that there would be direct views achievable of the upper floor balcony serving the guest bedroom on the western elevation of the rear from the front of the property. Notwithstanding, the current trees at the front boundary, with a height in excess of 5 metres (approx.) serve to partially screen views of this property, including the upper floor balcony on the western side at the rear. In terms of scale, the balcony remains relatively modest and as such, it is considered that had it been acceptable in all respects, it would not have had a significant detrimental impact on the street scene or visual amenity of the surrounding area.

6.24 It is considered that the upper floor balcony on the rear serving the en-suite bathroom, the detached summer house and the detached garden canopy/gazebo would not give rise to any concerns on the visual amenity of the host dwelling or street scene, given that they would be primarily obscured by the orientation of the main dwelling itself.

6.25 The existing boundary treatment to the front of the host property includes a brick wall with an approximate height of 1.8 metres and features curved entrance to the property's driveway. It is acknowledged that a mixture of boundary treatments, including close boarded timber fences, are present to the front of properties along Coniscliffe Road, albeit many of the fence examples appear to be historical situations whilst the majority of such examples (a number of which feature bow top or a more ornate fence design as opposed to the 2m high fence design proposed) are found further along Coniscliffe Road and towards the northern side of the road (the application site being to the south). Furthermore, a number of the properties on the southern side of the street and within immediate vicinity of the application site feature more appropriate designs in the front boundary treatments which typically comprise a low level wall topped with a hedge, a brick wall or a fence interspersed with brick pillars and are reflective of the character of the area.

6.26 Whilst the host dwelling is a more modern property, it is disappointing to note that the application seeks to remove the existing boundary wall which features a

curved wall entrance to the property's driveway (albeit it is not fully understood if this curved entrance feature is to be retained with the wall). It is considered overall that as a result of the design, scale and siting of the proposed fencing that the proposal would represent a poor form of development to the detriment of the visual amenity and character of the surrounding area. The proposal is therefore considered to be contrary to the provisions of Local Plan Policies HSG11 and QP4 and the general provisions of the NPPF which states that "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". As such, it is considered that this would therefore warrant a reason for refusal of the application.

6.27 In view of the above, it is considered on balance that the proposed fence element of the scheme is not acceptable with respect to the impact on the visual amenity of the application site and the character and appearance of the surrounding area in accordance with policies QP4 and HSG11 of the adopted Hartlepool Local Plan (2018) and paragraph 124 and 127 of the National Planning Policy Framework (NPPF) (2019).

## AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

### Impact on No. 3 Coniscliffe Road, to the west

#### *Balconies*

6.28 With respect to the impact on the privacy of neighbouring land users to the west, the upper floor balcony on the southern elevation of the main rear of the host property serving the en-suite bathroom of the main bedroom is closest to the neighbour at No. 3, being a distance of approximately 2.5 metres to the boundary and approximately 3.5 metres from the flat roof of the single storey extension serving the neighbour at No. 3, with a distance of approximately 9 metres to the main side elevation of the two storey dwelling at 3 Coniscliffe Road. It was noted by the case officer during the site visit that the side elevation of the neighbour (at No. 3) facing the host property includes a window in the upper floor, which is understood to serve a bedroom. It is considered that the balcony provides clear and direct views into windows serving habitable rooms at the rear of the neighbour at 3 Coniscliffe Road (including the above mentioned bedroom window, being a separation distance of approximately 9 metres), as well as direct views into the entire rear garden of this neighbour but in particular the immediate garden area serving the property.

6.29 It is noted that the balcony on the western elevation at the rear of the host property faces onto this neighbour to the west at No. 3 Coniscliffe Road, being a distance of approximately 15 metres to the boundary with this neighbour. It is considered that considerable overlooking of the rear garden and the rear elevation of this neighbour (No. 3) is possible as a result of this balcony at the host property.

6.30 Whilst it is acknowledged that a letter of support has been received in respect of the proposal from the current occupants of No. 3 Coniscliffe Road, paragraph 127 of the NPPF requires that planning decisions ensure a high standard of amenity for existing and future users. Therefore, owing to impacts identified above, it is considered that this element of the proposal (two balconies on the rear elevations)

constitutes a significant adverse impact on the privacy of this neighbour in terms of direct overlooking and a perception of overlooking, and this impact could not be mitigated in this instance.

6.31 Notwithstanding the above, in terms of the impact on the amenity of neighbouring land users to the west, it is considered that the two balconies on the upper floor of the rear elevations at the host property are of a scale that would not result in any adverse impacts on the amenity of the neighbour at No. 3 in terms of overshadowing, loss of outlook or overbearing.

#### *Detached summer house*

6.32 It is acknowledged that the detached summer house is sited away from the boundary with the neighbour at No. 3, being a distance of approximately 19 metres from the boundary and approximately 24 metres to the nearest rear elevation of this neighbour. On balance, it is considered that the detached summer house, being modest in scale, does not give rise to any significant concerns of overshadowing, overbearing or loss of outlook for residents of No. 3, and therefore does not result in an adverse impact on the amenity of this neighbour. Whilst there are windows in the summer house with an aspect toward this neighbour, it is considered that owing to the separation distances which meet the provisions of policy QP4 of the Hartlepool Local Plan (2018), and sufficient boundary treatments, that this element does not result in any adverse impact on the privacy of No. 3 in terms of overlooking.

#### *Garden canopy/gazebo*

6.33 The erected garden canopy/gazebo at the rear of the host property is sited along the western boundary with the neighbour at No. 3, being approximately 15 metres south of its rear elevation. Under householder permitted development rights, an outbuilding with a maximum height of 2.5 metres is permissible without the need for planning permission. This is the 'fall-back position'. Taking into account the relatively modest scale of the proposal that features a roof that pitches away from the boundary, with a maximum height of approximately 2.8 metres sloping down to the eaves of approximately 2 metres, and in view of the 'fall back' position, it is considered that the garden canopy/gazebo does not, on balance, result in a significant adverse loss of amenity in terms of loss of outlook, overbearing and overshadowing for No. 3.

6.34 The structure is open on its elevations that face into the host garden. Owing to the boundary treatment comprising a fence with an approximate height of 1.8 metres, as well as separation distances that accord with policy QP4 of the Local Plan, it is considered there would be concerns regarding adverse overlooking on No. 3 as a result of this element.

#### *Boundary fence to the front*

6.35 It is acknowledged that the proposed boundary fence to the front of the property would project toward the boundary with this neighbour (3 Coniscliffe Road). Owing to the siting of the boundary fence and remaining separation distance to the front of No 3, it is considered, on balance, that this element would not result in any adverse

impacts on the amenity or privacy of No. 3 in terms of overshadowing, overbearing, loss of outlook or overlooking.

Impact on neighbours to the south (including 24-28 (evens) Egerton Road)  
Balconies

6.36 It is acknowledged that a neighbour objection has been received from a property to the rear in respect of this installed balcony, raising concerns over a loss of privacy.

6.37 With respect to the first floor balcony serving the guest bedroom on the side elevation at the rear, this is located approximately 10 metres from the shared boundary with 26 Egerton Road and the immediate garden area of this neighbour, with approximately 22 metres to its rear elevation. There are separation distances of approximately 28 metres to the rear of No. 24 and approximately 45 metres to the rear of No. 28 from the proposed upper floor balconies at the rear of the host property.

6.38 Whilst it is noted that the rear garden of the neighbour at 26 Egerton Road is currently screened on its northern side (bordering the host property) by heavy planting/tree cover, and during the case officer's site visit it was considered difficult to achieve views from this balcony into the garden of No. 26 Egerton Road, it is of consideration that should this planting be removed in future (due to it not being formally protected nor being entirely contained within the garden of the host property), then the balcony would allow clear views into this neighbour's garden and rear windows (which serve habitable rooms) and would likely have a detrimental impact on the privacy of the occupiers of this neighbouring property in terms of overlooking and perception of overlooking. Furthermore, it is considered that adverse overlooking into the rear garden of adjoining properties to the rear at Nos 24 and 28 Egerton Road could also be achievable should this landscaping be removed.

6.39 There is a distance of approximately 20 metres between the first floor balcony serving the en-suite on the rear elevation of the host property and the boundary with No. 26 Egerton Road and approximately 29 metres from the balcony to the main rear elevation of this neighbour with separation distances of approximately 35 metres to the rear of No. 24 and approximately 42 metres to the rear of No. 28 from the proposed upper floor balconies at the rear of the host property.

6.40 Whilst it is acknowledged that these separation distances between the upper floor balcony on the rear of the host property (serving the en-suite) is such that it accords with policy QP4 of the Local Plan and therefore would not adversely impact upon the amenity of the neighbour at No. 26 Egerton Road in terms of overbearing, overshadowing or loss of outlook, it is considered that in light of the above reasoning, the boundary treatment without its guaranteed permanence would not be sufficient to safeguard against direct views achievable toward habitable room windows and the immediate rear garden area of 26 Egerton Road for existing and future occupiers. In light of this, it is considered that the upper floor balconies at the host property constitute an unsatisfactory form of development as they result in adverse impacts on the privacy of these neighbours (24, 26 and 28 Egerton Road) in terms of overlooking and perception of overlooking.

6.41 In terms of amenity, the separation distances, boundary treatments and scale of the upper floor balconies are such that they are not considered to result in adverse impacts on the amenity of the neighbours to the rear (24, 26 and 28 Egerton Road) in terms of overshadowing, overbearing or loss of outlook.

#### *Detached summer house*

6.42 There is separation distance of approximately 2 metres to the boundary and approximately 11 metres to the rear elevation of the closest neighbour at the rear of the site, namely 26 Egerton Road, and approximately 15 metres to the neighbour at No. 24 Egerton Road and the retrospective detached summer house. Whilst it is acknowledged that the height of the summer house is such that it has the potential to result in a degree of overshadowing, loss of outlook and an overbearing impression for windows in the rear elevation of the neighbour directly to the rear (primarily 26 Egerton Road) as well as the immediate garden area serving this property and that of the neighbour at 24 Egerton Road, consideration is also given to the proposal being set off from the boundary resulting in a splayed angle from the proposal to the adjacent boundary (as detailed above), and that it would feature a hipped roof design that pitches away from the boundary and would further assist in reducing the massing of the proposal.

6.43 Consideration is given to the existing relationship and relatively limited outlook of the ground floor windows in the rear of No. 26 Egerton Road. On balance, it is considered that the identified impacts on the amenity of neighbours to the rear (24, 26 and 28 Egerton Road) (above) are not so significant in this instance as to warrant a further reason for refusal of the application.

6.44 Whilst there is a window in the southern elevation, owing to the boundary treatments in place which comprise substantial hedges with a height of approximately 4 metres, as well as the modest scale and orientation of the proposed summer house, it is considered there would not be any adverse impact on the amenity or privacy of neighbouring properties to the rear (including 24, 26 and 28 Egerton Road) in terms of overshadowing, loss of outlook, overbearing, or overlooking.

#### *Garden canopy/gazebo*

6.45 The garden canopy/gazebo is sited on the southern boundary with neighbours at 26 and 28 Egerton Road, with a separation distance of approximately 8.5 metres to the rear of No. 26 and approximately 22.5 metres to the rear of 28 Egerton Road. In light of the boundary treatment which comprises a fence and landscaping/hedging with a height of a minimum of approximately 1.8 metres, along with the modest scale of the proposal with its maximum height approximately 30cm above the 'fall-back position' detailed above, the open sides facing onto the host property's own rear garden, it is considered, on balance, that this element does not result in an adverse impact on the amenity or privacy of neighbouring land users to the rear (south) including 24-28 (evens) Egerton Road, in terms of overshadowing, overbearing, loss of outlook or overlooking.

Impact on 1A Coniscliffe Road, to the east

6.46 The relationship between the host property and its garden space and that of the neighbour at 1A Coniscliffe Road is such that the orientation and positioning of the host property itself primarily obscures views from all elements of the development at the rear and therefore it is considered these balconies do not give rise to adverse impacts on the amenity or privacy of No. 1A in terms of overshadowing, loss of outlook, overbearing or overlooking.

6.47 In terms of the proposed fence at the front, it is noted that the existing boundary treatment in place at the host property is already of a substantial height, and it is therefore not considered this would result in any adverse impacts on the amenity or privacy of 1A Coniscliffe Road in terms of overshadowing, outlook, overbearing or overlooking.

Impact on neighbours to the front, including 2 and 4 Coniscliffe Road (north)

6.48 It is considered that adequate separation distances and boundary treatments are in place between the neighbours to the front including 2 and 4 Coniscliffe Road and the retrospective and proposed works at the host property, the front of which being located approximately 32 metres to the front of the closest neighbour to the front (4 Coniscliffe Road at the nearest point, with the main highway between. Furthermore, it is considered that the host dwelling itself is positioned so as to primarily obscure views of the developments toward the neighbouring properties to the front (north) at Nos. 2 and 4 Coniscliffe Road. It is therefore considered that are such the developments would not result in any adverse impacts on the amenity of 2 and 4 Coniscliffe Road or other properties to the front of the host property in terms of overbearing, overshadowing, loss of outlook and overlooking.

*Boundary fence to the front*

6.49 It is acknowledged that the proposed boundary fence to the front of the property would project toward the boundary with this neighbour (No. 1A). Owing to the siting of the boundary fence and remaining separation distance to the front of 1A it is considered, on balance, that this element would not result in any adverse impacts on the amenity or privacy of No. 1A in terms of overshadowing, overbearing, loss of outlook or overlooking.

**FLOOD RISK**

6.50 The application site is sited within a Flood Zone 2, according to the Environment Agency's Flood Map for Planning. The Council's Flood Risk Officer has been consulted in respect of the proposal and has confirmed that there are no objections in respect of flooding or contaminated land with any element of the proposed development. The proposals are considered to be acceptable in this regard.

## HIGHWAY & PEDESTRIAN SAFETY

6.51 The proposal has been subjected to consultation with the Council's Traffic and Transport section who have confirmed that it does not affect the existing parking provision of the host property. The development is therefore considered to be acceptable in these regards.

## OTHER PLANNING MATTERS

6.52 The Council's Arboricultural Officer has been consulted with respect to the proposal and has confirmed that there are no concerns with regard to any protected trees at the site. The application is considered acceptable in this regard.

6.53 HBC Public Protection have been consulted with respect to the proposal and have confirmed that there are no concerns with regard to any potential adverse disturbance including noise disturbance at the application site. The application is considered acceptable in this regard.

## CONCLUSION

6.54 For the reasons set out in the report, it is considered that the detached summer house and garden canopy/gazebo are considered acceptable in that they do not have a significant detrimental impact on visual amenity and neighbour amenity and privacy and are otherwise acceptable in all other respects. However, the retrospective 2no. balconies to the rear of the host property are not considered acceptable in respect of the impact on the privacy of neighbouring properties, and the installation of a boundary fence at the front is not considered acceptable in respect of visual amenity, which is contrary to the provisions of policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and provisions of the paragraphs 124 and 127 of the NPPF (2019). It is therefore recommended that the application be refused.

## EQUALITY AND DIVERSITY CONSIDERATIONS

6.55 There is no evidence of equality or diversity implications.

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

6.56 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.

6.57 There are no Section 17 implications.

## REASON FOR DECISION

6.58 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

**RECOMMENDATION – REFUSE** for the following reasons:

1. In the opinion of the Local Planning Authority, by virtue of the design, scale and siting of the 2no. first floor rear balconies, the balconies result in an unsatisfactory form of development that result in a detrimental impact on the privacy of existing and future occupiers at No. 3 Coniscliffe Road (west) and No's. 24, 26 and 28 Egerton Road (south), through issues of overlooking and a perception of overlooking, contrary to paragraph 127 of the NPPF (2019), policy QP4 and HGS11 of the Hartlepool Local Plan (2018) and the adopted Hartlepool Residential Design SPD (2019).
2. In the opinion of the Local Planning Authority the proposed 2m high boundary fence to the front, by virtue of its scale, design and prominent location, would result in a detrimental impact on the character and appearance of the area, contrary to Local Plan Policies HSG11 and QP4, and the general provisions of the NPPF.

**BACKGROUND PAPERS**

6.59 Background papers used in the compilation of reports relating to planning items are available for inspection in Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line:

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

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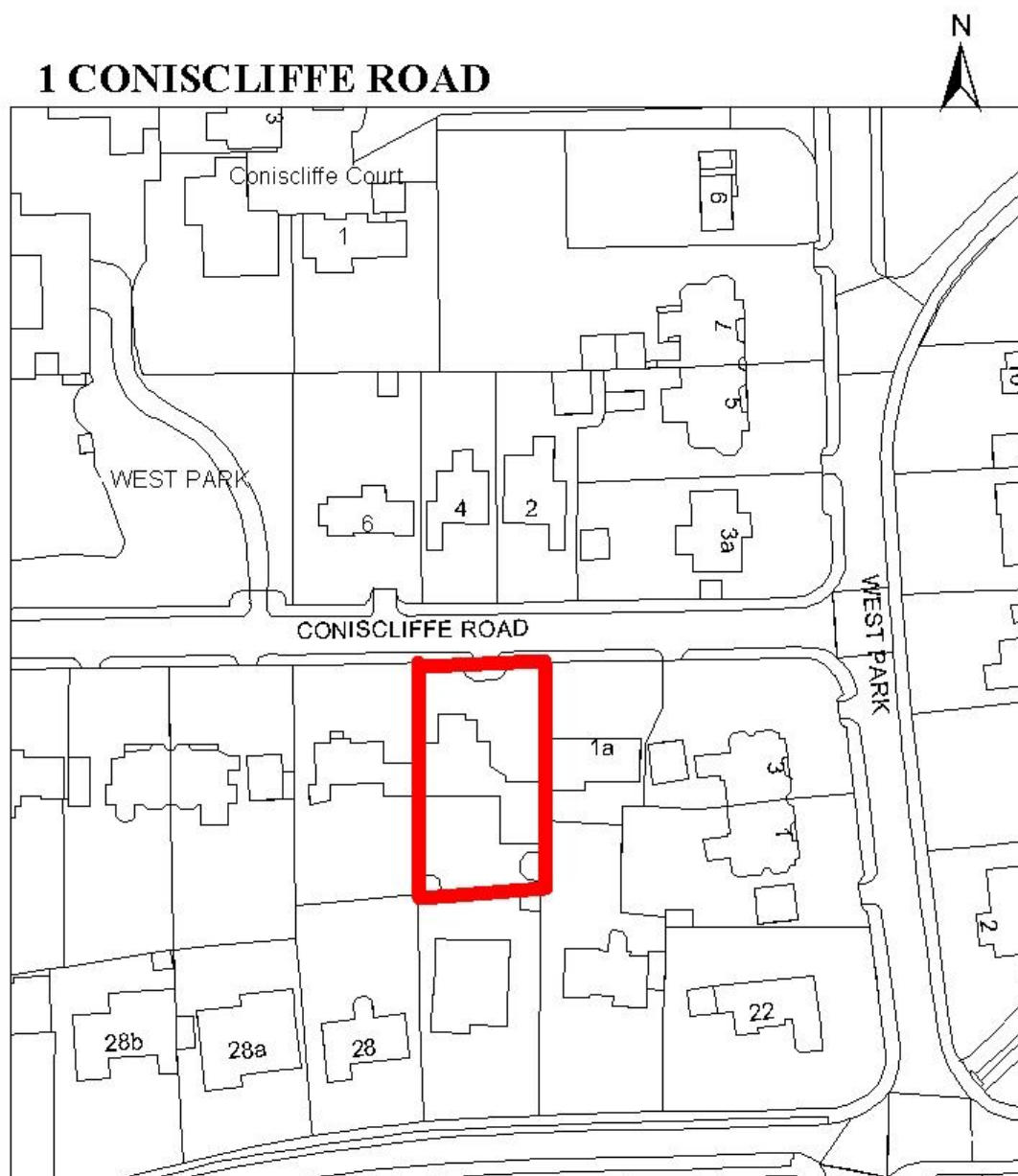
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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>25/11/2019</b>
	SCALE <b>1:1000</b>	
<b>Regeneration and Neighbourhoods</b> Level 1 Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2019/0193</b>	REV

## **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>

### **HARTLEPOOL RURAL NEIGHBOURHOOD PLAN**

[https://www.hartlepool.gov.uk/downloads/file/4876/hrnp\\_2016-2031\\_-\\_made\\_version\\_-\\_december\\_2018](https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018)

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

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

## PLANNING COMMITTEE

3<sup>rd</sup> March 2020



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

**Subject:** APPEAL AT 10 QUEEN STREET, HARTLEPOOL,  
TS24 0PR  
APPEAL REF: APP/H0724/C/19/3240723  
Installation of uPVC replacement windows  
(N/2019/0005)

---

### 1. PURPOSE OF REPORT

- 1.1 To advise members of an enforcement planning appeal that has been submitted against an enforcement notice served by the Local Planning Authority in respect of the unauthorised installation of the replacement windows at 10 Queen Street (LPA reference, N/2019/0005).
- 1.2 On the 31<sup>st</sup> July 2019 Planning Committee authorised enforcement action to restore the windows to their condition before the breach took place.
- 1.3 The submitted enforcement appeal is on the grounds that the Appellant considers that planning permission ought to be granted for the replacement windows.

### 2. RECOMMENDATIONS

- 2.1 That Members note this report.

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## PLANNING COMMITTEE

3<sup>rd</sup> March 2020



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

**Subject:** APPEAL AT 11 QUEEN STREET, HARTLEPOOL,  
TS24 0PR  
APPEAL REF: APP/H0724/C/19/3241624  
Installation of replacement windows (H/2019/0191)

---

### 1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against an enforcement notice served by the Local Planning Authority in respect of the unauthorised installation of the replacement windows at 11 Queen Street (H/2019/0191).
- 1.2 In September 2019, planning permission was refused by Members for the associated application H/2019/0191 as it was considered that the replacement windows at No. 11 Queen Street would cause less than substantial harm to the designated heritage asset of the Headland Conservation Area, by virtue of the design, detailing and use of materials. Accordingly, Members authorised enforcement action to restore the windows to their condition before the breach took place.
- 1.3 The submitted enforcement appeal is on the grounds that the Appellant considers that planning permission ought to be granted for the replacement windows, and also on the grounds of the timescale for compliance as specified in the enforcement notice (3 months).

### 2. RECOMMENDATIONS

- 2.1 That Members note this report.

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## PLANNING COMMITTEE

3<sup>rd</sup> March 2020



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

**Subject:** APPEAL AT 68 GRANGE ROAD, HARTLEPOOL,  
TS26 8JF  
APPEAL REF: APP/H0724/C/19/3242924  
: APP/H0724/W/19/3242923  
Change of use to house in multiple occupation,  
installation of replacement windows and replacement  
roof (part retrospective) (H/2019/0169)

### 1. PURPOSE OF REPORT

- 1.1 To advise members of two linked planning appeals that have been submitted against an enforcement notice served by the Local Planning Authority in respect of the unauthorised installation of the replacement roof and the associated planning application (H/2019/0169) for the replacement roof, installation of replacement windows and change of use to a house in multiple occupation (HMO) at 68 Grange Road, Hartlepool.
- 1.2 Planning application H/2019/0169 was refused by Members in September 2019 as it was considered that 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 the Grange Conservation Area, by virtue of the design, detailing and use of materials. Accordingly, Members also authorised enforcement action to secure the removal of the composite roof tiles and the restoration of the roof to its condition before the breach took place.
- 1.3 The submitted enforcement appeal is on the grounds that the Appellant considers that planning permission ought to be granted for the replacement roof and also the grounds that the Appellant considers that the time period specified in the enforcement notice (3 months) falls short of what should reasonably be allowed to remedy the breach.

### 2. RECOMMENDATIONS

- 2.1 That Members note this report.

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## PLANNING COMMITTEE

3<sup>rd</sup> March 2020



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

**Subject:** APPEAL AT 1 BUTE AVENUE, HARTLEPOOL, TS25 5LL  
APPEAL REF: APP/H0724/D/19/3241197  
Erection of a single storey extension to the rear, level access door to front and raising of roof to accommodate loft conversion (H/2019/0327)

---

### 1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against the Council's decision in respect of an application for the erection of a single storey extension to the rear, level access door to front and raising of the roof to accommodate a loft conversion at 1 Bute Avenue, Hartlepool.
- 1.2 The application was refused by Officers under delegated powers as it was considered that by virtue of design, siting and scale, the proposals would significantly detract from the character and appearance of the existing bungalow resulting in an incongruous alteration to the detriment of the visual amenity of the area. The development was therefore considered to be contrary to policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 124 and 127 of the National Planning Policy Framework (2019) which states that all new developments should be of high quality design and should not adversely affect the character of the surrounding area. (Report Attached – **APPENDIX 1**).

### 2. RECOMMENDATIONS

- 2.1 That Members note this report.

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## APPENDIX 1

## DELEGATED REPORT

<b>Application No</b>	H/2019/0327
<b>Proposal</b>	Erection of a single storey extension at the rear, level access door to front and raising of roof to accommodate loft conversion with 3no. roof windows
<b>Location</b>	1 BUTE AVENUE HARTLEPOOL

PS Code: 21

<b>DELEGATION ISSUES</b>	Neighbour letters:	21/10/2019
<b>1) Publicity Expiry</b>	Site notice:	N/A
	Advert:	N/A
	Weekly list:	18/08/2019
	Expiry date:	11/09/2019
	Extended date:	31/10/2019
<b>2) Publicity/Consultations</b>		
<b>PUBLICITY</b>		
The application has been publicised by way of six neighbour notification letters, along with the local ward members. Following the expiry of the consultation period, no representations regarding the proposal have been received.		
<b>CONSULTATIONS</b>		
The following consultation responses were received in respect of the application:		
<b>HBC Traffic and Transport:</b> No issues with regard to highway safety.		
<b>3) Neighbour letters needed</b>	N	
<b>4) Parish letter needed</b>	N	
<b>5) Policy</b>		
<u>National Planning Policy</u>		
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 007: Purpose of the planning system  
 PARA 011: Presumption in favour of sustainable development  
 PARA 017: Core planning principles  
 PARA 038: Decision-making  
 PARA 047: Determining applications  
 PARA 124: High quality buildings and places

#### Hartlepool Local Plan (2018)

Policy SUS1: The Presumption in Favour of Sustainable Development  
 Policy LS1: Locational Strategy  
 Policy QP4: Layout and Design of Development  
 Policy HSG11: Extensions to Existing Dwellings

## **6) Planning Consideration**

### **PLANNING HISTORY**

HOUT/1995/0430 – Outline application for the erection of an extension to the bungalow and erection of 2no. additional linked bungalows. Refused 21<sup>st</sup> September 1995.

### **SITE AND SURROUNDINGS**

This application site relates to single storey detached bungalow located on Bute Avenue (and Caledonian Road at the east). The property is unusual in that the front of the property is located on the main road of Caledonian Road, whilst the southern side elevation currently contains the main front door of the property and therefore reads as the principal elevation of the property. The wider residential area consists of mainly two storey semi-detached dwellings. No. 30 Caledonian Road (also a bungalow) abounds the site to the north, with No. 2 Bute Avenue to the west. Beyond the current front elevation of the host dwelling (south) lies the main public highway of Bute Avenue, beyond which are No. 36 Caledonian Road and No. 1 Oban Avenue, whilst to the east of the host dwelling is the main public highway of Caledonian Road, beyond which are Nos. 15 and 17 Caledonian Road.

The property is served by a modest garden with a brick wall of approximately 1 metre in height to the front and a garden to the side (west). Boundary treatments to

the rear comprise a concrete wall with an approximate height of 1.2 metres, whilst the boundary treatment to the western side, between the application site and the adjacent neighbour to the west (No. 2) and the rear garden space between the host property and adjacent neighbour at 30 Caledonian Road comprises a fence topped wall of approximately 1.8 metres, with mature landscaping of an approximate 2.5 metres along much of it, spanning all three sides of this garden space. The area to the eastern side includes landscaping/bushes, beyond which is a low level wall similar to that at the front, with an approximate height of 1 metre.

## PROPOSAL

This application seeks planning permission for the erection of a single storey extension to the side/rear (west), the raising of the roof to accommodate a second floor on the bungalow, and the installation of a main front door in the eastern elevation. The proposed extension would measure approximately 6.6 metres in width x approximately 2.5 metres in projection (thus spanning the full width of the host bungalow) and would replace an existing conservatory on the bungalow. The proposed extension would have a pitched roof with a ridge height of approximately 3.5 metres, dropping to an eaves height of approximately 2.6 metres. The proposed extension would feature a set of French doors, and 3no. windows in the western elevation, and 1no. window in the southern side elevation.

The proposed raising of the roof comprises an increase in the overall height of the dwelling by approximately 0.2 metres, and an increase at eaves level by approximately 0.8 metres (with an approximately 0.4m high bargeboard) to accommodate a second floor on the property, consisting of two additional bedrooms.

The proposed replacement of a window in the eastern elevation with the installation of a door and a window is to facilitate a main entrance in this elevation.

The proposed works also include the bricking up of the existing main access door on the southern principal elevation of the host bungalow, with the installation of a narrow window in place of this existing door, and the expansion of a window on this elevation. This enlarged window was a revision to the application after concerns were expressed by the case officer as to the poor design of the proposed alterations to the door for a window on this elevation.

The proposal has been amended during the course of the application. Following concerns expressed by officers with respect to the poor design of the raised roof height, the applicant submitted further plans to include dormer windows on the elevation, but then subsequently decided not to proceed with that scheme. At the final revision, the applicant included the provision of 3no. roof windows on the southern side. The applicant also submitted revised plans to detail a provision for hardstanding/driveway space within the eastern side of the curtilage of the property, but subsequently removed this element from the proposals. For the avoidance of doubt, the application has been considered as per the last revision of plans (Plans '2C' and '3B' date received 3<sup>rd</sup> October 2019 by the LPA) which are as detailed above.

## MATERIAL PLANNING CONSIDERATIONS

As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The main issues for consideration when assessing this application are 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 highway safety and parking provision.

### IMPACT ON CHARACTER AND APPEARANCE OF BUNGALOW AND SURROUNDING AREA

As noted above, the host dwelling is a single storey detached property on a prominent corner plot with principal elevations on both Bute Avenue and Caledonian Road. The bungalow has its own character and form and is not considered to be representative of other properties in the vicinity. Indeed, the surrounding area is distinguished by a relatively asymmetrical appearance comprising a mixture of property types and sizes and a mixture of plots. It is a consideration that some of these properties have benefited from additions or alterations to the properties, including to principal elevations and frontages, which are considered to be generally modest in scale and form and to retain much of the space beyond the buildings to the site boundaries. Furthermore, the adjacent property (which as noted above is also a bungalow) features its main architectural features on the east facing principal elevation as per the other properties along Caledonian Road.

#### *Raising of the roof*

It is acknowledged that the host bungalow is a detached property that benefits from walled garden space on three of its sides, and that currently the main frontage is situated on a side road. It is further acknowledged that the surrounding area comprises a mix of dwelling types and that the majority of these are two storey properties. Notwithstanding this, the proposed raising of the roof and resulting brickwork is not considered to be sympathetic in design to that of the host dwelling and would unduly dominate the appearance of the property as a result of the increased eaves height and the resultant brickwork between the ground floor windows and the large bargeboard.

Furthermore the introduction of a design whereby the roof is raised by approximately 0.8 metres at the eaves would be seen as an uncharacteristically high and incongruous feature in the context of the character and form of the host property and those in the immediate area, particularly the neighbouring property to the north (30 Caledonian Drive). This effect would be emphasised by the large roof lights and gable end windows, the presence of a bungalow to the north and the prominent position of the property on a corner plot. Although it is noted that not all properties are identical in the area, when seen from the street the proposal would result in a poorly proportioned and unduly dominant property, resulting in a significant discordant feature in the street scene.

It is for these reasons that the applicant was advised of concerns in relation to the size, detailing and design of the raised roof levels and given the opportunity to reconsider the proposals and submit a revised plan. The suggestion was for the applicant to remove or significantly reduce the raised eaves height element of the proposal and incorporate dormer windows instead, which would assist in providing additional space in the attic for the applicant. However the applicant has not chosen to submit amended plans to lower the roof or change its design and therefore the application has been considered accordingly.

Overall, it is considered that the raising of the roof of the host property would not respect the character and appearance of the bungalow due to its height, proportions of brickwork and poor design and would introduce a discordant feature into the street scene, to the detriment of the visual amenity of the surrounding area. This would not therefore accord with the requirements of Local Plan policy HSG11 and QP4 nor the provision of paragraphs 124 and 127 of the NPPF which states that all new developments should be of high quality design and should not adversely affect the character of the surrounding area.

#### *Single storey extension to the rear/side*

The garden space to the west of the host bungalow is contained by a fence topped wall along the Bute Avenue principal elevation, resulting in a clear demarcation that the main rear garden space is on this side.

Whilst views of the proposed extension could be achievable from the main street of Bute Avenue, the proposed extension remains relatively modest in scale and as such, it is considered that it would not have a significant detrimental impact on the street scene or nature of the surrounding area. Furthermore, whilst every application is considered on its own merits, it is noted that many properties in the street feature extensions to the rear, side and/or front of a similar scale, thus it is considered that extensions of this nature are characteristic of the street.

The proposed extension to the rear/side of the host property is considered to accord with the provisions of policies QP4 and HSG11 of the Hartlepool Local Plan as it is considered to be of a design and scale that respects the character and appearance of the existing dwelling and application site as a whole.

#### *Installation of a door on the front (east) and bricking up of the main access door on the south*

As noted above, the host dwelling has two principal elevations - one on the southern elevation on Bute Avenue and the other on the eastern elevation on Caledonian Road. It is considered that the installation of a main front door in the western side elevation would not disrupt the apparent building frontage created as a result (on Caledonian Road). Furthermore, it is not uncommon for a front door to be installed in a principal elevation and therefore it is considered that the installation of a main access door on the eastern elevation (on Caledonian Road) would, on balance, be acceptable.

It is considered that the bricking up of the front door on the southern elevation and replacing this with a narrow window would, however, disrupt the visual symmetry in the elevation, made more significant due to this elevation being visible from the main public highway of Bute Avenue and from the approach toward Bute Avenue (northward) along Caledonian Road. The applicant was advised of concerns regarding the visual appearance of the proposed alterations in the southern elevation and submitted amended plans to allow for the expansion of the window on the south-west. It remains a consideration that the bricking up of a door and installation of a narrow window in its place would unbalance the fenestration of the property; however in this instance, it is considered that this element of the proposal would not create such an adverse visual impact as to warrant a refusal of the application in its own right.

Overall, in light of the reasons detailed above, the proposal is not considered to be acceptable with respect to the impact on the character and appearance of the existing bungalow and visual amenity of the surrounding area.

#### AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

Policy QP4 (Layout and Design of Development) and Policy HSG11 (Extensions and Alterations to Existing Dwellings) of the Hartlepool Local Plan 2018 require, amongst other provisions, that proposals should not significantly affect the amenity or privacy of the occupiers of adjacent/adjoining or nearby properties.

##### Impact on 30 Caledonian Road (north)

There is a distance of approximately 1 metre to the boundary and approximately 2 metres to the southern side elevation of the adjacent neighbouring bungalow to the north at 30 Caledonian Road from the proposed extension to the rear/side and the raised roof at the host bungalow. The existing boundary treatment comprises a concrete wall approximately 1.2 metres high, which runs along the northern boundary with this neighbour at No. 30 Caledonian Road, with boundary treatment toward the rear comprising mature landscaping with an approximate height of 2.5 metres.

##### *Raising of the roof*

It is noted that the side of No. 30 Caledonian Road with an aspect toward the proposals at the host property features 3no. windows at ground floor level; the occupier of this property has verbally confirmed that these serve a bathroom (a non-habitable room), a kitchen diner (which is also served by a large window in the rear/west elevation) and an outhouse (also a non-habitable room). These windows have been viewed by the case officer from the neighbours property. It is acknowledged that the neighbouring property is already situated close to the host property, with a distance of approximately 2 metres between the two elevations (1 Bute Avenue and 30 Caledonian Road) which already results in a poor outlook for these windows, in particular the kitchen diner (which is, as noted above, already served by a window in the rear elevation of the property). Whilst the proposal is likely to result in a degree of overshadowing and overbearing for these windows, given the current relationship, that 2 of the windows serve non-habitable rooms and



the kitchen diner is also served by a window in the rear elevation that would not be adversely affected by the proposals, it is considered that the proposal to increase the height of the host property by approx. 0.8m is unlikely to create any significant, additional overbearing, overshadowing or loss of light, or loss of outlook to these windows of the neighbouring property at 30 Caledonian Road as to warrant a refusal of the application.

*Single storey extension to the rear/side*

The neighbouring property at 30 Caledonian Road features an off-shoot (understood to serve an outhouse) and therefore the elevation of this neighbour projects approximately 2 metres further than that of the host property. In effect, the proposed extension at the host property would therefore project approximately 0.5 metres than the existing side of the neighbour (30 Caledonian Road). Taking into account the siting of the aforementioned windows in the side elevation of No. 30 Caledonian Road (and the rooms the windows serve, with the nearest serving the non-habitable room of the outhouse), it is therefore considered that the proposed extension, which is modest in scale and includes a roof that pitches away from the western side, would not create any adverse impacts on the amenity of the neighbour at No. 30 Caledonian Road in terms of overshadowing, loss of outlook, or overbearing.

Whilst it is acknowledged that the proposed extension includes windows on its western elevation, it is noted that the boundary treatment includes landscaping with a height of approximately 2.5 metres along the boundary between the host property and this neighbour (30 Caledonian Road). Owing to this, it is considered that this element of the proposal would not give rise to adverse overlooking on the neighbour (at 30 Caledonian Road) including its rear garden space, and therefore would not adversely impact upon the privacy of this neighbour.

*Installation of a door on the front (east) and bricking up of the main access door on the south*

In terms of the main access door proposed in the front elevation (including a window), it is considered that there would be no significant increased potential for overlooking and therefore there would be no adverse impact on the neighbour at 30 Caledonian Road in terms of privacy, given the remaining oblique angle and separation distance of approximately 7m to the front of the neighbour (30 Caledonian Road) and boundary treatment which includes mature landscaping with an approximate height of 2 metres.

Alterations to the southern elevation of the host property are primarily obscured from the neighbour at No. 30 Caledonian Road by the relationship between the two properties and therefore it is considered that this element of the proposal would not adversely impact upon the amenity or privacy of this neighbour.

In view of the above considerations, including the modest scale of the proposed extension that would feature a roof design that would pitch away from the windows in the southern side elevation of this adjacent property at 30 Caledonian Road, it is considered that the proposals would not result in a significant adverse impact on the

amenity or privacy of this neighbour in terms of loss of outlook, overbearing, overshadowing or overlooking.

#### Impact on 2 Bute Avenue (west)

##### *Single storey extension to the rear/side*

The proposed extension at the host dwelling would project toward the neighbour to the west at 2 Bute Avenue, being a distance of approximately 10.5 metres from the boundary and approximately 21 metres from the side elevation (west) with this neighbour. As noted above, the boundary treatment comprises substantial landscaping between the host bungalow and the neighbour at No. 2, and this, along with the modest scale of the proposed extension means that the proposed single storey extension is not considered to create any adverse impacts on the amenity of this neighbour in terms of overshadowing, loss of outlook, or overbearing. Whilst the proposed extension would include fenestration in the western elevation, it is considered that owing to the relationship described above, that there would not be any adverse overlooking and therefore no significant impact on the privacy of 2 Bute Avenue.

##### *Raising of the roof*

The proposed raising of the roof height would mean an increase in height of the host property by approximately 0.2 metres. It is considered that this element of the proposal would not create an appreciable impact overall on the amenity of the neighbour at No. 2 in terms of being overbearing, loss of outlook or overshadowing as a result of the remaining separation distance. It is acknowledged that there would be an additional window in the western gable elevation with an aspect toward No. 2 as a result of the proposed raising of the roof, to create a second floor on the host bungalow. However, owing to the above mentioned separation distance which accords with the requirements set out in the Policy QP4 of the Hartlepool Local Plan (2018), it is considered that there would be no adverse loss of privacy for the neighbouring property (including its garden space).

##### *Installation of a door on the front (east) and bricking up of the main access door on the south*

It is considered that the relationship between the two properties (host bungalow and neighbour at no. 2) is such that the proposed alterations to the windows and doors, including the installation of a main access door on the eastern elevation of the host property would not create any additional adverse impacts on the privacy or amenity (overshadowing, overbearing, loss of outlook or overlooking) of 2 Bute Avenue.

In view of the above, it is considered that the proposed development at the host bungalow would not have any significant adverse impacts on the amenity or privacy of 2 Bute Avenue in relation to overbearing, overshadowing, loss of outlook or overlooking.

#### Impact on 13, 15 and 17 Caledonian Road (east)

*Raising of the roof and installation of a door on the front (east) and bricking up of the main access door on the south*

A separation distance of approximately 24 metres would remain between the principal elevation of the proposal and the principal elevation of the nearest frontage of the neighbouring property at Nos. 15 and 17 Caledonian Road, and approximately 25 metres to No. 13 Caledonian Road to the east (side/front), with the presence of the main public highway of Caledonian Road in between. These separation distances accord with the requirements of Policy QP4 of the Hartlepool Local Plan 2018. Owing to this, it is considered that the proposed increase of the roof by approximately 0.2 metres at the ridge and the alterations/installation of doors and windows in the eastern and southern elevations would not result in any adverse impacts on the amenity or privacy of Nos. 13-17 (odds) Caledonian Road in terms of loss of outlook, overbearing, overshadowing, or overlooking.

*Single storey extension to the rear/side*

It is further considered that the proposed single storey extension on the western elevation/rear of the host property would, by virtue of the relationship between the host properties and neighbouring properties to the east (Nos. 13-17 (odds) Caledonian Road), would not create any adverse impacts on their amenity or privacy in terms of loss of outlook, overbearing, overshadowing or overlooking.

Impact on 36 Caledonian Road and 1 Oban Avenue (south)

*Single storey extension to the rear/side*

A separation distance of approximately 11.5 metres to the boundary and approximately 14.5 metres to the nearest elevation (side) would remain between the proposed single storey extension at the rear/side of the host property and the nearest neighbouring properties to the south, with the main public highway of Bute Avenue between. These separation distances accord with the requirements of Policy QP4 of the Hartlepool Local Plan (2018) and this, along with the boundary treatment at the rear garden comprising a fence topped wall with an approximate height of 2 metres, would serve to obscure views from the proposed extension on the western elevation of the host property toward these neighbours.

*Raising of the roof*

It is acknowledged that the raised roof includes provision for 3no. roof windows in the southern elevation with an aspect toward this neighbour. However, owing to the above mentioned separation distances that accord with the requirements of the Local Plan (Policy QP4), it is considered that this element of the proposal would not result in an adverse loss of amenity and privacy in terms of outlook, overshadowing, overbearing and overlooking, and it is considered to be acceptable in this respect.

*Installation of a door on the front (east) and bricking up of the main access door on the south*

It is considered that alterations/installation of doors and windows in the southern and eastern principal elevations would not create any additional overlooking on the neighbours to the south, due to adequate separation distances outlined above. Therefore these elements of the proposal are not considered to adversely impact upon the neighbouring properties to the south in terms of amenity or privacy in terms of overbearing, loss of outlook, overshadowing or overlooking.

The proposal is considered to be acceptable in terms of neighbour amenity and privacy.

#### HIGHWAY SAFETY

During the course of the application the applicant submitted revised plans to show provision for hardstanding/driveway on the eastern part of the garden space, which fronts onto Caledonian Road, with the intention of creating a main access in this elevation of the host property. Subsequently the applicant revised their intentions and therefore the hardstanding provision has not been considered. The host property would continue to be served by a detached garage and driveway to the rear of the site (west).

Notwithstanding the above, the views of the Council's Traffic and Transport section were sought with respect to the proposals, with no concerns or requirements raised with respect to highway safety or parking provision. The proposal is considered to be acceptable in this regard.

#### CONCLUSION

The application is considered on balance to be unsympathetic to the host dwelling and wider street scene. Therefore, for the reasons outlined in detail above, the proposal is considered to be unacceptable and not to accord with the relevant policies of the adopted Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2019). It is therefore considered that the application be refused.

#### 7) EQUALITY AND DIVERSITY CONSIDERATIONS

There are no equality or diversity implications.

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

There are no Section 17 implications.

#### 9) Alternative Options Considered

Yes, as per report

#### 10) Any Declared Register of Interest

No

#### 11) Chair's Consent Necessary

N

**12) Recommendation****REFUSE, for the following reason:****REASONS**

1. In the opinion of the Local Planning Authority the proposed alterations to the roof, would by virtue of the design, siting and scale of the proposals, significantly detract from the character and appearance of the existing bungalow resulting in an incongruous alteration to the detriment of the visual amenity of the area. The development is therefore considered to be contrary to policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 124 and 127 of the National Planning Policy Framework (2018) which states that all new developments should be of high quality design and should not adversely affect the character of the surrounding area.

**INFORMATIVE****1.0 Statement of Proactive Engagement**

The Local Planning Authority in arriving at its decision to refuse this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. However it is has not been possible in this instance to address or overcome the identified impacts.

**Author of Report: Stephanie Bell****Signed: S. Bell****Dated: 29/10/2019****Signed: D.JAMES****Dated: 29.10.19**

Planning Team Leader DC

## PLANNING COMMITTEE

3<sup>rd</sup> March 2020



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

**Subject:** APPEAL AT 1 BATHGATE TERRACE,  
HARTLEPOOL, TS24 7QW  
APPEAL REF: APP/H0724/W/20/3244541  
Erection of a single storey extension at the side  
(H/2019/0164)

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### 1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against the Council's decision in respect of an application for the erection of a single storey extension at the side (H/2019/0164) at 1 Bathgate Terrace, Hartlepool.
- 1.2 The application was refused by Officers under delegated powers as it was considered that the proposal would cause less than substantial harm to the designated heritage asset of Stranton Conservation Area, by virtue of the design, scale and siting of the proposed development that would detract from the character and appearance of the identified heritage assets. It was further considered that the applicant had failed to demonstrate that this harm would be outweighed by any public benefits of the development. (Report Attached – **APPENDIX 1**).

### 2. RECOMMENDATIONS

- 2.1 That Members note this report.

### 3. CONTACT OFFICER

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**4. AUTHOR**

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## APPENDIX 1

## DELEGATED REPORT

<b>Application No</b>	H/2019/0164
<b>Proposal</b>	Single storey extension to side
<b>Location</b>	1 BATHGATE TERRACE HARTLEPOOL

PS Code: 18

<b>DELEGATION ISSUES</b>	Neighbour letters:	19/08/2019
<b>1) Publicity Expiry</b>	Site notice:	06/09/2019
	Advert:	29/08/2019
	Weekly list:	25/08/2019
	Expiry date:	18/08/2019
	Extended date:	
<b>2) Publicity/Consultations</b>		
<b>PUBLICITY</b>		
The application has been advertised by way of press notice, site notice and neighbour notifications (2) – No representations have been received.		
<b>CONSULTATION</b>		
The following consultations were received;		
<b>HBC Traffic and Transportation</b> – There are no highway or traffic concerns.		
<b>HBC Engineering</b> - In response to the above planning application consultation we have no objections with respect to surface water management.		
<b>HBC Public Protection</b> – No objection.		
<b>Northumbrian Water</b> - 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.		
Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.		
<b>HBC Ecology</b> - I have no ecology requirements or concerns.		



**HBC Heritage and Conservation Manager** – The application site and end of terrace building in Bathgate Terrace, is located in Stranton Conservation Area, a designated heritage asset. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

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

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

Stranton is situated to the south of the town centre. The conservation area comprises All Saints Church to the east of the area, a group of commercial buildings of varying architectural styles, an industrial area where the brewery is located and a small terrace of predominantly residential properties. The area is bound on its eastern, southern and northern sides by busy roads. To the west of the area the commercial buildings merge with residential properties. The significance of the area lies in the aesthetic value of the buildings, in particular the fine detailing to the parade of shops and the historic value of with the Church and the Brewery contributing to this.

The proposal is a single storey extension to the side of the property to provide additional accommodation. It is proposed that the materials used will match the existing.

The building has an addition to the side elevation with a two storey extension which mimics the architectural detailing of the host property. This extension is finely detailed and has served its purpose without compromising the space to the side and front of the property. Set well back with materials matching the host building it is a fine addition.

The proposed additional side extension would bring the property further towards the front of the building line and result in the loss of an original window opening and open space to the side which provides a natural break between the terrace and the boundary wall.

Whilst it is noted that the proposals could be constructed to enable the trees on site to remain, bringing the building forward by expanding further would make this space, particularly with the large trees on site, feel cramped.

It is considered that the proposal will cause less than substantial harm to the designated heritage asset (NPPF, 196). No information has been provided to demonstrate that this harm will be outweighed by the public benefits of the proposal

(Updated comments 10.10.19)

The comments made in the letter are noted and in response,

- Suggestions are made that there have been alterations made to the terrace already and that the application site retains more original details than some in this row of properties. In addition commentary is provided on other buildings which are considered by the applicant to be out of keeping with the area. Many of these changes occurred prior to the designation of the conservation area, however just because there has been unsympathetic development in one part of an area this would not justify it happening elsewhere.
- It is noted that the structure which I described as an extension is in fact part of the original building and I'm happy to accept this.
- The applicant suggests that the area would not be 'cramped' as suggested, and states that this space is not in fact used by the 'public' and therefore it should not make any difference if it is developed. It is also noted that the space to the opposite end of the terrace is narrower. What sets this end of the terrace apart is the space around the building which contributes to its setting and therefore the wider terrace, perhaps this occurred historically due to the previous use of the property as the Vicarage with the additional space surrounding this dwelling signifying the importance of the property over others in the terrace. There is no reason why the ends of the terrace and the space at each one should mirror each other and it is contended that this space currently contributes to the significance of the conservation area by way of providing the setting to this building in particular when viewing the site from Elwick Road.
- The contribution that the school has made as a long standing business is noted and the fact that the applicant states that the harm caused to the conservation would be, 'minimal at most'. In weighing up the public benefits of the proposal the Planning Practice Guidance states, 'Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.' Those benefits described by the applicant appear to be closely linked to the business rather than a wider public benefit and it is not clear why they could not continue to be delivered without the proposed extension therefore they are not considered to overcome the less than significant harm caused.

**HBC Arboricultural Officer** - In respect of the application above, I refer to the submitted plans A101A dated the 14/6/2019 and sketch plan showing the cross sectional design of how the foundations are to be constructed. Providing that the roots are left intact and the weight distribution of the extension is carried around the major tree roots to the sub grade on which they will be constructed, the layout will be compatible with the trees even though part of this will be constructed within the root protection zone. Should the roots be damaged and the tree fails as a result of the foundation design not being heeded the penalty for damaging trees in a Conservation Area is the same as that for trees covered by a Tree Preservation Order. No objection.

<b>3) Neighbour letters needed</b>	N
<b>4) Parish letter needed</b>	N
<b>5) Policy</b>  <u>Planning Policy</u>  <p>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:</p> <p>           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 150: Planning for Climate Change            PARA 153: Planning for Climate Change            PARA 185: Conserving and enhancing the historic environment            PARA 190: Proposals affecting heritage assets            PARA 192: Proposals affecting heritage assets            PARA 193: Considering potential impacts            PARA 196 :Considering potential impacts            PARA 212: Implementation         </p> <u>Relevant Planning Policies</u>  <p>           CC1: Minimising and adapting to climate change            HE3: Conservation Areas            HSG11: Extensions and alterations to existing dwellings            LS1: Locational Strategy            QP3: Location, Accessibility, Highway Safety and Parking            QP4: Layout and Design of Development            QP5: Safety and Security            QP6: Technical Matters            QP7: Energy         </p>	

EfficiencyRC5: The Brewery and Stranton Edge of Town Centre Area  
SUS1: The Presumption in Favour of Sustainable Development

## 6) Planning Consideration

### RELEVANT PLANNING HISTORY

H/2011/0170 - Erection of a single storey extension to the rear, approved 06/06/11.

### SITE AND SURROUNDINGS

1 Bathgate Terrace is a commercial premises which sits at the end of a terrace of Victorian residential properties within Stranton Conservation Area. The premises was originally a residential property, which was changed to dance studios in the 1950's. The premises has previously extended to the rear with a single storey extension. The property is set back from the highway and has a modest front garden area with a number of trees within the frontage and side. There are boundary walls around the front and side ranging in height from approximately 1.5m to 1.8m, the front boundary incorporates a small length of metal railings on top of the wall. The property sits on the corner of Bathgate Terrace/Elwick Road and Waldon Street. There is a difference with land levels with the garden areas sitting higher than the public footpath to the side.

The area is characterised by a number of commercial uses, which range from garage repair shop, veterinary surgery, social club, public house, retail use and residential. There is an area of green space, known as Stranton Garth south east of the site.

### PROPOSAL

The application seeks permission for the erection of a single storey extension to the side. The proposed extension would measure approximately 2.4m x 3.7m with a height to eaves approximately 3.5m and approximately 3.8m to its highest point. The proposal will have a flat roof, which is in keeping with the host property. There is a 2m separation from the side boundary wall to be retained. There is an existing side window and doorway which are to be re-used within the proposed extension.

### MATERIAL PLANNING CONSIDERATIONS

As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The main issues for consideration when assessing this application are the impact on the character and appearance of the existing property and street scene (including impact upon conservation area), the impact on the amenity and privacy of neighbouring land users, highway safety and parking provision, impact on protected trees, and any other planning matters.

### IMPACT ON CHARACTER AND APPEARANCE OF EXISTING PROPERTY AND THE SURROUNDING AREA (INCLUDING IMPACT UPON CONSERVATION AREA)

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 application site is located in Stranton Conservation Area, a designated heritage asset. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. 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 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).

Stranton is situated to the south of the town centre. The conservation area comprises All Saints Church to the east of the area, a group of commercial buildings of varying architectural styles, an industrial area where the brewery is located and a small terrace of predominantly residential properties. The area is bound on its eastern, southern and northern sides by busy roads. To the west of the area the commercial buildings merge with residential properties. The significance of the area lies in the aesthetic value of the buildings, in particular the fine detailing to the parade of shops and the historic value of with the Church and the Brewery contributing to this.

The proposed additional side extension would bring the property further towards the front of the building line and result in the loss of an original window opening and open space to the side which provides a natural break between the terrace and the boundary wall.

Whilst it is noted that the proposals could be constructed to enable the trees on site to remain, bringing the building forward by expanding further would make this space, particularly with the large trees on site, feel cramped.

The Council's Heritage and Countryside Manager has been consulted upon the application and in view of the above, considers that the proposal will cause less than substantial harm to the designated heritage asset of Stranton Conservation Area.

It is acknowledged that paragraph 196 of the NPPF (2019) states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. It is considered that in this instance, that the information provided by the applicant does not demonstrate that the harm will be outweighed by any genuine benefits to the public (the applicant's justification relates to the benefits to those who use their business as opposed to benefits to the public as a whole).

It is therefore considered the proposal is contrary to policies HE1, HE3 HE5 and HSG11 of the Hartlepool Local Plan (2018) and paragraphs 124, 127, 130, 185, 190, 192, 193, 196, 197 and 200 of the National Planning Policy Framework 2019. This would therefore warrant refusal of the application in this instance.

#### AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

The proposed development is to the side of the property, and as such would be screened from the residential properties that sit within the Terrace (2 – 5 Bathgate Terrace). It is not considered that the proposal would have a significant impact upon the residential properties in terms of overlooking, poor outlook or loss of privacy and dominance, given that they are screen by the host dwelling.

There are no immediate neighbours to the east of the site, the property directly opposite the site to the south is a social club which has frosted windows to the side which fronts onto Elwick Road/Bathgate Terrace. A commercial property is located a satisfactory distance to the north. It is therefore not considered that there would be an appreciable impact upon this property in terms of overlooking, poor outlook or dominance. Furthermore, no objections have been received from HBC Public Protection.

#### HIGHWAYS SAFETY AND PARKING PROVISION

The Council's Traffic and Transport team have been consulted and raises no objection to the proposal. The proposal is therefore considered to be acceptable in this respect.

#### IMPACT ON TREES

The site contains a number of trees at the front/side. A plan and sketch plan has been submitted to support the application. The Council's Arboricultural Officer has been consulted and states that providing the roots are left intact and the weight distribution of the extension is carried around the major tree roots to the sub grade on which they will be constructed, the layout will be compatible with the trees even though part of this will be constructed within the root protection zone. Should the roots be damaged and the tree fails as a result of the foundation design not being heeded the penalty for damaging trees in a Conservation Area is the same as that for trees covered by a Tree Preservation Order. Subject to the above which could have been secured by a tree protection condition had the application been acceptable in all other respects, there are no objection in relation to the impact upon trees.

**OTHER PLANNING MATTERS**

No objections have been received from technical consultees in respect of ecology and drainage matters. The proposal is therefore acceptable in respect of such matters.

**PLANNING BALANCE AND OVERALL CONCLUSION**

Having regard for the above policies identified within the Hartlepool Local Plan (May 2018) and relevant paragraphs of the NPPF (2019), it is considered the proposed single storey extension to the side would cause less than substantial harm to the designated heritage asset of Stranton Conservation Area and the non-designated heritage asset of the locally listed building, by virtue of its design, scale and siting. It is considered that the works detract from the character and appearance of the designated heritage asset and the non-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. It is therefore considered the proposal should be recommended for refusal.

**7) EQUALITY AND DIVERSITY CONSIDERATIONS**

There are no equality or diversity implications.

**8) SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

There are no Section 17 implications.

**9) Alternative Options Considered**

No

**10) Any Declared Register of Interest**

No

**11) Chair's Consent Necessary**

Y

**12) Recommendation** REFUSE for the reason below;**REASONS**

1. In the opinion of the Local Planning Authority, the proposed single storey extension to the side would cause less than substantial harm to the designated heritage asset of Stranton Conservation Area, by virtue of the design, scale and siting of the proposed development that would detract from the character and appearance of the identified heritage assets. 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.

## **INFORMATIVE**

### **1. Statement of Proactive Engagement**

**The Local Planning Authority in arriving at its decision to refuse this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. In this instance, the Local Planning Authority offered solutions to the applicant in order to make the development acceptable however without these amendments it has not been possible to address the impact of the proposal and the policy constraints associated with the development.**

**Author of Report: Jane Tindall**

**Signed: Jane Tindall**

**Dated: 21.11.2019**

**Signed: D.JAMES**  
Planning Team Leader DC

**Dated: 21.11.2019**



# PLANNING COMMITTEE

03 March 2020



**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 use of outbuildings at a residential property in Caledonian Road for commercial purposes in connection with a construction business.
2. The erection of an extension at the rear of a residential property in Padstow Close.
3. Non-compliance with a working hours condition at a residential development site on Station Road, Greatham.
4. The erection of a shed and an extension to an existing building at an industrial premises on Thomlinson Road.
5. Non-compliance with the approved construction management plan at a residential development site off Elwick Road.
6. The installation of a replacement roof at a residential property in Hutton Avenue.
7. Non-compliance with the approved plans and conditions (conditions relate to a scheme for the disposal of foul and surface water, land contamination, and external materials) at an industrial premises on Burn Road.
8. The installation of a composite door at a grade II listed residential property on Regent Square.
9. The display of a pole mounted advertising sign on land adjacent to the junction of Elwick Road and Cairnston Road.

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

1. The installation of CCTV cameras at a residential property in Golden Meadows. Permitted development rights apply in this case.
2. The erection of a high timber fence and gate at the front of a residential property in Arncliffe Gardens. The fence and gate have now been reduced in height in accordance with permitted development rights.
3. The installation of a uPVC door and frame, and the removal of a decorative corbel at a commercial premises in Scarborough Street. The uPVC door and frame have now been removed and a timber door and frame, and a replacement decorative corbel, have been installed.
4. The unauthorised display of a trailer mounted advertisement on land adjacent to Belle Vue Way/Brenda Road Roundabout. The trailer mounted advertisement has now been removed.
5. Internal alterations to a listed building on Church Square. A planning and listed building consent application in respect of the works has since been approved.
6. The installation of parking areas on a village green in Dalton Piercy. A retrospective planning application seeking to regularise the development has since been approved.
7. The sub-division of a residential property in Collingwood Road to create two separate flats. It was found that the property has not been sub-divided.
8. Non-compliance with the approved construction management plan (relating to the restriction of contractor off-site parking). The site is now operating in accordance with the approved details.
9. Non-compliance with conditions in relation to the erection of a nursery building at a primary school in Jesmond Gardens. The relevant conditions have now been discharged.

## **2. RECOMMENDATION**

2.1 Members note this report.

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# Hartlepool Rural Neighbourhood Plan 2016 – 2031

**Made (Adopted) – December 2018**



## FOREWORD

The Hartlepool Rural Planning Group was formed from representatives of the Parish Councils of Dalton Piercy, Elwick, Greatham, Hart and the Parish Meeting of Newton Bewley that cover most of the rural areas of Hartlepool Borough. Together there is a strong, shared desire to improve and enhance an area which is already a great place to live, work and bring up a family but which will need to develop over the next fifteen years in order to secure a sustainable future for the communities of rural Hartlepool.

It was immediately clear from the survey and consultation work how much people value living in smaller communities with a rural environment and how much there is a shared ambition to protect and sustain those communities. Although many rural residents wished to see no change to the area, it was recognised that the requirement for the town of Hartlepool to continue to grow would mean that it would encroach on the rural area. Residents of the rural area were keen to see the villages continuing as sustainable communities with a reversal in the decline in facilities and to halt their decline to dormitory suburbs. If communities are to be sustained and developed, the status quo may not be an option. This is clearly the case in villages where populations are becoming increasingly elderly but where the residents wish to maintain such local facilities as schools, shops, pubs and churches. Increasingly, communities need to develop and grow in order to sustain themselves in the future. For example, a village school will not survive unless there is a continuing source of pupils.

We have embraced the spirit of the Localism Act 2011 in developing this Neighbourhood Plan, and have sought to build the plan around the local distinctiveness of the area so as to understand and contribute to a greater sense of place and well-being for our community. Above all, we recognise that we do not own the rural area but are custodians for future generations and that we have an opportunity to put in place policies which will ensure that we leave the rural area in as good a way as we possibly can. We would like to see that our small communities continue to flourish where the future development of the rural area is focused on meeting the needs of the rural communities.

Neighbourhood Planning provides an opportunity for the community to have a real say over local decision making, to achieve its long-standing goals through the planning system and address the challenges and opportunities facing the future of the area.

Brian Walker

Chair of Hartlepool Rural Neighbourhood Plan Working Group

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## **1.0 INTRODUCTION**

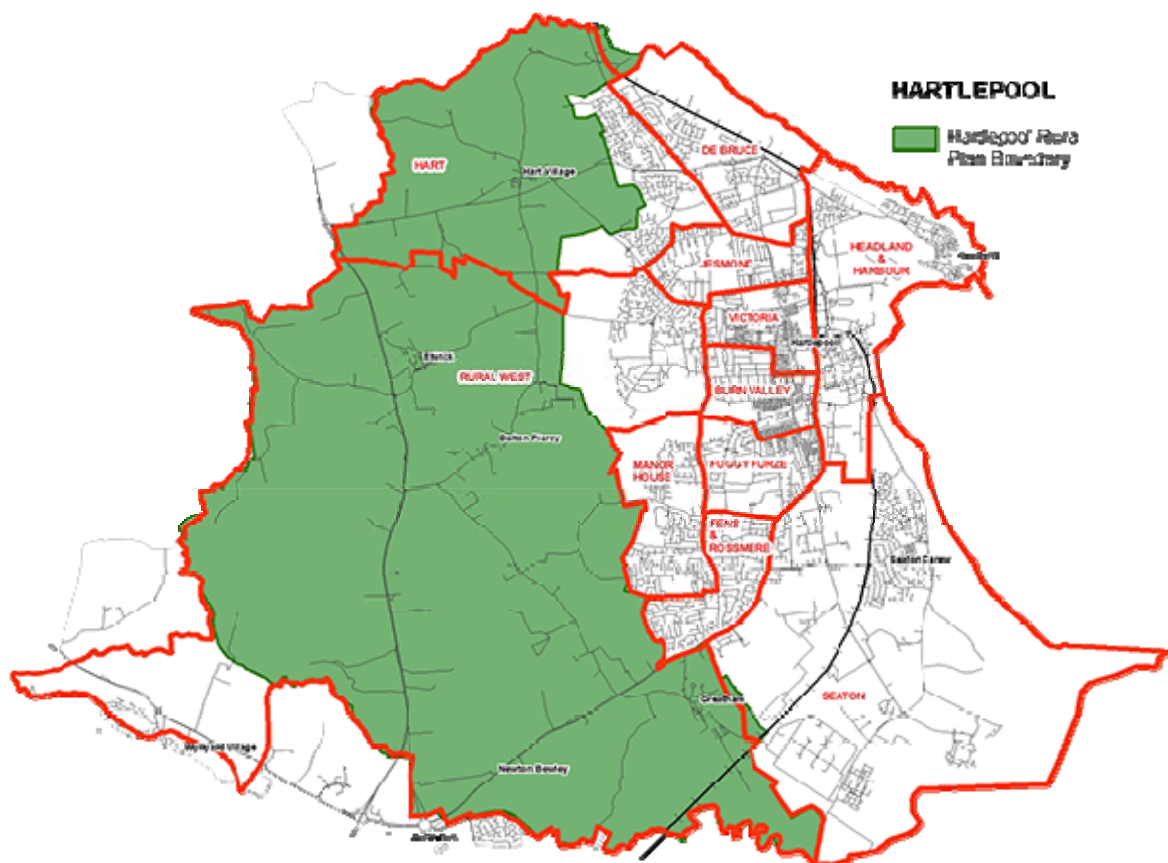
- 1.1 Neighbourhood planning is enshrined within the Localism Act 2011 and gives communities and neighbourhoods more influence on the policies that affect the development, regeneration and conservation of their area in future years. The Hartlepool Rural Neighbourhood Plan was successful in securing Front Runner status in 2011 through the fifth wave of the Department of Communities and Local Government's Neighbourhood Planning programme.
- 1.2 This draft Neighbourhood Plan has been developed by the Hartlepool Rural Plan Working Group, which comprises representatives of the five Parishes of Dalton Piercy, Elwick, Hart, Greatham and Newton Bewley with support provided by Hartlepool Borough Council, Tees Valley Rural Community Council, Planning Aid England and Design Council CABE. An independent planning consultant, Rosemary Kidd, has helped in the writing of the policies and the environmental reports of the Neighbourhood Plan.
- 1.3 This draft of the Neighbourhood Plan reflects the comments and aspirations of the rural community that have been gathered throughout the consultation process.
- 1.4 All comments have been considered carefully, and incorporated in this Neighbourhood Plan where appropriate. There will be a further formal consultation on this final draft plan before it is subjected to an independent examination. Further revisions may be needed then in the light of the examiner's recommendations before a referendum is held.
- 1.5 Once the plan is made, following the referendum, the Rural Plan will become a Neighbourhood Development Plan and will, along with the Hartlepool Local Plan, the Minerals and Waste Core Strategy and policies and sites DPD, set out the development framework for the area from 2016 to 2031. It will be used by the Borough Council and Parish Councils in the consideration of planning applications to ensure that we plan for a sustainable future for our communities, whilst preserving the character of the rural area.



## 2.0 THE RURAL AREA

2.1 The Hartlepool Rural Neighbourhood Plan area was designated in 2012. The designated area covers the rural parishes within Hartlepool Borough Council that lie to the west of and adjoining the town of Hartlepool: Brierton, Claxton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley. The area in the south west corner of Elwick parish has been excluded from the Neighbourhood Plan area as it includes development that forms part of the community of Wynyard and has therefore been included within the boundary of the Wynyard Neighbourhood Plan area. The South Fens area of Greatham Parish has been excluded as it forms an established part of the Hartlepool urban area. There are four Parish Councils of Dalton Piercy, Elwick, Greatham and Hart, and a Parish Meeting at Newton Bewley. The plan area covers approximately 5,000 hectares.

2.2 The boundary of the plan area is shown on Map 1.



**Map 1: Hartlepool Rural Neighbourhood Plan Area**

- 2.3 The villages in the area can trace their earliest development to the Saxon era with the founding of the church of St Mary Magdalene at Hart in 675AD. The villages of Dalton Piercy, Hart and Elwick have been closely linked through the centuries as centres for the surrounding agricultural area. Greatham has an agricultural heart but has also been associated with the Tees estuary through its industrial past linked to salt production. An early landmark in its development was the establishment of the Hospital of God in the village by the Bishop of Durham in 1273. The Hospital Trust continues to be a major land and property owner in the village today. Newton Bewley has grown from a small agricultural community astride the A689.
- 2.4 The plan area consists of low lying undulating land primarily used for agriculture forming the coastal plain to the west and south of the urban area of Hartlepool. Fields are bounded by hedgerows with occasional trees. Streams flow from the north of the area and into the River Tees. The wooded banks of the stream form an important local feature. In the north the area around Hart village lies within the limestone landscape area as evidenced by the quarry to the south of the village.
- 2.5 Whilst agriculture still retains its importance in the area, residents today are employed in a wide range of businesses both locally and throughout the region. Only a limited amount of built development has taken place in the villages in the Neighbourhood Plan area over recent years. In 2011, there were 2796 people living in 1216 households. This had grown from 2538 people in 995 households in 1991. Recent trends have been for the population of the Plan area to age with an increasing proportion of the population over retirement age and a lower proportion of school age children. This reflects national trends for people to live longer.
- 2.6 The villages in the Plan area have a mix of housing types and sizes with 30% of homes in Council Tax Band B, higher than the national average of 20%. There is a higher proportion of higher value homes in the plan area than in the urban area of Hartlepool which has a high proportion of Council Tax Band A homes.
- 2.7 There is a higher proportion of home ownership in the Plan area as compared to national, regional and Hartlepool Borough figures with 70% of homes owned outright or with a mortgage (compared to 64% nationally), 17% of homes are rented from the local authority or registered provider and 12% of homes are rented privately.
- 2.8 A higher proportion of residents in the Neighbourhood Plan area are managers or are employed in professional services, administration and in financial services than in Hartlepool Borough as a whole. There is a high level of car ownership in the Neighbourhood Plan area with only 15% of households not having a car which compares with a national figure of 26% and a figure of 35% for Hartlepool Borough.
- 2.9 The area has good transport links provided by the A689 and A179 to Hartlepool and via the A19 to Middlesbrough and Stockton on Tees to the south and to Newcastle and Durham to the north meaning that there is a wide range of employment opportunities available to residents.

- 2.10 In 2011, 39% of households contained no one in employment compared to 33% nationally, reflecting the proportion of households that comprise only of pensioners. However, only 3% of the residents of working age were unemployed compared to a national figure of 4% and a figure for Hartlepool Borough of 8%. The skills level of residents is similar to the national level with 40% of working age residents having attained an educational level 3 or 4; this compares to only 30% in Hartlepool Borough as a whole.
- 2.11 All the parishes within the Neighbourhood Plan area are classed in the Index of Multiple Deprivation as being amongst the 50% most affluent in the country whereas some wards in the urban area of Hartlepool are classed within the 10% most deprived. The Community Vitality Index showed that in 2011 the rural area had experienced improving levels of community vitality since the baseline of 2007 and ranked highest in the Hartlepool Borough area. Indicators include housing, unemployment and income, community safety, education, health and sustainable communities.

Source: 1991, 2001 and 2011 Census data, CVI 2011 prepared by Tees Valley Joint Strategy Unit (now Tees Valley Combined Authority (Also the Local Enterprise Partnership)).

### **3.0 CONTEXT**

- 3.1 Once made the Hartlepool Rural Neighbourhood Plan will be an important plan and will become part of the Development Plan for Hartlepool. It will be used in considering planning applications and development proposals throughout the rural area. It has been prepared within the context of European legislation, (particularly that concerning nature conservation and protected habitats and species), national planning guidance including the National Planning Policy Framework and Planning Practice Guidance and the strategic policies in the adopted and emerging Hartlepool Local Plans.
- 3.2 The adopted Hartlepool Local Plan at the time of preparing the Neighbourhood Plan is the 2006 Plan. A revised Local Plan was found sound in 2013 but was withdrawn by the Council. A further review of the Local Plan is currently being prepared and it is anticipated that the final plan will be published in October 2016 and adopted in late 2017/early 2018.
- 3.3 The Local Plan sets out strategic policies for the Borough as a whole and will determine how much development should be planned for over the next 15 years or so. The strategy of the 2006 adopted Plan has been to promote the regeneration of the older parts of the town and make provision for additional housing on allocations on the western edge of the urban area.
- 3.4 The review of the Local Plan demonstrates that further development is required on the edge of the urban area of Hartlepool in the future, this is likely to take place within the area of the Hartlepool Rural Neighbourhood Plan. This Neighbourhood Plan has been prepared in the context that it is the role of the Local Plan to allocate strategic development sites that will provide sufficient land for the future development of the urban area.
- 3.5 At the time of preparing the Neighbourhood Plan, a number of planning applications for major housing developments were under consideration on sites in the Neighbourhood Plan area along the western edge of the urban area of Hartlepool. In order to ensure that any developments on the fringe of Hartlepool are sensitive to the rural area, a policy has been included in the Neighbourhood Plan to provide a design framework to be used in the consideration of housing developments on the edge of the urban area.
- 3.6 Very strong views were expressed from all communities in the consultations on the Neighbourhood Plan about the importance of maintaining the character and identities of the villages and safeguarding the countryside gaps between the urban area and the villages. Concerns were also expressed about the potential impact of the traffic from any major new developments on the local road network through the villages and about ensuring that the strategic highway network was improved to accommodate the additional traffic.
- 3.7 The Neighbourhood Plan has sought to address these concerns and includes policies that seek to ensure that any development sites on the urban edge are selected and designed so that they do not impact on the character of, or result in increased traffic flows through, the villages in the rural area. Also that the separation of the villages from the urban area is maintained by establishing green gaps between

the urban area and the villages, that improvements to the highway network are required to serve the developments, and importantly that the new developments are well designed to create distinct communities around a community hub located in the centre of development with good internal landscaping and a strong landscape buffer on the countryside fringe.

## **4.0 THE CONSULTATION PROCESS**

- 4.1 From an early stage the Hartlepool Rural Plan Working Group was clear that the Neighbourhood Plan must reflect the aspirations of all of the communities involved. With assistance from Design Council CABE a programme of meetings was undertaken in May / June 2012 in each of the villages including “walkabouts”, led by the then President of the RTPI Colin Haylock, to “scope” each settlement and establish what local people valued about their communities and how they wished to see them developed.
- 4.2 Although, in the main, quite well attended, at the conclusion of these events the Group did not consider that the evidence base was sufficient to commence drafting the Plan. It was recognised that, when such an exercise was being led by Parish Councils, there was always the danger that vested interests might prevail rather than the views of residents.
- 4.3 Consequently, it was decided that, as far as practicable, all residents/properties in the area would receive a questionnaire to ascertain their views on the future needs of the area. This was done during September to October 2012 by hand delivering the questionnaires and providing local points for them to be returned. In many cases, this was supplemented by knocking on doors to ensure as many questionnaires as possible were returned. A substantial amount of effort went into this process with the result that approximately 40% of properties responded to the survey.
- 4.4 A series of day long events were held in each village in September 2014 to seek views on the issues to be addressed in the Neighbourhood Plan, the draft vision and objectives and to obtain views on possible development sites.
- 4.5 Detailed analysis of the results, both of the surveys and the village meetings, was undertaken with the aid of advisers from Planning Aid. These results are set out in the Consultation Statement. The Working Group then held a series of “away days” to prepare the draft Plan with support from Rosemary Kidd, an independent planning consultant.
- 4.6 In addition to the views of the community, data about the area was collated from a number of sources including the 1991, 2001 and 2011 Censuses. Hartlepool Council also provided material from studies that had been undertaken for the Local Plan, notably on the Strategic Housing Market Assessment, Strategic Housing Land Availability Assessment, economic development appraisal and renewable energy. Information on nature conservation sites, landscape character areas, heritage assets, transport improvements and rights of way was obtained from relevant departments.
- 4.7 It can be seen, therefore, that this final draft of the Neighbourhood Plan is based on extensive research and influenced by robust engagement with the local community.

## 5.0 ISSUES

5.1 Consultation with the community and workshops has highlighted the following issues and opportunities that the plan should consider.

- How much housing development is required in the villages in the next 20 years?
- Except for Greatham, the housing stock in the villages is well balanced. Greatham has a high proportion of retirement housing and rented housing. What mix of house types, sizes and tenures should be provided by the plan?
- The villages have historic areas at their core with conservation areas at Elwick and Greatham and listed buildings, scheduled monuments, buildings of local importance, village greens and attractive wooded streams. How can new development be designed and landscaped to enhance the character of each village?
- The neighbourhood plan area lies immediately to the west of the urban area of Hartlepool and to the north of Billingham. How can the narrow gap of open countryside be safeguarded to ensure that the villages of Brierton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley retain their separate identities and do not become subsumed into the adjacent urban areas?
- The future expansion of Hartlepool is likely to take place to the south west or west of the town within the plan area. How can the landscaping of these areas be enhanced to provide an attractive setting for the new urban fringe? Can the plan influence the layout and design of the expansion area? What benefits can this development bring to the communities of the plan area?
- There are few employment opportunities in the plan area, with the main employers being in agriculture, livery, quarrying, schools, leisure (e.g. pubs, caravan park and quad bikes), roadside services and estate management (Greatham). There appears to be limited scope for further employment opportunities other than the conversion of farm buildings and working from home. In view of the proximity of the plan area to the urban areas of Hartlepool and Tees Valley, what approach should be taken to developing the economy of the area? How should the development of the rural economy be balanced against the desire to maintain the attractiveness of the villages and surrounding countryside?
- What is the scope for the re-use of the former RHM employment site to the south of the level crossing at Greatham?
- What measures can be taken to safeguard and enhance the historic assets of the plan area including the conservation areas?
- The villages all have limited community facilities, including shops, public houses, community halls, schools and churches. What steps can be taken to safeguard and improve them?
- The villages have limited amounts of public open space such as playing pitches, playgrounds and incidental open space. Is this adequate or should more be planned?

- There are a number of local wildlife and local geological sites in the plan area. Part of Cowpen Marsh Site of Special Scientific-Interest (SSSI) along Greatham Creek is of international and national importance for nature conservation for birds linked to the RSPB reserve at Saltholme and is part of the Teesmouth and Cleveland Coast Special Protection Area and Ramsar Site. Hart Bog is an SSSI of national importance. Are adequate measures in place through the Local Plan to safeguard these areas and support their enhancement? What can the plan do to support the creation of a linked network of habitats as recommended in the Tees Valley Biodiversity Action Plan?
- The countryside in the plan area is primarily agriculture with limited amounts of tree and woodland planting. Should more encouragement be given to tree planting and habitat creation?
- The A19 North / South Trunk Road linking Teesside to Newcastle upon Tyne runs through the plan area with the partially dualled A689 and A179 east / west routes linking the A19 to Hartlepool. All the villages gain their access from one of these major routes which are busy at peak times. How can the standard of accessibility at the junctions serving the villages be improved? Can the A19 / A179 junction be improved?
- The village of Newton Bewley is divided by the A689. What measures can be put in place to link the village? Would a major proposal to realign the A689 supported by major housing development around the village be feasible and supported by the community?
- Public transport between Hart, Elwick and Dalton Piercy and Hartlepool and the hospitals at North Tees and Middlesbrough is poor. How can the needs of non-car users be met?
- Can the station at Greatham be re-opened and served with park and ride facilities?
- Can support be given to the reopening of Hart Station which is just outside the plan area, but would serve the rural communities?
- How can accessibility to the open countryside, woodlands and nature conservation areas (especially those at Greatham Creek and Cowpen Bewley) be improved for pedestrians, cyclists and horse riders?
- The area has been identified as having potential for the development of renewable energy. What is the potential capacity for further renewable energy development in the area, particularly for wind turbines? How can the plan ensure that any further schemes are located so that they fit into the landscape?



## **6.0 VISION AND OBJECTIVES**

### **Vision**

- 6.1 Our vision for the Rural Area of Hartlepool for the next 15 years is:  
“To maintain and enhance the quality of life for all sections of the community and the vibrancy of the villages, ensuring that the area retains its rural character and historic and environmental assets, maintains the links between all of its small settlements, adjoining parishes and the urban area of Hartlepool, and develops in such a way as to meet the present and future needs of the rural community”.
- 6.2 To deliver this vision, we will:
- seek to ensure development is acceptable in planning terms with reference to design, access, residential amenity, impact on visual amenity, drainage, ecology and all other policies contained within this plan;
  - promote a high standard of design, which reflects local character, and incorporates high standards of energy efficiency and flexibility to meet the changing needs of future generations;
  - promote development of an appropriate scale and design that will enhance our built environment and provide housing suited to the current and future needs of the rural population. The rural plan will accommodate approximately 170 new dwellings on identified sites at existing villages;
  - assist in meeting Hartlepool Borough’s housing need for 6000 additional homes within the next 15 years by supporting new developments on the edge of Hartlepool which take into consideration their rural fringe locations and which do not compromise the Green Gaps, subject to design, layout, environmental and traffic impact considerations. Any such new developments compromising in the region of 450 houses, whether as a single application or as the result of cumulative applications, would be expected to provide a range of community facilities (this figure being based on the size of Greatham village which is able to support a range of facilities).
  - promote affordable housing provision in applications for residential development that consist of a gross addition of five or more dwellings (or 0.4 hectares).
  - support rural exceptions affordable housing intended to meet identified affordable housing need in the rural area.
  - promote the local economy by encouraging suitable business and sustainable employment opportunities which respect the character of the local countryside and do not have a significant impact on visual amenity, the environment, the local road network and the green gaps;
  - support the redevelopment of the former RHM site at Greatham for uses which are in keeping with the importance of the local environmental habitats, the historic and archaeological significance of the site and do not result in a significant increase of traffic causing an adverse impact on Greatham village.
  - promote social development and safeguard and enhance community facilities and open spaces to support health and wellbeing for everyone’s benefit and to sustain communities;

- support the relevant highway authority in securing highway improvements.
- safeguard land at the service stations on the A19,
- support measures to improve public transport, highway safety and to improve accessibility for non-car users to the countryside;
- support the reopening of Greatham and Hart railway stations.
- protect, conserve and enhance the character of the local built environment and the area's heritage assets;
- secure green gaps where development will be supported only in exceptional circumstances to ensure that the separation and distinct identity of the villages and towns are maintained.
- safeguard and enhance the countryside and its distinctive landscape character. In the countryside outside the Village Envelopes and outside the Green Gaps, development will be supported only where it is essential for the purposes of agriculture, forestry, public infrastructure or to meet the social needs of the local rural community;
- protect and enhance the network of habitats that are important for biodiversity and geology including locally, nationally and internationally designated nature conservation sites and priority habitats;
- promote the enhancement of wildlife corridors, watercourses (including improving water quality), other habitats and potential sites and develop an integrated network of natural habitats.
- contribute to meeting the challenge of climate change by supporting schemes to supply renewable and low carbon energy of an appropriate scale and location and encouraging greater energy efficiency and the use of sustainable solutions for the disposal of surface water.
- secure developer contributions together with other community benefits and grant funding to fund new and improved community infrastructure.

6.3 The Hartlepool Rural Neighbourhood Plan Group is aware that there may be an impact on the viability of some schemes. Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.

6.4 The spirit of the Localism Act 2011 has been taken forward in producing this Neighbourhood Plan, embracing the concept of local distinctiveness that contributes to a sense of place and well being for the present community and for future generations.

## **7.0 PLAN STRATEGY**

### **Presumption in favour of sustainable development**

- 7.1 The Plan has been prepared in accordance with the presumption in favour of sustainable development. It recognises and supports the strategic development needs set out in the adopted and emerging Hartlepool Local Plans that will involve the expansion of the urban area of Hartlepool into the rural plan area.
- 7.2 The plan has focused on planning for the development needs of the rural communities and businesses. Agricultural and other businesses based in the rural area form the basis of our economy and we want them to continue to thrive; our villages are the hubs for our communities and we want them to continue to be attractive and vibrant with housing and open spaces and community facilities suitable for people of all ages. Our transport networks are vital lifelines and we want to ensure that they are improved; and we recognise the importance of our countryside setting with its precious natural and historic environment which we want to protect and enhance.
- 7.3 The plan seeks to ensure that:
- the level of housing development and mix of house types and tenures is commensurate with the needs of the area's rural communities;
  - provision is made for businesses to operate successfully to support the rural economy;
  - most new development will take place within or on the edge of the villages, located to help maintain the identity of the villages and the open countryside between them, and suitable brownfield sites will be used where possible;
  - new development contributes towards improving the local community and recreational facilities to provide opportunities for physical and social interaction to promote health and well-being ;
  - new development is well designed and respects and enhances the heritage, locally distinctive building character and the landscape of its surroundings;
  - the countryside is safeguarded, enhanced and treated as a valuable resource for agriculture, nature conservation, and where appropriate, for recreation and renewable and low carbon energy generation;
  - the landscape setting along the urban fringe of Hartlepool is enhanced with an open gap maintained to retain the separate identity of the villages;
  - new housing development in the countryside will be exceptional and will need to be clearly justified;
  - public transport is improved, where feasible, and alternative options such as community and voluntary transport will be explored;
  - road linkages through the area to the A19 are improved;
  - routes for pedestrians, cyclists and horse riders are improved;

- natural habitats and geological sites are safeguarded and new areas of tree planting and habitats, including wetlands, are created; and
- the historic character of the villages is conserved and new development is well designed to respect the vernacular.

## **8.0 THE POLICIES**

### **POLICY GEN1 – DEVELOPMENT LIMITS**

**Within the Development Limits as defined on the Proposals Map, development will be permitted where it accords with site allocations, designations and other policies of the development plan.**

**Development within the Green Gaps shown on the Proposals Map will be permitted only in exceptional circumstances where it does not compromise the openness of the countryside between the villages, Hartlepool and Billingham.**

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

#### **Justification**

- 8.1 The purpose of this policy is to focus new development into the villages, to safeguard the countryside and to maintain the areas of open countryside between the edge of the urban areas of Hartlepool and Billingham, and the villages of Brierton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley to retain the separate identities of the villages.
- 8.2 Development in villages will be supported on sites allocated in the plan where it contributes to the delivery of the plan and where it takes into account the policies associated with various designations such as those on heritage assets and nature conservation. The Policy will allow for windfall/infill within the Development Limits subject to fulfilling other policy considerations contained in the Rural Neighbourhood Plan.
- 8.3 The countryside in the plan area is highly valued by residents, visitors and businesses alike for its scenic, recreational, aesthetic and productive qualities. Much of the land is fertile and is valuable for food production.
- 8.4 Development in the open countryside outside Development Limits and outside the green gaps will normally be unacceptable unless it can be shown to be essential to local needs and the rural economy and cannot be accommodated within existing settlements. Particular care will be needed with any rural development to ensure that it is well designed and appropriately landscaped to respect the countryside character and does not impact on visual amenity or the local highway network. Policy H4 Housing in the Countryside sets out more detail on the circumstances where new housing may be supported in the countryside.

- 8.5 This Policy will protect the gaps between settlements from inappropriate development, in order to make sure that the existing communities retain their separation and definition, along with their individual character, whilst the intrinsic character and beauty of the countryside will be recognised and protected.
- 8.6 All development should be well designed and take account of the design principles set out in Policy GEN 2.

## **POLICY GEN 2 - DESIGN PRINCIPLES**

**The design of new development should demonstrate, where appropriate:**

- 1. how relevant village design statements and conservation area appraisals have been taken into account;**
- 2. how the design of new housing scores against the Hartlepool Rural Plan Working Group's Checklist as set out in appendix 4;**
- 3. how the design helps to create a sense of place and reinforces the character of the village or rural area by being individual, respecting the local vernacular building character, safeguarding and enhancing the heritage assets of the area, landscape and biodiversity features;**
- 4. how the design helps to reinforce the existing streetscape or green public spaces by facing onto them**
- 5. how the design preserves and enhances significant views and vistas;**
- 6. how the design demonstrates that it can be accessed safely from the highway and incorporates sufficient parking spaces;**
- 7. how the design uses sustainable surface water management solutions in new developments to reduce all water disposal in public sewers and manage the release of surface water into fluvial water and;**
- 8. how the design ensures that homes are flexible to meet the changing needs of future generations.**

### **Justification**

- 8.7 This policy sets out the general design principles to be considered in all forms of development and seeks to ensure that new buildings are well designed and respect the built character of the local area. Design and Access Statements should be submitted with a planning application to demonstrate how these matters have been taken into account in the design and layout of any new development. (see Appendix 4)
- 8.8 The attractiveness of an area depends on the quality of the design of the buildings and landscaping and how they have respected the character of the local context. Well designed new development provides the opportunity to reinforce and enhance the character of the village. Village Design Statements have been prepared for Dalton Piercy, Elwick and Greatham and others will be prepared to provide locally

distinctive guidance for each village. The Conservation Area Character Appraisals provide the historic context for new development in Elwick and Greatham.

- 8.9 Development, particularly new housing, should be designed to be accessible to those with limited mobility. The Lifetime Homes Standards sets out design standards to improve the design of new homes so that they can be adapted to the changing needs of people through their lifetimes. It will be important to provide a wider choice of housing in the Plan area to meet the needs of a growing elderly population and those with disabilities and with the aim of keeping people in their own community with support networks. Although the Lifetime Home Standards are not an adopted Government standard, the principles within the standards are endorsed by the rural plan group and could be used as a tool to ensure homes are built for generations to come.
- 8.10 Northumbrian Water provides guidance on the disposal of surface water. Their principles for new development include the following:
- Surface water discharge to be managed at source. Discharge to the public sewer should always be the last resort after all other options have been explored through the hierarchy of preference.
  - Wherever possible, run-off rates should not exceed the run-off from greenfield land with run-off up to and including the 100 year event being managed on site where possible.
  - Measures that provide water quality improvements should be actively encouraged.
  - Developers should be encouraged to set part of their site aside for surface water management, to contribute to flood risk management in the wider area and supplement green infrastructure networks.
  - Surface water should be removed from combined sewer systems.
  - Developers should be encouraged to maximise permeable surfaces.
- 8.11 Hartlepool Surface Water Management Plan and the Environment Agency provide further advice on managing surface water in the area. There is evidence of localised flooding from surface water in the Rural Plan area due to ground conditions.

## HOUSING

- 8.12 The Vision of the Rural Plan seeks to maintain and enhance the quality of life of all sections of the community in the rural area of Hartlepool and ensure that it develops in such a way as to meet the present and future needs of the rural communities. The Plan recognises that a limited amount of new housing is essential to meet the needs of the rural communities and that this should be carefully planned and well designed to enhance the character of the villages. The reuse of brownfield sites is preferred before encroaching on any greenfield land, although this should not be at the expense of the loss of community facilities and services or employment opportunities.
- 8.13 This approach to housing reflects the feedback from consultation. A range of growth options were tested through consultation on the Neighbourhood Plan; in addition, the Hartlepool Local Plan assessed various scenarios for growth in the rural area. Feedback from the community consultation generally accepted that a limited amount of housing development was acceptable provided that new housing was designed to be in keeping with the character of each village. Many people called for strong controls to safeguard the countryside and the green gaps.
- 8.14 Housing development over the past 20 years or so has been carefully managed through the Local Plan with the definition of village envelopes around the villages and strategic gaps between Hart and Greatham and the main urban area of Hartlepool. Just over 200 new households have been added to the area during the last 20 years mainly through small developments and conversions of existing property.
- 8.15 The Neighbourhood Plan proposes that future housing development in the Plan area should continue on a similar scale in the form of small scale incremental growth, conversions and infilling. The reasons for this are:
- to safeguard the character of the villages and the attractive countryside settings;
  - to continue to support the community facilities and services in the villages, particularly for families in order to support the village schools;
  - evidence from the Neighbourhood Plan household survey and SHMA is that there is likely to be limited need for new market and affordable housing in the villages in the rural area;
  - it is anticipated that any requirements for significant areas of growth will be accommodated in the urban area and adjacent to the urban area of Hartlepool in order to support the sustainable development and regeneration of the town;
  - in addition, the new community of Wynyard to the west of the Neighbourhood Plan area is being developed to provide high quality homes and employment opportunities and will provide a choice of locations for prospective residents.
- 8.16 The Tees Valley Strategic Housing Market Assessment 2015 demonstrates that there is a need for 1-3 bed detached dwellings, 1-2 bed semi detached dwellings, 1-2 bed terraced dwellings, 3+ bed dwellings, bungalows and flats. It is evident from working group surveys, the consultation responses and local intelligence that there is a need for further smaller homes in Elwick, Greatham and Hart. Furthermore in Greatham, despite there being a good supply of retirement homes to rent, there is a shortage of such houses to purchase.



- 8.17 Whilst average house prices in the rural area are higher than the urban area reflecting the type of home available in the villages, they remain reasonably affordable. The Neighbourhood Plan envisages that new market housing development should provide a mix of house types and sizes to maintain this balanced housing supply.

### **Housing Objectives:**

- 8.18 The Hartlepool Rural Neighbourhood Plan will:
1. support the development of a limited amount of new housing within settlements commensurate with the current and future needs of local communities;
  2. support the development of a mix of house types, sizes and tenures;
  3. in exceptional circumstances, support the development of new housing in the countryside;
  4. recognise the distinctive character of each village and encourage high-quality design to enhance the character and identity of the villages; and
  5. seek to ensure that any new developments on the edge of Hartlepool in the Plan area are developed in an appropriate form with strong peripheral landscaping to enhance the character of the rural area.

<b>Housing Objective</b>	<b>Delivered by policy</b>
Housing Objective 1	H1, GEN1
Housing Objective 2	H1, H2, H3, PO1
Housing Objective 3	GEN1, H4
Housing Objective 4	GEN2
Housing Objective 5	H5, PO1

## **HOUSING POLICIES**

### **POLICY H1 - HOUSING DEVELOPMENT**

To assist in meeting the Borough's housing needs the rural plan area will accommodate a minimum of 170 new dwellings by 2031 excluding the dwellings built on the new developments on the western edge of Hartlepool's urban area.

Permission will be granted for further new homes on the following sites:

<b>Village</b>	<b>Site Name/ windfall</b>	<b>Approx number allocated</b>	<b>Planning permission</b>
<b>Elwick</b>	<b>North of North Farm/ Potters Farm (43 and 44)</b>	<b>25</b>	<b>25 additional dwellings considered over the 14 already approved.</b>
<b>Greatham</b>	<b>Between Hill View and Saltaire Terrace (106)</b>	<b>12</b>	
<b>Greatham</b>	<b>Mellanby Lane</b>	<b>5</b>	

<b>Greatham</b>	<b>Garden rear of 15 High Street</b>	<b>6</b>	
<b>Greatham</b>	<b>Grove House Nursery</b>	<b>6</b>	
<b>Hart</b>	<b>Eastern part of Nine Acres (eastern part 3)</b>	<b>23</b>	
<b>Hart</b>	<b>Glebe Farm</b>	<b>20</b>	
<b>TOTAL</b>		<b>87</b>	

(Note: site numbers refer to HBC SHLAA numbers)

**There will be a general presumption in favour of residential development on non-allocated sites within the Development Limit of the villages, provided the proposal is of an appropriate scale and accords with other plan policies**

**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.**

### **Justification**

- 8.19 The Council's housing need is deemed to be 400 new dwellings per year within the whole of the Borough. The Council intends to plan for much of these new homes within the built up area of Hartlepool, along the western edge of Hartlepool, including the south west extension which is located within the Rural Plan area and at Wynyard. The Rural Plan area will accommodate approximately 170 new dwellings by 2031, this equates to 3% of the overall estimated need, but does not take into account new dwellings that may be proposed in redundant buildings and/or linked to new dwellings in the countryside in association with agriculture and farm diversification.
- 8.20 The assessment of potential housing sites in the Plan area has made use of the 2015 Strategic Housing Land Availability Assessment undertaken for the Hartlepool Local Plan and by assessing the current planning permissions within the rural plan area.
- 8.21 At July 2016, planning permission had been granted for development at the following sites:

<b>Village</b>	<b>Site Name</b>	<b>No with planning permission</b>
Dalton Piercy	Priory Farm Stackyard	2
Elwick	North Farm	14
Greatham	Station Road (behind school)	29
Hart	Rear of Raby Arms	23
	Millbank Close	15
<b>TOTAL</b>		<b>83</b>

- 8.22 The Rural Plan group accepts that these sites are likely to be delivered and assist in meeting the rural housing need. The Rural Plan group believe that some additional homes could be accommodated within the rural area as the 83 that are currently approved do not go far enough to meeting the rural housing need. A number of sites have been assessed, chosen and deemed to be of an appropriate size and scale, to ensure that they do not impose too much upon each village yet are still deliverable sites.

- 8.23 In addition there may be other potential sites within the village envelopes that have not been identified. Their suitability will be considered through the planning application process.
- 8.24 New housing development in all villages should provide a mixture of house types and sizes, in particular 2 bedroomed starter homes and 3 bedroomed homes suitable for young families to help to retain families in the villages to support village schools. There is evidence from consultation of demand for bungalows and smaller homes suitable for older people to downsize, thus releasing larger family homes. In Greatham, whilst there is a good supply of rented retirement housing, there is a shortage of retirement housing to purchase. A Housing Needs Survey was carried out to provide further evidence on the need for various types of homes in each village (see Appendix 8).
- 8.25 New housing development should be designed to reflect and enhance the unique character of each village in accordance with the Design Principles set out in Policy GEN2. Affordable housing should be provided in accordance with Policy H2. Requirements for particular sites are as follows:
- 8.26 **Dalton Piercy:** Infill is the only appropriate option; homes should be two and three bedroomed homes with in curtilage parking as a preference, and provision for an on-site equipped children's play area or for play provision to be made elsewhere within the village. Access should be from within the village not from any fields/tracks surrounding the village.
- 8.27 **Elwick:** The site to the north of Potters Farm to be integrated into the sites at North Farm with no further access being created across the village green. A mixture of house types and sizes should be provided to include two bedroomed homes and bungalows set around incidental open space.
- 8.28 **Greatham:** The garden of 15 High Street is a prominent site in Greatham Conservation Area. It should be laid out to provide a frontage house designed to reflect the character of the conservation area, including the nearby properties, together with a row of cottages with parking and access in the rear garden area. A replacement or relocated bus shelter will be required.
- 8.29 The Grove House Nursery site includes a locally listed country house which should be retained and restored. The remainder of the site is suitable for a low density development laid out and designed to reflect the character and setting of the main house.
- 8.30 The Mellanby Lane site has a difficult narrow access. The site is very central, close to shops and community facilities. The lane already has three bungalows and would be particularly suitable for further bungalows which are attractive to older residents who would also be likely to have a lower number of cars per household. To address planning concerns resulting from the narrow access it is suggested that two new properties could use the existing lane for access and a further three utilise the possibility of an access via Queensway. Queensway is a cul-de-sac with a narrow road and would not be suitable as an access to any site larger than that identified at Mellanby Lane.

- 8.31 The site at Hill View is within an established housing estate with good access and would be suitable for most housing types. There is a strip of land at the south of the site, which fronts the main road route through the village, with a line of trees which includes an area reserved for the erection of a former salt pump reflecting the history of the location. To the north of the site is a rectangular piece of grass with children's play area. A row of existing houses already overlooks this and there is the opportunity to create an enhanced civic space if new properties were to front onto this area.
- 8.32 **Hart:** The site east of Nine Acres should provide a mixture of house types mainly two bedroomed houses and bungalows. Any development should incorporate an area of land large enough to serve as a village area of green space with an equipped play facility. It is envisaged that the site will be developed after the site to the rear of the Raby Arms is completed.
- 8.33 **Newton Bewley:** No sites selected, as infill is the only appropriate option. However infill development should not lead to a new access or intensification of an access onto the A689. Homes should be two and three bedroomed homes with incurtilage parking.

(Evidence Base: Hartlepool SHMA (2014), SHLAA (2014), Rural Plan Housing Needs Survey (2015), Consultation Statement and Emerging Local Plan).

## **POLICY H2 - AFFORDABLE HOUSING**

- 1. Affordable housing will be required in applications for residential development that consist of a gross addition of six or more dwellings. For schemes of between 6 and 10 units, financial contributions in lieu of on-site provision can be made and any commuted sums received must be used for the provision of affordable housing within or adjacent to the villages in the plan area.**
- 2. Developers will be required to deliver 18% affordable housing in a bid to contribute to the delivery of this. The affordable provision and tenure and mix will be negotiated on a site-by-site basis, having regard to the economic viability of the development and the most up-to-date evidence of housing need, aspiration and the local housing market. The affordable homes provided must be of a tenure, size and type to help meet identified local housing needs and contribute to the creation of mixed, balanced and inclusive communities where people can live independently for longer.**
- 3. Market and affordable homes on sites should be indistinguishable and achieve the same high design quality.**
- 4. It is expected that affordable housing will be delivered through on-site provision and where appropriate, be pepper-potted throughout the development. However in certain circumstances it will be acceptable for provision to be made off-site, preferably within the same village, where:**
  - applicants can provide sound, robust evidence why the affordable housing cannot be incorporated on-site; and/or**
  - Hartlepool Borough Council and the Parish Council is satisfied that off site provision will benefit the delivery of affordable housing in the Rural Plan area.**
- 5. Other than in exceptional circumstances all affordable units will be delivered in partnership with a Registered Provider by means of a Legal Agreement, and appropriate provision to secure long term availability.**
- 6. Where the scheme's viability may be affected, such that an adequate amount of affordable housing cannot be provided, developers will be expected to provide viability assessments which will be submitted as an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.**

## **Justification**

- 8.34 'Affordable housing' and 'Affordable homes' are considered to be as defined in the National Planning Policy Framework.
- 8.35 A community's need for an appropriate balance and mix of housing, including the provision of affordable housing, is recognised at national level as a material consideration in determining planning applications for housing development. Government policy seeks to create sustainable communities that offer a wide range of housing types and tenures and are socially inclusive.
- 8.36 Whilst there appears to be a plentiful supply of lower value and affordable homes in the urban area of Hartlepool, the Neighbourhood Plan recognises that there continues to be a need for affordable homes in the villages particularly for young families wishing to stay in their village.
- 8.37 The Hartlepool Strategic Housing Market Assessment 2015 demonstrates that there is a net annual affordable housing requirement in the rural area for 27 dwellings; these 27 dwellings are predominately required for older persons. The plan seeks to make provision for new housing development to include an element of affordable housing within the scheme. Evidence set out in the HBC Planning Obligations SPD indicates that 18% on site affordable housing is achievable and does not render a scheme unviable.
- 8.38 A local housing needs survey was undertaken in spring 2015 to assess the level of need in the Neighbourhood Plan area for affordable and market housing of varying types and sizes. This showed that:
1. whilst the majority of respondents by far wished to buy on the open market, a considerable number preferred to rent either from a private landlord or from a council or housing association;
  2. very few were already on housing waiting lists, and
  3. a third of respondents expected to need an adapted bungalow or flat within the next five years.
- 8.39 The plan seeks to continue to ensure that a balanced housing stock is maintained in each village so that there is a good choice of housing available which meets the needs of people at all stages of their lives from those setting up home for the first time, to growing families and those seeking homes to meet their needs in older age. It is recognised that there is a need to attract young and growing families to the villages to help support schools and community organisations. Also with improving longevity, housing that meets the needs of older people will be increasingly important so that they can maintain their independence. Consequently, a good range of housing that meets local needs is vital to the overall strategy.
- 8.40 In future, where evidence, such as local housing needs studies or housing market assessments, indicates a change in the housing need of the area, these thresholds and percentage requirements may be varied.

- 8.41 Affordable housing can support broader home ownership through initiatives such as housing designed specifically for first time buyers and can allow families to grow through fixed discount and shared ownership housing.
- 8.42 Affordable housing should normally be delivered without public subsidy and provided on site in order to meet the needs of residents of the local community. In exceptional circumstances where it can be justified, affordable housing will be accepted off-site; this must be on a site that is agreed as being in a suitable location relative to the housing need to be met, ideally within the same village or if this is not feasible then within another village in the Neighbourhood Plan area.
- 8.43 Where viability assessments are submitted to demonstrate that an alternative provision of affordable housing should be provided, they will be evaluated by Hartlepool Borough Council.
- 8.44 Given the small number of housing sites in each village in the Neighbourhood Plan area, it is unlikely to be feasible to use commuted sums to deliver additional affordable housing in the Neighbourhood Plan area therefore on site provision is the preferred method of delivery.

### **POLICY H3 - RURAL EXCEPTIONS HOUSING FOR LOCAL NEEDS**

Rural Exceptions affordable housing will be supported as an exception to other policies concerning the countryside, to meet locally identified affordable housing need, subject to all of the following criteria being met:

1. Sites should adjoin the village envelope;
2. Proposals must be for small schemes of 10 dwellings or fewer. Any such developments must be appropriate in scale, design and character to the locality;
3. A thorough site options appraisal must be submitted to demonstrate why the site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the urban fence or village envelope;
4. In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date Housing Needs Survey that identifies the need for such provision within the village or group of villages;
5. Occupancy will be restricted, in perpetuity, to a person in housing need and resident or working in the relevant village, or who has other strong links with the relevant locality in line with the community connection criteria, both initially and on subsequent change of occupancy. This could include Self Build;
6. The locality to which the occupancy criteria are to be applied is taken as the parish (or any adjoining rural parish), unless otherwise agreed with Hartlepool Borough Council and the relevant parish council;
7. To ensure that, in the future, a property is let or sold to a person who either lives locally or has strong local connections, it is expected that a 'cascade' approach to the locality issue appropriate to the type of tenure will be adopted. Thus, first priority is to be given to those satisfying the occupancy criteria in relation to the village or adjoining village or group of rural villages.

#### **Cross Subsidy**

8. Proposals must consist in their entirety of affordable housing that will be retained in perpetuity. In exceptional circumstances, proposals that intend to include an element of market housing, or plots for open market sale, may be acceptable, if they meet all of the above criteria, along with the criteria below:
  - a. Such proposals will be permitted only where it can be demonstrated that the site would not be viable, as a rural exception site, without cross subsidy. The developer will be required to submit an open book viability assessment to be carried out by Hartlepool Borough Council. In such cases:



- i. **The Council will not accept aspirational land value as justification for allowing a higher proportion of market value units;**
- ii. **The assessment must show that the scale of the market housing component is essential for the successful delivery of the rural exception affordable housing scheme and that it is based on reasonable land values as a rural exception site and must not include an element of profit;**
- iii. **The majority of the development must be for rural exception affordable housing; and**
- iv. **No additional subsidy is required for the scheme.**

### **Justification**

- 8.45 The National Planning Policy Framework states that in rural areas 'local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs'.
- 8.46 This policy allows for the granting of planning permission for small sites comprising affordable housing to meet local needs as an exception to normal policies. The policy sets out the criteria against which such proposals will be evaluated and under what circumstances schemes solely for affordable housing may be permitted.
- 8.47 It is recognised that there may be difficulties in securing an adequate supply of housing for local needs in rural areas. Where it can be demonstrated that a proposed development will meet a particular locally generated need that cannot be accommodated in any other way, affordable housing will be allowed as an exception to normal policy.
- 8.48 The delivery of rural exceptions sites can be difficult but they can play a vital role in maintaining sustainable communities and meeting the needs of people who live or work in the rural area. It is also recognised that Self Build could be a way of delivering affordable market housing in rural areas.
- 8.49 The provision of small scale market development in conjunction with affordable units will help cross subsidize the affordable housing and enable more development sites to come forward to meet local demand. Such schemes will, however, only be supported where viability assessments or some other clear reason demonstrates that this is the only way that affordable housing to meet local needs can be delivered on the site.
- 8.50 Local connections are currently identified as:
- an applicant who currently lives in the rural area and has done so for at least two years;
  - an applicant who has previously lived in the rural area for a continuous period of 10 years;

- an applicant who has close family living in the rural area, who have done so for at least the last five years. Close family is defined as children, parents, brothers and sisters only;
- an applicant who has permanent employment in the rural area.

## **POLICY H4 HOUSING IN THE COUNTRYSIDE**

**Outside village envelopes, new housing will be supported only in exceptional circumstances:**

- 1. where it is essential for a person employed in agriculture, forestry, or other use requiring a countryside location and where it is essential for the worker to live permanently at or near the place of work; or**
- 2. where it would re-use existing rural buildings and where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension; or**
- 3. for the replacement of an existing dwelling by a new dwelling not materially larger than the dwelling it replaces; or**
- 4. for new housing of an exceptional quality or innovative design that reflects the highest standard of architecture, significantly enhances its setting and is sensitive to the landscape character and heritage assets of the area.**

**Proposals for new housing development and the reuse of existing buildings should pay particular attention to design and landscape character so as to preserve and enhance the character and distinctiveness of the countryside.**

**With respect to foul sewage, the first presumption must be to provide a system of foul drainage discharge into public sewer. Only, where having taken into account the cost and/or practicability, it can be shown to the satisfaction of the local authority that connection to a public sewer is not feasible, should non-main foul sewage disposal solutions be considered.**

**New housing is required to be sensitive to the heritage assets of the area. Building conversions are required to avoid extensive alteration, rebuilding or extension. In respect of both it is necessary to have regard to the impact proposals may have on the significance of any heritage assets, but it is especially the case in respect of the latter, where the building in question may itself be a heritage asset, designated or otherwise.**

### **Justification**

- 8.51 The National Planning Policy Framework advises that new isolated homes in the countryside should be avoided unless there are special circumstances.
- 8.52 There are a number of underused rural buildings in the plan area; this policy would facilitate the conversion of those that are of a sufficient size to provide reasonable living accommodation with only minor extensions e.g. for a porch or garage. The buildings should be a permanent construction (e.g. built of brick or stone) and should be capable of conversion without requiring demolition and rebuilding.
- 8.53 Hartlepool Council is preparing a Supplementary Planning Document containing advice on the Development of New Dwellings in the Countryside.

### **POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL**

**New housing development on the edge of Hartlepool, where appropriate, should be designed to:**

- 1. create distinct new communities designed to instil a sense of place, with an attractive community hub, located in the centre of the development, containing a community centre, shops and other local services on a scale that meets the needs of the new community;**
- 2. incorporate a diverse housing mix with a variety of house types, sizes and tenures;**
- 3. provide an open and attractively landscaped development with the gross density of the development of about 25 dwellings per hectare;**
- 4. include a strong landscape buffer where the development adjoins the countryside to reduce the visual impact of the development and create a continuous habitat for wildlife linked into existing natural areas and wildlife habitats;**
- 5. include landscaped open spaces, roads and footpaths, incorporating children's play areas, throughout the development linked to the peripheral landscape buffer to provide green routes through the housing areas that enhance the quality of the development and provide wildlife habitats;**
- 6. link new footpath and cycleway routes through the development to routes in the countryside, to existing adjacent communities, to schools, community facilities and the town centre;**
- 7. retain existing farmsteads, trees, hedgerows, ditches, watercourses, and heritage assets within the development;**
- 8. not compromise the Green Gaps between the urban area and villages;**
- 9. address any significant impacts arising from an increase in traffic on the road network between Hartlepool and the A19 as a result of the new development. This should include mitigation measures identified by Transport Assessments which may include improvements to the junctions from the villages to the A19, A179 and A689 as well measures to discourage traffic from the new development using minor roads through the villages in the Plan area and sympathetic traffic calming where necessary. Adequate**

**measures should be discussed as part of the application and not delegated to a condition and in some instances measures should be put in place prior to the occupation of the first dwelling in the relevant proposal.**

**10. avoid areas at risk of flooding and incorporate sustainable drainage measures to manage rain water run-off from the development.**

**11. assist in meeting Hartlepool Borough's housing need for 6000 additional homes within the next 15 years by supporting new developments on the edge of Hartlepool which take into consideration their rural fringe locations and which do not compromise the Green Gaps, subject to design, layout, environmental and traffic impact considerations.**

**Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.**

### **Justification**

- 8.54 Future residential expansion of Hartlepool is likely to be to the west and south west of the town within the Rural Plan area. In view of the scale of this development, the Hartlepool Local Plan will determine the location of this growth area. Policy H5 sets out general principles that should be applied in the layout, design and landscaping of any new residential development on the edge of Hartlepool within the Neighbourhood Plan area. The aim of the policy is to promote the creation of new communities with their own shops, schools and other community facilities at their heart of a scale designed to serve the local community. The new local shopping centres should be designed so that they do not become out of town shopping centres.
- 8.55 The new communities should be designed at a density that will provide for a strong landscape setting on their periphery, in order to reduce their impact on the surrounding countryside, and within the development to create an attractive environment for new housing development. The new landscape buffer along with landscaped areas within the development also provides the opportunity to create new habitats and create a wildlife corridor that would link up existing natural areas as proposed under Policy NE1. These areas should also provide footpath and cycleway routes that link into routes into the countryside and to provide easy access to schools, shops and community hubs.
- 8.56 Existing farmsteads, trees, hedgerows, ditches and watercourses should be retained where possible to keep the existing landscape features and links to the historic farm and field patterns of the area and other heritage assets of the area. In some instances it may be appropriate to provide some connection to the existing environment for new communities, e.g. interpretation panels or as part of wider landscaping or artworks
- 8.57 The choice of location for the new housing development should seek to retain the Green Gaps between the urban area and the nearby village to avoid coalescence and safeguard the identity of the villages. Areas at risk from flooding should also be avoided and sustainable drainage measures included in the design of the development to reduce and manage surface water run-off.

- 8.58 There are significant concerns about the impact of traffic from the urban extensions on the major and local roads in the plan area. The urban extensions should be served by direct road links to the major road network. Before any development is occupied, traffic calming and management measures should be implemented to limit traffic from the new development accessing minor roads serving the villages in the rural area.
- 8.59 Before any Hartlepool urban extensions dwellings are occupied, adequate measures should be put in place to improve the road junctions from the villages to the major road network and to maintain highway safety on the local road network.

## ECONOMY

- 8.60 The Rural Plan aims to enhance the rural economy by encouraging diversification, and promoting agriculture, tourism, leisure and retail business. Employment opportunities should be enhanced and local entrepreneurs encouraged. For the success of the rural economy, improved telecommunications and internet connectivity and speed across the whole area is essential to facilitate communication to enable businesses in the area to operate competitively and to enable people to work from home.

### Economy Objectives

- 8.61 The Hartlepool Rural Neighbourhood Plan will:
1. enhance the rural area as a good place to work for agricultural and other businesses and for people wishing to work from home, through the provision of high quality communications and ease of access to the regional road network.
  2. encourage the re-use of redundant buildings for appropriate economic uses, particularly where the new economic use can help support the continued agricultural use of the farm holding or other local business to provide local employment.
  3. support sustainable development that will encourage visitors to the rural area, especially that which relates to the safeguarding and enhancement of the historic and natural environment.
  4. seek to retain shops, public houses and other businesses that serve the local community.

Economy Objective	Delivered by Policy
Economy Objective 1	Policies EC1, EC4, T1
Economy Objective 2	Policies EC1, EC2, HA1, HA2, HA3 HA4
Economy Objective 3	Policies EC1, EC3, EC4, T2, NE1, HA1, HA2, HA3, HA4, PO1
Economy Objective 4	Policies EC2, EC4, PO1

## **POLICY EC1 - DEVELOPMENT OF THE RURAL ECONOMY**

**The development of the rural economy will be supported through:**

- 1. the retention or expansion of existing agricultural and other businesses;**
- 2. the re-use or replacement of suitable land/buildings for employment generating uses in villages and the countryside;**
- 3. the provision of live-work units and small scale business units within the development limits of the villages;**
- 4. the construction of well designed new buildings in association with existing buildings to assist in the diversification of the agricultural holding to sustain its viability, or to assist in the expansion of an existing business;**
- 5. appropriate tourism related initiatives;**
- 6. recreation uses appropriate to a countryside location.**

**New livery businesses will be supported subject to the existence or provision of equestrian routes/bridleways in and around the business.**

**New specialist retail businesses, including farm shops, garden centres and similar outlets selling goods grown or manufactured in the locality, will be supported where such developments would provide support for the rural economy, and could not reasonably be expected to locate within the village envelope or Hartlepool urban area by reason of the products sold, or their links to other uses on the site.**

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

**Improvements to technology and communications infrastructure will be supported to facilitate the development of businesses in the area.**

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

### **Justification**

- 8.62 A wide range of businesses can operate successfully from a rural location. The plan area is well located close to Hartlepool, Middlesbrough and Stockton with the A19 providing good transport links to the region. The development of the economy of the plan area will enhance the vibrancy and vitality of the villages and help support the diversification of agriculture. A careful balance will need to be achieved in supporting proposals that assist the economic sustainability of local communities, whilst addressing any potential environmental consequences. There is a clear link between the economic stability of rural areas, and the likely success in achieving a well-managed countryside.



- 8.63 The plan seeks to support small scale enterprises that can be accommodated primarily through the conversion of existing buildings within villages or on farmsteads. In Greatham there are a number of empty shops with attached living accommodation. These could be used for alternative uses such as offices for small professional businesses/services such as accountants, dentists, etc. This would help to maintain the shop fronts which are an important part of the character of the conservation area. Well designed and landscaped small scale new buildings may be acceptable where needed to accommodate new uses that would help to support the agricultural business or the expansion of an existing business located in the rural area.
- 8.64 Care will be needed to ensure that new business development does not impact on residential amenity or result in unacceptable levels of increased traffic on the rural roads in the plan area.
- 8.65 It will be particularly important to encourage environmentally sensitive schemes which capitalise on the tourism and recreational potential of the rural area. Improvements to cycleways, bridleways and footpaths are supported through Policy T3 to help improve the accessibility and attractiveness of the rural area to cyclists, horse riders and walkers.
- 8.66 The establishment of new small retail uses outside of villages may be acceptable where the shop primarily sells goods grown or manufactured on the premises or nearby. Small shops and cafés serving visitors to tourism and leisure uses may also be acceptable with a preference for locations in villages.
- 8.67 It is anticipated that the trend for more businesses being based from home will continue. A small scale office development or the construction of live-work units may help to meet these needs. The attractiveness of the area for small businesses depends on good quality communications and internet connectivity. It is vital that these continue to be improved as technology changes; currently improving broadband coverage in the area is critical.

## **POLICY EC2 - RETENTION OF SHOPS, PUBLIC HOUSES AND COMMUNITY FACILITIES**

**The change of use or redevelopment of a village shop, public house or community building will be supported only where:**

- 1. at least one other similar facility of that type exists within the village; and**
- 2. it can be demonstrated by the applicant that all reasonable efforts have been made to sell or let (without restrictive covenant) the property as a business or community facility, and that it is not economically viable; and**
- 3. there is no evidence of realistic intent from the community for the retention of the business or community facility.**

**Preference will be given to the premises remaining in some form of community or employment use, as long as there are no significant impacts on the rural road network, residential amenity, environment, heritage assets, including conservation areas and their settings.**

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

## **Justification**

- 8.68 The Localism Act (2011) introduced a Community Right to Bid (Assets of Community Value) which aims to ensure that buildings and amenities can be kept in public use and remain an integral part of community life. Under the Localism legislation, voluntary and community organisations and parish councils can nominate an asset to be included in a 'list of assets of community value'. The local authority will then be required to maintain this list. If the owner of a listed asset then wants to sell the asset a moratorium period will be triggered during which the asset cannot be sold. This is intended to allow groups time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of that period. The Rural Neighbourhood Plan Group welcomes and supports this legislation.
- 8.69 Shops, public houses and other facilities in rural settlements make a valuable contribution to their local community and can often be a life-line to many residents, particularly where there is a lack of public transport. The number of basic facilities in rural areas has been in decline for a number of years. There is a real challenge to maintain the viability of these businesses in rural communities. However, there are many examples of how they can be profitable when run independently with imagination.
- 8.70 Increasing pressure to find sites for new housing in villages is resulting in the loss of public houses and community halls. If our communities are to thrive, it is vital that the facilities are retained to serve the local community and provide the focus for community activity.
- 8.71 It is proposed to register village shops, public houses and community buildings as assets of community value, where appropriate. We also encourage people to use Parish Councils and the Rural Neighbourhood Plan Group for advice and support.

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

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

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

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

**Development proposals should not lead to a significant increase in traffic movements through the village, sustainable transport options will be encouraged.**

**Appropriate mitigation measures to address effects arising from the development on the local habitats will be required prior to any development proceeding.**

**Justification**

- 8.72 This is a site of ancient salt production, which was the basis for the surrounding chemical industry. Production at this site culminated in the 19<sup>th</sup> century establishment of Cerebos salt works, which produced household names such as Cerebos, Saxo and Bisto. The site, later taken over by Rank Hovis McDougall, has been cleared and now provides a redevelopment opportunity. In view of its proximity to heavy industry the site is not suitable for housing development.
- 8.73 The re-opening of Greatham Station would be advantageous to the economy and residents of Greatham and surrounding area. A suitable 'Park and Ride' facility should be provided and include safe and secure cycle parking.
- 8.74 The site lies to the north of the Greatham Creek which is part of the internationally important Tees Estuary. The RSPB promote the area from its visitor centre at Saltholme. Part of the RHM site has been incorporated into the nature reserve and it is proposed that a northern entrance and visitor centre should be established on part of the former RHM site to facilitate access to the Greatham Creek area to provide information to visitors. This could be linked to information about the local salt industry and Romano – British settlement at Greatham which has been revealed in recent excavations. An archaeological assessment of the RHM site will be required to ascertain the significance of the site.
- 8.75 It is considered that the site also has potential for the development of a solar farm in conjunction with the other uses proposed. Such a use has the potential to generate income to support the visitor centre. It would also help support the improvement of the environment of the site and the local area.
- 8.76 All traffic to the site has to pass through Greatham village. The future use of the site will have to be carefully managed to ensure that the level of traffic generated does not lead to a significant increase in traffic movements through the village; sustainable transport options will be encouraged.
- 8.77 In view of the proximity of the site to the environmentally important area around Greatham Creek, it is envisaged that an environmental assessment of any development proposals will be carried out and any mitigation measures considered necessary agreed with the appropriate authority.

## **POLICY EC4 - SERVICE STATIONS AND TRAVEL RELATED DEVELOPMENT**

Land at the service stations on the A19, as identified on the proposals map, will be safeguarded for the following uses to primarily serve the travelling public:

- **Petrol filling station/s with ancillary shop/s**
- **Premises for the sale of hot and cold food and drinks (A1 or A3)**
- **Vehicle recovery**
- **Overnight accommodation**
- **Parking for cars and heavy goods vehicles.**

**Improvements to infrastructure may be necessary. Improvements to the environment and landscaping of these areas must be included in any proposals.**

### **Justification**

- 8.78 The service stations on the north and south bound carriageways of the A19 near Elwick provide valuable facilities for travelling members of the public and local residents. The plan seeks to safeguard these services for the current range of uses stated. In view of the traffic conditions on the A19 in this area, care will be needed when considering proposals for any new or improved facilities at the service stations to take into account road safety.
- 8.79 Any extension of the safeguarded areas will need to be carefully justified to outweigh the loss of countryside. Improvements to the landscaping of the service stations will be encouraged. Signage should be kept to a minimum.

## TRANSPORT AND MOVEMENT

- 8.80 The Rural Plan area is crossed by three main A roads which provide links from Hartlepool to Middlesbrough and Stockton to the south and Newcastle, Sunderland and Durham to the north. These routes are vital for the economy of Hartlepool and the rural area. The A19 trunk road enables communication north and south of the town; the A689 and A179 provide for east/west movement to and from Hartlepool through the rural area to the A19. There are also minor roads serving the villages in the Plan area which have links to the A roads. There are currently no train stations in the Plan area and recently public transport provision has been drastically reduced due to Local Authority spending cuts.
- 8.81 To encourage the development of the rural area, transport links must be strong. Access to services must be a priority to enable communities to flourish. The development of rights of way, bridleways and cycleways will be supported as essential components of the rural environment that encourage communication between villages and promote healthy lifestyles for residents and visitors. The Rural Plan has been prepared in collaboration with the highway authorities and identifies highway and off road improvements that are considered important to the local community and which will deliver the objectives of the plan. The Rural Plan will link in with the Local Transport Plan and the Local Infrastructure Plan.

### Transport Objectives

- 8.82 The Hartlepool Rural Neighbourhood Plan will seek to:
1. maintain and upgrade the A road links to improve accessibility and accommodate the projected increase in traffic movements to and from the urban area.
  2. encourage sympathetic traffic management measures to ensure the safety and wellbeing of those that live, work and visit the rural area.
  3. facilitate improvements to public transport and other means of transport suitable for non-car users.
  4. enhance the public rights of way network and encourage the development of new routes to improve linkages and accessibility between the villages and Hartlepool and the countryside.

Transport Objective	Delivered by Policy
Transport Objective 1	Policy T1
Transport Objective 2	Policies T1, H5
Transport Objective 3	Policies T2, PO1
Transport Objective 4	Policies T2, H5

## **POLICY T1 - IMPROVEMENTS TO THE HIGHWAY NETWORK**

**Where development proposals are shown, through evidence to be required to contribute towards any of the following schemes so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation:**

- 1. improvement of the A179/A19 junction**
- 2. the dualling of the A179**
- 3. improved village approach roads and junctions to the A179, A689 and A19**
- 4. alleviating the impact on the villages of the increase in traffic arising from new development in Hartlepool**
- 5. appropriate measures to discourage traffic related to any new development on the edge of Hartlepool from using minor roads through the villages in the Plan**
- 6. Measures that promote good driver behaviour, such as speed cameras.**

**The above improvements must be designed, as far as possible, to be in keeping with the rural setting.**

### **Justification**

- 8.83 The villages in the plan area all gain their access directly from the A19, A179 or A689. Traffic volumes on these main routes are increasing and there are concerns about the safety of the junctions and difficulties in gaining access onto the main roads at peak times. Proposals to improve safety of the main roads and the junctions will be encouraged.
- 8.84 Improvements to the A179 / A19 junction are proposed for 2014 – 2015. These will include part signalisation and junction improvements.
- 8.85 The safety of the A19 is kept under review by Highways England. Concerns have been raised about the safety of road users when crossing the central reservation, especially at peak times. Highways England is considering closing the central reservation and constructing a grade separated junction at Elwick within the next 10 years or so. No improvements to the junction to Dalton Piercy are currently programmed. Speeding within the Rural Plan area is a major concern, and measures are needed to promote good driver behaviour.
- 8.86 There are significant concerns about the impact of traffic from any new development on the edge of Hartlepool on the major and local roads in the Plan area. A traffic impact assessment should be carried out on any proposals for a significant urban expansion of Hartlepool. Where the development would result in a significant increase in traffic on the A179, contributions should be sought from the developer to mitigate this. Proposals to fully dual the A179 from Hartlepool to the A19 will be supported.
- 8.87 Improvements to the Greatham/Dalton Back Lane junction onto the A689 will be sought via the south west extension of Hartlepool and/or any other means. A

roundabout at this junction to improve access to Greatham village and Dalton Back Lane is one option that will be supported.

- 8.88 Before any urban extensions to Hartlepool are commenced, adequate measures should be put in place to provide direct links from the development to the major road network and to discourage traffic from any urban extensions using minor roads through the villages and rural area in general, with traffic calming, where necessary. Every effort should be made to avoid severing the links between farms and nearby villages.

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

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

- 1. New bridges over the A19 near Elwick and over the A689 near Greatham suitable for pedestrians, cyclists and equestrians;**
- 2. A new traffic light controlled safe crossing point on the A689 at Newton Bewley;**
- 3. Cycleways and footpaths from Brierton, Dalton Piercy and Elwick to Hartlepool;**
- 4. Cycleways and footpaths linking Brierton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley and providing direct and circular routes between the villages and the countryside;**
- 5. A cycleway and footpath from Greatham to the Tees Road at Greatham Creek, to link into routes to RSPB Saltholme, Seal Sands, Middlesbrough via the Transporter Bridge and Graythorp;**
- 6. A network of bridleways throughout the rural area.**

### **Justification**

- 8.92 The creation of well-maintained long distance and circular off road routes is an established means of attracting visitors and tourists to an area wishing to cycle, walk or ride horses. The area has the potential to develop routes linking the Tees Valley to the Durham coast and countryside with the spin-off of increased business opportunities for accommodation and refreshment providers. Given the severe lack of bridleways north of the Tees, livery businesses will be expected to assist in the development and maintenance of equestrian routes in their vicinity.
- 8.93 The provision of safe off-road routes provides improved opportunities for people to walk or cycle to work and improved access to the countryside and local wildlife sites. Walking, cycling and horse riding will help in the promotion of healthy lifestyles.
- 8.94 Consultation has demonstrated that there is concern about the lack of cycleway routes through the plan area, with only Greatham connected to the National Cycle



Route. Poor signage and maintenance of existing routes were also highlighted. Improved pedestrian and cycleway routes to create a network linking the villages and surrounding countryside were proposed as well as routes from Elwick and Dalton Piercy to the urban area of Hartlepool.

- 8.95 Improvements to the pavements in villages were also highlighted with the need for dropped kerbs and better maintenance to enable people with mobility limitations and with young children to better access local services.
- 8.96 The proposals have been discussed with Hartlepool Borough Council's Highways Officer and Rights of Way Officer. The policy identifies the key routes that are to be sought; these are shown in detail on the Proposals Map. The map shows which routes are upgradeable and those that are aspirational.
- 8.97 Key infrastructure linked to development can often be paid for and maintained by development contributions. Various funding streams are available to assist with these aspirations. Other contributions e.g. community benefits from renewable energy schemes, and through grant aid, will also be sought, as appropriate, to fund the projects proposed.

## **COMMUNITY**

- 8.98 The Rural Plan sets out to preserve and improve the assets of the communities, believing that all villages should have local facilities to serve local people and visitors.

### **Community Objectives**

- 8.99 The Hartlepool Rural Neighbourhood Plan will seek to:
1. safeguard and improve the existing schools, shops, public houses, community halls, play areas, sports and recreation areas, allotments and open spaces
  2. ensure that new housing development in the rural area contributes to the improvement of community facilities and open spaces to meet the needs of future residents.

<b>Community Objective</b>	<b>Delivered by Policy</b>
Community Objective 1	Policies C1, EC2, PO1
Community Objective 2	Policies C1, H1, H5, PO1

### **POLICY C1 - SAFEGUARDING AND IMPROVEMENT OF COMMUNITY FACILITIES**

**Community buildings, play areas, sports/recreation facilities, allotments and open spaces will be safeguarded unless they are proven to be surplus to requirements or unless improved alternative provision, of similar or better quality, is to be made.**

**Recreation and associated facilities will be supported where the proposed facilities are of a type and scale appropriate to the size of the settlement.**

**Priority schemes include:**

1. Improvements to Dalton Piercy Village Hall
2. A new equipped children's play area at Dalton Piercy
3. New car park to serve Elwick Church and other heritage assets
4. Improvements to Greatham Community Centre.
5. Improvements to Greatham Sports Field
6. A new multi-purpose community open space with equipped play area, sports pitch, wildlife area, dog walking area and allotments at Hart.

**A site at Elwick, the ghyll, shown on the Proposals Map will be designated as Local Green Space in accordance with paras 76 & 77 of the NPPF and Appendix 10. Development will not be permitted on this land other than in very special circumstances, for example, it is essential to meet specific necessary infrastructure needs and it can be demonstrated that there are no reasonable alternative sites available.**

**Contributions will be sought from new housing development towards the improvement of leisure, community and recreation facilities and open spaces serving the settlement where it is shown that the need for the facility, open space or the contribution towards the improvement of existing facilities is directly required as a result of the proposed development.**

## **Justification**

- 8.100 The villages have a number of village and community halls as well as primary schools that provide essential places for the community to meet together and share activities which help build community spirit and contribute to physical and mental well-being. Hart village hall and Elwick WI hall have been improved and updated whilst those at Dalton Piercy and Greatham are in need of modernisation.
- 8.101 There is a limited number of children's play areas, playing fields, allotments and incidental open spaces in the villages. These are important for residents' health and well-being, growing fresh food and they contribute to the openness and attractiveness of the villages.
1. Greatham Sports Field is leased from the Hospital of God. Greatham Sports Field Association is seeking to improve this facility. This policy seeks to support and ensure continuation in perpetuity.
  2. Elwick Playing Field is accessible to the public but in private ownership. This policy seeks to ensure this facility is maintained in perpetuity.
  3. In Hart village, the only open space is the school playing field which is accessible outside school hours. A proposal for a new multi-purpose open space is proposed in response to feedback from consultation. Further work is needed to determine a suitable site.
  4. Residents in Dalton Piercy have highlighted the need for an equipped children's play area.
- 8.102 National Planning Policy Framework (para 76) states that "local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. An area of land known as the ghyll in Elwick has, via this plan, been designated as Local Green Space, further justification can be viewed in Appendix 9.
- 8.103 Every effort will be made to retain existing community buildings and open spaces. Contributions from housing developments will be sought towards the improvement of community buildings and open spaces within the local villages. Other contributions e.g. community benefits from renewable energy schemes and through grant aid will also be sought as appropriate to fund the projects proposed.
- 8.104 It is proposed to register community buildings as assets of community value, where appropriate.

## **NATURAL ENVIRONMENT**

8.105 The Rural Plan area is blessed with a diverse environment which needs to be managed with care in order to protect it for future generations.

### **Natural Environment Objectives**

8.106 The Hartlepool Rural Neighbourhood Plan will seek to:

1. protect and enhance the network of habitats that are important for biodiversity and geology including designated sites of international, national and local importance and priority habitats.
2. support the enhancement of the biodiversity potential of the rural area as a whole, and in particular its woodlands including ancient woodlands and wildlife corridors.
3. safeguard and enhance the landscape character of the rural area through the planting of trees and restoration of hedgerows.
4. support small-scale renewable energy schemes.

<b>Natural Environment Objective</b>	<b>Delivered by Policy</b>
Natural Environment Objective 1	Policy NE1, PO1
Natural Environment Objective 2	Policies NE1, H5, C1, PO1
Natural Environment Objective 3	Policies NE1, H5, PO1
Natural Environment Objective 4	Policies NE2, EC3, PO1

## **POLICY NE1 - NATURAL ENVIRONMENT**

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

**1. Nature conservation sites of international and national importance, Local Wildlife Sites, Local Geological Sites and Local Nature Reserves will be protected, managed and actively enhanced. Designated sites are identified on the Proposals Map.**

- a. Development that would affect internationally important sites will be permitted only where it meets all the relevant legal requirements.**
- b. Development that would affect nationally important sites will be permitted only where it meets all the relevant legal requirements**
- c. Development which would negatively affect a locally designated site will be supported only where the reasons for the development clearly outweigh the harm to the conservation interest of the site. Where development on a locally designated site is approved, compensatory measures will be required to maintain and enhance conservation interests. In the first instance compensatory measures should be as close to the original site as possible. Compensatory measures may include biodiversity offsetting where on-site compensation is not possible.**

**2. Enhancement of wildlife corridors, watercourses (including improving water quality) other habitats and potential sites identified by the local biodiversity partnership or similar body must be created in order to develop an integrated network of natural habitats which may include wildlife compensatory habitats and/or wetland creation. Opportunities to de-culvert parts of Greatham Beck and its tributaries will be encouraged within the Neighbourhood Plan area.**

**3. Where possible, new development should conserve, create and enhance habitats to meet the objectives of the Tees Valley Biodiversity Action Plan. Any development should not result in, or contribute to, a deterioration in the ecological quality of the Greatham Beck waterbody.**

**4. Existing woodland of amenity and nature conservation value and in particular ancient semi natural woodland and veteran trees will be protected. The planting of woodland and trees, and the restoration of hedgerows, using appropriate species, will be encouraged, particularly in conjunction with new development, to enhance the landscape character of the plan area. New tree and hedgerow planting must where possible:**

- a. Aim to reduce the impact of any new buildings or structures in the landscape setting. In the area that forms the urban fringe of Hartlepool, areas of woodland and tree belts at least 10 metres wide designed to promote biodiversity and include public access routes must, where possible, be planted along the western edge of any areas to be developed, prior to any development commencing;**
- b. Provide screening around any non-agricultural uses;**
- c. Use a mix of local native species appropriate to the landscape character area;**

**d. Ensure that trees are planted at distances from buildings that provide sufficient space for the future growth of the tree to maturity.**

**Justification**

- 8.107 The Hartlepool Rural Plan area contains a wide range of sites that are of importance for nature conservation, green tourism, amenity, health and well-being. There are two nationally important sites, Hart Bog SSSI, in Hart Parish, to the north west of Hart Village, and part of Cowpen Marsh SSSI along Greatham Creek, between the A178 and the railway line. The latter is also part of the Teesmouth & Cleveland Coast Special Protection Area and Ramsar site, both designations indicating that it is of international importance.
- 8.108 The Rural Plan area also has 25 Local Wildlife Sites (LWS) and three Local Geological Sites. These are non-statutory sites of Tees Valley importance that meet agreed criteria for their nature conservation and/or geological interest. These sites are shown on the Proposals Map.
- 8.109 In addition there are several sites in the Rural Plan area that do not meet current criteria for designation as Local Wildlife Sites but which are nevertheless considered to be important for nature conservation, for example most of the mature woodlands. The Tees Valley Biodiversity Action Plan (TVBAP) identifies priority habitats and species in order for the Local Nature Partnership across the Tees Valley to take actions to further their conservation.
- 8.110 Although there are a large number of Local Wildlife Sites, they are in many cases small and isolated which makes them vulnerable to external factors including climate change. This can result in species being unable to move between sites and increases the chances that species could be lost from individual sites and that biodiversity could continue to decline. Therefore taking opportunities to create areas of habitat that expand existing Local Wildlife Sites or which could form links between them, is essential to enhance the nature conservation value of the rural area. Priority should be given with any compensatory measures required as part of development proposals to create or enhance sites within the Plan area.
- 8.111 The landscape character of countryside of the Plan area is split between the Durham Magnesian Limestone Plateau to the north and the Tees Lowlands to the south. The Durham Magnesian Limestone Plateau has a gently undulating landscape with a relatively open character. The Tees Lowlands comprise broad low-lying and gently undulating farmland. A Landscape Character Assessment has been prepared by Hartlepool Borough Council which sets out a detailed analysis of the landscape of the area, and provides a sound and reliable tool that can assist in the process of well-informed decision making regarding new development or the enhancement of the natural environment.
- 8.112 There are two areas of ancient woodland within the plan area, The Howels and Hesleden Dene. There are other small areas of woodland in the plan area and they are a very valuable feature in the landscape. Locally, the wooded sides of the streams are very important features that enhance the setting of the villages and the

rural area as a whole. A variety of local organisations (such as the Woodland Trust and Tees Valley Wildlife Trust) support tree planting and habitat improvement in the Plan area.

- 8.113 Wildlife corridors may be enhanced by safeguarding, linking and improving the environment and habitats along river and stream corridors, roadside verges, rights of way, sports and recreation areas and hedgerows. Of particular importance is Greatham Beck given that it currently has some of the poorest quality of any watercourse in the Tees Valley area; reed beds and other natural methods of drainage are needed.
- 8.114 The majority of the landscape of the Plan area is undulating farmland. This contains few areas of woodland or hedgerow trees. In many areas hedgerows have been removed. Large scale farm buildings often intrude into the landscape. On the edge of the urban area, views from the countryside are disturbed by industrial uses, pylons and housing estates. New woodland and belts of trees should be established in the urban fringe areas in advance of any development to provide adequate screening and routes for walking. They should be designed to promote biodiversity by creating a wildlife corridor and be accessible to local residents.
- 8.115 When selecting trees for planting in the vicinity of buildings, suitable local native species should be selected with sufficient space for growth to maturity without impacting on the amenity of the buildings themselves and / or occupiers of the buildings.

(Evidence: Landscape Character Assessment, Natural England's Designated Sites)

## **POLICY NE2 - RENEWABLE AND LOW CARBON ENERGY**

**Renewable and low carbon energy developments assist in meeting the Rural Plan area's commitment to reducing CO<sub>2</sub>. Any medium/large wind turbine proposals should be directed to High Volts or Red Gap.**

- 1. The development of renewable and low carbon energy schemes, together with any ancillary buildings and infrastructure, will be supported and considered in the context of the wider environmental, economic and social benefits arising from the scheme whilst considering any adverse impacts, individually and cumulatively upon:**
  - a. The surrounding landscape including natural, built, heritage (including archaeological) and cultural assets and townscape; including buildings, features, habitats and species of international, national and local importance;**
  - b. The flows of groundwater to any water- dependent features within the area, including rivers, ponds, springs and abstraction points.**
  - c. Residential amenity including visual intrusion, air, dust, noise, odour, shadow flicker, traffic generation, recreation and access;**
  - d. The operation of air traffic operations, radar and air navigational installations and**
  - e. Highway safety.**
- 2. Appropriate mitigation measures to address any effects identified and considered will be required prior to any development proceeding.**
- 3. Given the nature of some forms of renewable and low carbon energy schemes and their supporting infrastructure and ancillary buildings, it will be necessary and appropriate in certain instances to secure removal of the scheme and its supporting infrastructure and ancillary buildings and restore the land to an appropriate use once a scheme is ready for decommissioning, through the imposition of planning conditions.**

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

### **Justification**

- 8.116 The UK Government has made a commitment to increasing the percentage of energy generated from renewable and low carbon resources. *The Renewable Energy Directive 2009*, states that 'by 2020, 15 per cent of energy should be generated from renewable resources'.
- 8.117 Renewable energy involves capturing energy flows that occur naturally and repeatedly and includes energy from wind, the fall or flow of water, the movement of the oceans, heat and light from the sun and also biomass. These sources of energy provide clean energy and reduce CO<sub>2</sub> emissions that are associated with generating electricity from coal, gas and oil.
- 8.118 The generation of renewable and low carbon energy will help meet the Government targets and reduce climate change. The northern half of the plan area was identified in the North East Regional Spatial Strategy as a Wind Resource Area where a



combination of wind speeds and a relative absence of significant constraints make wind energy development potentially deliverable. The *North East Assembly Wind Farm Development and Landscape Capacity Study: East Durham Limestone and Tees Plain Report (2009)* gives more detailed assessment of the landscape capacity and other constraints in the Plan area on the basis of smaller zones. This concludes that there may be limited potential for additional wind turbine development in the Plan area but that the cumulative impacts of further development may be unacceptably high. It recommends that any further proposals should include detailed assessments as part of the Environmental Impact Statement submitted with the planning application.

- 8.119 Care is needed in the choice of location of turbines. Turbines may alone, or in combination, be intrusive in the landscape, be visually prominent, a source of noise, shadow flicker, electromagnetic interference, have significant impacts on the ecology of the area and adversely affect neighbouring residents and wildlife.
- 8.120 Within the Plan area there are three wind turbines located at High Volts in Hart and Elwick parishes. Permission has been granted for five more turbines at Red Gap in Elwick parish and as part of a planning application in Co. Durham for 5 turbines (1 being in Hartlepool Rural Plan Area at Thorpe Bulmer). There are other proposals under consideration for solar farms at Claxton, Hart and Newton Bewley and additional turbines at High Volts, Hart. Cumulatively, these projects will make a significant contribution to meeting the renewable energy target of Hartlepool Borough. In order to ensure that the development of wind turbines does not adversely impact on the landscape character of the Rural Plan area, and taking account of the cumulative impact of turbines developed and permitted, any additional turbines should be located so as to form part of the developed and approved clusters at High Volts and Red Gap. All future solar farm proposals will be considered on their merits.
- 8.121 There are various other sources of renewable and low carbon energy that are suitable for use in the plan area. It is anticipated that the following technologies will be the most viable and feasible:
- Solar thermal and photovoltaics on buildings.
  - Ground mounted solar schemes.
  - Biomass boilers serving individual or groups of buildings.
  - Farm scale anaerobic digesters.
  - Air and ground source heat pumps.
- 8.122 Proposals should include details of associated developments including access roads, transmission lines, pylons and other ancillary buildings. Proposals should include details of measures to mitigate any adverse effects on the amenities of occupiers of nearby properties during the construction, operational lifespan and decommissioning of the equipment/infrastructure. Ground mounted solar schemes can be large scale and care will be needed in the selection of suitable sites to ensure that they are well screened within the local topography, or hedges and trees so that they are not visually intrusive when viewed from villages and the highway network.
- 8.123 Some applications may need to be accompanied by an 'environmental statement' which will include an indication of the likely significant effect of the development on

human beings, flora, fauna, soil, water, air, climate, landscape, material assets and cultural and historical heritage. Applications for wind turbine installations will need to include details of associated infrastructure such as new access roads so that the proposal can be fully assessed.

- 8.124 Community benefits, derived from section 106 legal agreements and/or via Community Agreements with the energy provider, from new wind turbines, ground mounted solar schemes and other large scale renewable energy development will be used for community infrastructure as set out in Policy INF1. Benefits should not be restricted to revenue streams only.

## HERITAGE ASSETS

8.125 The Rural Area has five distinct villages as well as farmsteads and small clusters of homes and businesses in the countryside. Each village has its own character reflecting its historic development. The rural area contains a number of heritage assets, including listed buildings, locally important buildings, scheduled monuments and other archaeological sites and two Conservation Areas at Elwick and Greatham. This heritage is of economic and cultural value to both the rural area and the wider community. This plan aims to protect and enhance the heritage assets, the distinctive character of each village and the scattered built development in the countryside. It is crucial that new development respects and enhances this character and sits harmoniously with the existing built form. The list that has been provided is not exhaustive and interested parties should be encouraged to check the Historic Environment Record (HER).

### Heritage Asset Objectives

8.126 The Hartlepool Rural Neighbourhood Plan will seek to:

1. ensure the distinctive character of each village is safeguarded and enhanced with any new development taking account of guidance in the respective village design statement.
2. ensure that heritage assets are safeguarded and conserved, including listed buildings and locally important buildings, scheduled monuments and archaeological sites.
3. enhance and improve the management of heritage assets as identified in the conservation area appraisals and management plans.

Heritage Assets Objective	Delivered by Policy
Heritage Assets Objective 1	Policies GEN2, H1, HA1, HA2, HA3, HA4, PO1
Heritage Assets Objective 2	Policies EC3, HA1, HA2, HA3, HA4
Heritage Assets Objective 3	Policies HA1, HA2, HA3, HA4

## **POLICY HA1 – PROTECTION AND ENHANCEMENT OF HERITAGE ASSETS**

**Planning applications will be supported which:**

- 1. preserve and enhance their physical character and facilitate new uses for buildings at risk.**
- 2. ensure all heritage assets including Scheduled Ancient Monuments and the ridge and furrow landscape, within the Rural Plan area are conserved or enhanced through a constructive conservation approach;**
- 3. ensure that the distinctive character of Conservation Areas, within the Rural Plan area, is conserved or enhanced through a constructive conservation approach;**
- 4. protect, conserve or enhance the area's Listed Buildings by preventing unsympathetic alterations, encouraging appropriate physical improvement work, supporting viable proposals to secure their re-use and restoration, and supporting the local authority's continued review and management of these assets.**
- 5. encourage the retention of heritage assets on the List of Locally Important Buildings, particularly when viable, appropriate uses are proposed.**

**A list of heritage priorities within the rural area is set out in Appendix 5.**

### **Justification**

- 8.127 Our heritage assets are very important in the Rural Plan area and help to create the distinctive character of the villages and countryside. There are two conservation areas at Elwick and Greatham. Conservation Area Appraisals have been published for both areas.
- 8.128 There are 28 entries in Historic England's listed buildings schedule, with several including a number of separate properties and structures, listed as being of architectural or heritage interest. These include the Grade I St Mary Magdalene Church at Hart and nearby medieval walls; the chapel, almshouses and other properties of the Hospital of God at Greatham, Elwick Hall, as well as other churches, windmills, farmhouses and cottages in other villages. In addition there are a number of buildings on the Local List of Heritage Importance compiled by Hartlepool Borough Council.
- 8.129 There are currently five Scheduled Monuments which are protected under the Ancient Monuments and Archaeological Areas Act 1979. These are:
- Claxton Medieval Moated Site.
  - Hart Manor House Walls.
  - Hart Fishponds.
  - High Burntoft Medieval Farmstead and Open Field System (Elwick parish)
  - Elwick Fishponds.
- 8.130 Research has indicated that there are a number of areas showing the remains of ridge and furrow particularly around Hart and Elwick. This mediaeval land management system is increasingly rare and therefore every attempt should be made to conserve this important historical feature.
- 8.131 Recent excavation has revealed a Romano – British settlement at Greatham. There are other areas of archaeological interest within the villages of Elwick, Hart, Dalton

Piercy, Greatham and Newton Bewley. This list is not exhaustive and other sites of archaeological interest may come to light over time. Before any development takes place on the former RHM site to the south of Greatham, archaeological assessment of the site should be carried out to ascertain whether the Romano-British settlement extends into the area. Tees Archaeology should be consulted for further information.

## **POLICY HA2 - PROTECTION AND ENHANCEMENT OF CONSERVATION AREAS**

**In determining applications within Conservation Areas, or which affect the setting of a Conservation Area, particular regard will be given to the following:**

- 1. The scale and nature of the development;**
- 2. The design, height, orientation, massing, means of enclosure, materials, finishes and decoration proposed;**
- 3. The retention of original features of special architectural interest such as walls, gateways and other architectural details;**
- 4. The retention of existing trees, hedgerows and landscape features, with appropriate landscaping improvements incorporated into design proposals;**
- 5. The protection of important views and vistas;**
- 6. The location of appropriately designed car parking, landscaped in such a way as to minimise impact on the character of the area, and**
- 7. Guidance provided in relevant Conservation Appraisals, Visual Assessments and Village Design Statements.**

**Proposals for demolition within Conservation Areas will be carefully assessed in order to avoid the loss of important features and buildings, but to encourage removal of unsympathetic later additions.**

**Where any demolition in conservation areas is proposed, the Rural Plan will support proposals only if it can be demonstrated that:**

- 1. The removal would help to conserve or enhance the character or appearance of the Conservation Area;**
- 2. Its structural condition is such that it is beyond reasonable economic repair, or**
- 3. Retention and restoration through some form of charitable or community ownership is not possible or suitable, and**
- 4. The removal is necessary to deliver a public benefit which outweighs the removal.**

### **Justification**

- 8.132 There are two conservation areas within the rural plan area and the Rural Plan Working Group seek to ensure that the integrity of each conservation area is protected and enhanced where possible. Enhancement works should be sympathetic to the conservation area, so we can ensure that our heritage is protected and not eroded over time with unsympathetic additions/alterations and/or building/structure loss.
- 8.133 Positive work has been carried out in Greatham Conservation Area with wooden period windows restored on houses in Front Street. The Rural Plan seeks to ensure such improvements are retained and continue across the plan area and are not lost by reverting to incorrect period style or materials.

## **POLICY HA3 - PROTECTION AND ENHANCEMENT OF LISTED BUILDINGS**

In determining applications for Listed Building Consent for alteration or partial demolition, the following criteria will be applied, where appropriate:

- 1. traditional materials and sympathetic designs which are in keeping with the character and special interest should be used.**
- 2. internal features and fittings which comprise an integral part of the character and special interest of the building should be retained and re-used, and,**
- 3. The works would support the enhancement or viable use/re-use of the remaining part of the building.**

Works within the setting of a Listed Building should be of a design which is sympathetic to, and takes advantage of opportunities to enhance, the setting of the Listed Building. If appropriate design solutions that would avoid any harm cannot be provided, then the scheme will be not be supported.

Where any demolition is involved, detailed proposals for the satisfactory redevelopment or after-treatment of the site should be secured before demolition takes place.

The Rural Plan will consider the total demolition of a Listed Building only in exceptional circumstances, where it has been clearly demonstrated that:

- 1. There is no appropriate or viable use for the building.**
- 2. The fabric of the building is beyond reasonable economic repair.**
- 3. Retention and restoration through some form of charitable or community ownership is not possible or suitable, and**
- 4. Redevelopment would result in a public benefit which outweighs the loss of the building.**

### **Justification**

- 8.134 The listed buildings within the Rural Plan area play an important role in ensuring that the historical grain of the area is reflected. The listed buildings assist in adding to the charming character of the rural plan area and the Rural Neighbourhood Plan Working Group want to ensure that this remains the case for generations to come along with securing potential economic benefits.

## **POLICY HA4 - PROTECTION AND ENHANCEMENT OF LOCALLY IMPORTANT BUILDINGS**

**In determining applications for planning permission that affect entries on the List of Locally Important Buildings, the effect of the application on the significance of the following will be assessed:**

- 1. The historic or architectural importance of the building.**
- 2. Features which contribute significantly to the character of the building.**
- 3. Their contribution to the appearance of the locality.**
- 4. Their scarcity value to the local area.**
- 5. The scale, nature and importance of the proposed redevelopment, which should clearly demonstrate how it would conserve or enhance the site or setting of other buildings nearby.**
- 6. The design and means of enclosure.**

**A balanced judgement will be made, having regard to the scale of any harm or the loss and the significance of the heritage asset.**

### **Justification**

- 8.135 A list of Locally Important Assets has been compiled by Hartlepool Borough Council (see Appendix 3 for those within the Rural Plan area). Whilst not as architecturally or historically significant as Listed Buildings, buildings and other heritage assets on this list are considered to be worthy of protection as a means of emphasising local character and sense of place.

## **PLANNING OBLIGATIONS**

- 8.136 This section brings together the community infrastructure that has been identified in other policies of the Neighbourhood Plan. The list of projects included in the policy is not exhaustive. Other projects may be proposed as a result of consultation on the draft Neighbourhood Plan or may emerge in the future.

### **POLICY PO1: PLANNING OBLIGATIONS - CONTRIBUTIONS TOWARDS MEETING COMMUNITY INFRASTRUCTURE PRIORITIES**

**Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.**

**Developer contributions will be determined on a site by site basis in accordance with Hartlepool Borough Council's Supplementary Planning Document on Planning Obligations and due consideration should be given to priorities listed in Appendix 5.**

**Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.**

#### **Justification**

- 8.137 Contributions from developers for the provision of additional works deemed to be required as a result of the development will be determined in accordance with Hartlepool Local Plan policy and Supplementary Planning Document on Planning Obligations. Other potential funding sources include community benefits from renewable energy development, Landfill Communities Fund, Heritage Lottery Fund, and a number of environmental funds.
- 8.138 Consultations have helped to identify the improvements needed to community infrastructure in each village. Other improvements to bridleways, cycleways and footpaths are set out in Policy T3; environmental enhancements are set out in Policy NE1 and heritage assets enhancements are set out through in Policies HA1-4
- 8.139 Contributions from developers will be used to fund projects that will meet the deficit resulting from the development usually in the village/ parish nearest to the development proposal. Community benefits from renewable energy projects may be used in more than one parish depending on the location and impact of the project. Community benefits should not be limited to revenue only. The selection of the project(s) to be funded will be made by the relevant parish council in consultation with the local community.



## **MONITORING AND IMPLEMENTATION**

8.140 The Hartlepool Local Plan contains a comprehensive set of monitoring indicators to measure the progress of development in the Borough. To evaluate progress with the implementation of the Neighbourhood Plan, the following indicators will be monitored for the Rural Plan area:

1. Number of dwellings developed per annum
2. Number of affordable homes developed
3. The size, type and tenure of new homes
4. An assessment of the design and layout of new development in villages
5. The layout and design of new development on the edge of Hartlepool urban area
6. New business premises developed
7. Business premises lost to non-business uses
8. Proposals for the former RHM Site at Greatham
9. Proposals for development at the A19 Service Stations
10. Progress with highway improvements
11. Proposals for the reopening of Greatham and Hart Stations
12. Proposals for alternative provision for bus/ community transport
13. Improvements to the rights of way network
14. Improvements to community buildings and open spaces
15. Projects to enhance the local environment
16. Renewable and low energy schemes approved and developed
17. Progress with projects to enhance heritage assets
18. Surface water management projects
19. Tree belts and woodland in development
20. Sale of affordable housing

## APPENDIX 1: GLOSSARY OF TERMS

Affordable Housing	Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. A full definition is available on page 50 of the <u>National Planning Policy Framework</u> . For the purpose of calculating the number of affordable homes per site, the standard mathematical rounding off approach should be used. e.g. 15% of 5 = 0.75 = 1 house.
Amenity	A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.
Amenity Green-space	Open land, often landscaped, that makes a positive contribution to the appearance of an area or improves the quality of the lives of people living or working within the locality. It often provides opportunities for activities such as sports, and can serve other purposes such as reducing the noise from a busy road or providing shelter from prevailing winds.
Archaeological Assessment / Evaluation	An assessment of the potential archaeological interest of a site or building. This can be either a desk-based assessment or a field assessment, involving ground survey and small-scale pits or trial trenching carried out by professionally qualified archaeologist(s) looking for historical remains.
Article 4 Direction	Direction removing some or all permitted development rights, for example within a conservation area or curtilage of a listed building. Article 4 directions are issued by local planning authorities.
Biodiversity	The whole variety of life encompassing all genetics, species and ecosystem variations, including plants and animals.
Biodiversity Action Plan (BAP)	A strategy prepared for a local area aimed at conserving and enhancing biological diversity.
Brownfield Land and Sites	See 'Previously-Developed Land'.
Buffer Zone	An area of land separating certain types of development from adjoining sensitive land uses.
Character	A term relating to the appearance of any rural or urban location in terms of its landscape, layout of streets, architectural/vernacular style and open spaces, often giving places their own distinct identity.
Coalescence	The merging or coming together of separate towns or villages to form a single entity.
Commitments (or committed development)	All land with current planning permission or allocated in adopted development plans for development (particularly residential development).
Community	Benefits made by developers of major renewable energy projects to

Benefits	local communities.
Community Hub	Focus for community activity.
Conservation (for heritage policy)	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
Conservation Area	Local authorities have the power to designate as conservation areas, any area of special architectural or historic interest. This means the planning authority has extra powers to control works and demolition of buildings to protect or improve the character or appearance of the area.
Conservation Area Character Appraisal	A published document, which is regularly reviewed/updated, defining the special architectural or historic interest that warranted the area being designated-
Conversions	Generally means the physical work necessary to change the use of a building from a particular use, classified in the use classes order, to another use. Can also mean the sub-division of residential properties into self-contained flats or maisonettes.
Developer Contributions	Contributions made by a developer through a legal agreement (usually a s106 agreement) that ensure that certain extra works related to a development are undertaken
European site	This includes Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2010.
Exceptional circumstances	These are not able to be defined, but applications will be looked at on a case by case basis; the aim of this is to strictly control any development.
Exceptional Quality	Of remarkable architectural character sympathetically designed for its setting.
Future Eligible Household	As defined in Policy H3.5
Greatham Beck	Relates to all sections of the stream from its crossing into the Rural Plan area to its exit into the River Tees (e.g. Char Beck, Dalton Beck)
Green corridor / wildlife corridor	An area of habitat connecting wildlife populations separated by human activities or structures (such as roads, development or logging).
Green Gaps	Green gaps comprise the open areas between settlements, which maintain the distinction between the countryside and built up areas, preventing the coalescence (merging) of adjacent villages and urban areas.
Greenfield Land or Site	Land (or a defined site) usually farmland, that has not previously been developed.
Habitat	The natural home or environment of an animal, plant or other organism.
Heritage Asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic Environment Record	A digital record of all the known archaeological sites and historic buildings in Hartlepool as maintained by Tees Archaeology.
Infill development	The development of a relatively small gap between existing buildings.
Innovative Design	Demonstrates new and forward-thinking concepts and construction.
Community	Infrastructure covers the basic services necessary for development to

Infrastructure	take place. For example, roads, electricity, sewerage, water, education and health facilities. Community infrastructure relates to community buildings and open space that serve the education, health and social needs of the community.
International, national and locally designated sites of importance for biodiversity	All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites.
Landscape Character	The distinct and recognisable pattern of elements that occur consistently in a particular type of landscape. It reflects particular combinations of geology, land form, soils, vegetation, land use and human settlement
Large Scale	Any developments comprising in the region of 450 houses, whether as a single application or as the result of cumulative applications, would be expected to provide a fuller range of community facilities (this figure being based on the size of Greatham village which is able to support a range of facilities).
Listed Building	A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (e.g. wells within its curtilage).
Local Green Space	Designated open space where public access may or may not be formally established, but which fulfils or can fulfil a recreational or non-recreational role (for example, amenity, ecological, educational, social or cultural usages). Green spaces of particular importance designated as local green spaces in line with paragraph 76 & 77 NPPF.
Locally Listed Building	Locally important building valued for contribution to local scene or for local historical connections but not meriting listed building status.
Local Need Housing	Housing requirements generated by the indigenous population rather than by inward migration.
Made	The formal term used to describe the Rural Plan once complete and endorsed by Hartlepool Borough Council.
Open Space	All open space of public value, including not just land, but also areas of water (such as rivers) which offer important opportunities for sport and recreation and can act as a visual amenity.
Previously Developed Land or 'Brownfield' land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
Protected Species	Plants and animal species afforded protection under certain Acts and Regulations.
Public Right of Way	A public right of way is a route over which the public have a right of access.
Registered	Organisations that provide affordable housing. Most Housing

Social Landlord (RSL)	Associations are RSLs. They own or manage affordable homes, both social rented and intermediate.
Rural Area	The area of land beyond the urban limits of Hartlepool, including the villages.
Rural Plan Area	As defined by Hartlepool Rural Neighbourhood Plan designated boundary.
Renewable and Low Carbon Energy	Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).
Rural Diversification	The expansion, enlargement or variation of the range of products or fields of operation of a rural business (branching out from traditional farming activities, for example new income-generating enterprises like renewable energy, tourism and food processing).
Rural Exception Site	Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.
Section 106 Agreement	A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.
Sites and Monuments Record	List, description, and assessment of all known ancient monuments and sites of archaeological interest in an area, including a map of each site.
Small Scale Businesses	Enterprise of a limited size, e.g. Home Farm, Hart.
Starter Homes	Dwellings for young, first-time buyers.
Strategic Environmental Assessment (SEA)	A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
Development Limits / Village Envelopes	A boundary around a village, usually quite tightly drawn, within which development might be allowed in principle.
Windfall Site	Sites which have not been specifically identified as available in the Local Plan process. They normally comprise smaller-scale sites for no more than 5 dwellings that have unexpectedly become available.
Wind farm	A group of wind turbines located in areas exposed to wind. A wind farm may vary in terms of the number and size of turbines.

## **APPENDIX 2: LIST OF EVIDENCE BASE DOCUMENTS**

The Hartlepool Rural Neighbourhood Plan has made use of relevant evidence prepared for the emerging Hartlepool Local Plan. In particular:

### **Local Evidence Base Documents**

- Tees Valley Strategic Housing Market Assessment 2012 / 2014
- Hartlepool Strategic Housing Land Availability Assessment 2014
- Hartlepool Affordable Housing Economic Viability Assessment 2009
- Future Housing Provision in the Borough for the Next 15 Years 2012
- Hartlepool Strategic Flood Risk Assessment Level 2 2010
- PPG17 Open Space Assessment 2008
- Hartlepool Landscape Assessment 2000
- Designated Protected Sites (Natural England)
- Renewable Energy Technical Paper 2010
- North East Assembly Wind Farm Development and Landscape Capacity Study: East Durham Limestone and Tees Plain Report (2009)
- Listed Buildings (Historic England)
- Scheduled Monuments (Historic England)
- Locally Listed Buildings in Hartlepool 2012
- Hartlepool Local Infrastructure Plan 2016
- Hartlepool Local Transport Plan 2011
- Hartlepool Surface Water Management Plan 2010

### **Local evidence has been collated from**

- 1991, 2001, and 2011 Census data
- Village Assessments undertaken by Colin Haylock, CABE
- Neighbourhood Plan Residents Survey 2012
- Neighbourhood Plan Local Housing Needs Survey, prepared 2015
- Elwick Conservation Area Visual Assessment 2010
- Greatham Conservation Area Visual Assessment 2010
- Greatham Village Design Statement
- Elwick Village Design Statement
- The Heritage of Hart Project, Tees Archaeology, 2009

## **National and Regional Guidance**

- National Planning Policy Framework
- Planning Policy Guidance
- DfT Circular 02/2013 Department for Transport, The Strategic Road Network and the Delivery of Sustainable Development 10 September 2013
- “North East Assembly Wind Farm Development and Landscape Capacity Study: East Durham Limestone and Tees Plain Report” (2009)
- “Delivering community benefits from wind energy development: A Tool Kit” A report for the Renewables Advisory Board July 2009

### **APPENDIX 3 LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST (November 2013)**

Note: The following list is for guidance only. As it is revised periodically those seeking confirmation of the listed status of a particular property are advised to contact Hartlepool Borough Council's Conservation Manager.

#### **DALTON PIERCY**

##### Grade II

- College Farmhouse & cottage
- Manor Farmhouse & cottage & outhouse
- Priory Farmhouse & cottage
- Rose Cottage & outhouse

#### **ELWICK**

##### Grade II\*

- St Peter's Church Grade II
- Benknowle Lane, Elwick Windmill
- Elwick Hall, Church Bank
- 29 The Green (The Forge)
- Wilton Cottage

#### **GREATHAM**

##### Grade II\*

- West Row, St John the Baptist Church

##### Grade II

- 2, 4, 6, 10, & 12 Front Street
- 16 & 18 Front Street
- Front Street, Dormer Parkhurst Almshouses
- Front Street, Greatham Hospital of God, Almshouses
- Front Street, Greatham Hospital of God, Chapel
- Front Street, Barn
- 5 High Street
- High Street, Briarmead & stable & wall
- High Street, St Francis Cottage & coach house & wall
- High Street, Prospect Farm storage building (now Prospect Cottage)



## **HART**

### Grade I

- Butts Lane, St Mary Magdalene Church

### Grade II\*

- Butts Lane, Chare Wall (Medieval)

### Grade II

- Butts Lane, Brus Wall
- 5, Front Street
- Off Front Street, Voltigeur Cottage
- Front Street, Home Farmhouse & cottage
- Old School Lane, Hart Windmill

## **NEWTON BEWLEY**

### Grade II

- Mill House

## APPENDIX 4: DESIGN CRITERIA CHECKLIST

Design criteria	Compliance Y/N	Evidence	Reason for non-compliance
Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones?			
Does the scheme create new connection?			
Does the scheme respect existing buildings and land uses around the development site?			
Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafés?			
Does the scheme have good public access to public transport to help reduce car dependency?			
Does the design of the development ensure it is accessible to people of limited mobility?			
If applicable, does the development have a mix of housing types and tenures that meet local requirements?			
Is the development of an appropriate layout, scale and form that contributes to the location and reflects and enhances the distinctive features and character of the area within which it is immediately located?			
Does the development take into account the relevant village design statement and does it respect the local vernacular building character?			
Does the development incorporate high standards of energy efficiency?			
Does the development ensure that it does not negatively impact upon the			

relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion ?			
Is the private amenity space commensurate to the size of the development?			
Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?			
Does the development use sustainable surface water management solutions to reduce surface water disposal in public sewers and manage the release of surface water?			
Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?			
Is the scheme designed to make it easy to find your way around?			
Are streets designed in a way that encourages low vehicle speeds and allows them to function as social spaces?			
Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?			
Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?			
Does the development preserve, and where possible enhance, significant views and vistas?			

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?			
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## **APPENDIX 5: INDIVIDUAL VILLAGE ENVIRONMENTAL AND COMMUNITY IMPROVEMENT PRIORITIES**

Many community facilities in villages are managed privately, and therefore contributions from developers should be directed to the relevant organisation.

### **General Heritage priorities**

- Interpretation boards at scheduled monuments and other key sites.
- Reduction in traffic signs and poles.

### **Dalton Piercy:**

- Superfast Broadband
- Revamp of village pond
- Extra parking at Dene Garth and North View
- New Village Hall
- Decorative street lights
- Create safe footpath to A19/Windmill Hotel
- New bridge railings
- Decorative pump on village green
- New well-equipped play area
- Revamp red telephone kiosk
- Renew fencing at The Batts Nature Reserve
- More picnic benches
- Improve footpath to Elwick

### Heritage priorities

- Enhancement of the village green

### **Elwick:**

- New car park to serve the church and other village assets
- Second handrail and non-slip surface for cinder path on Church Bank
- More equipment for the Playing Field
- Resurfacing of road to south of the village green to reflect the appearance of the Conservation area
- Bench at A19 end of North Lane
- An appropriate rural footway along the road to Hartlepool (accessible to prams and wheelchairs)

### Heritage priorities

- Review of the Article 4 directive in Elwick Conservation Area and encouragement to use more appropriately designed windows, doors, boundary features and other domestic features.
- Enhancement to the environment of Elwick Village Green by resurfacing of access lanes with, for example, resin bonded gravel to give a more informal appearance.
- Enhancement of Elwick Village Green

### **Greatham:**

- Improvements to the Community Centre
- Improvement of facilities at the Sports Field
- Metal railing around the Village Green
- Relocation of historic Salt Pump to village site
- Interpretation boards and blue plaques
- Improving rights of way

- Improved play equipment Saltaire Terrace
- Parking for the school
- Continuing replacement of tarmac hard standing with setts/blocks
- Re-site High Street overhead cables underground

#### Heritage priorities

- A new article 4 Directive in Greatham Conservation Area and encouragement to use appropriately designed windows, doors, boundary features and other features.
- Environmental enhancement at Greatham of the areas around The Green, the area to the front of the Hospital of God, High Street and the area around Vicarage Row including landscaping works, paving, other resurfacing works and lighting.
- Enhancement of Greatham village green and the Little Green, Front Street

#### **Hart:**

- A new multi-purpose community open space
- An equipped play area
- A sports pitch
- A wildlife area
- A dog walking area
- Allotments
- Period (rural) uniform lighting through Front Street
- Remove village barriers
- Re-site overhead cables underground

#### Heritage priorities

- Enhancement of the environment in the area around Hart Church and the medieval walls.

#### **Newton Bewley:**

- The 50mph speed limit be extended to the Wolviston roundabout.
- A fixed speed camera
- Traffic noise abatement measures
- Footpath to Wolviston made accessible for disabled.
- Bypass

#### Heritage priorities

- Enhancement of the village green

# ELWICK VILLAGE DESIGN STATEMENT



**MAY 2016**

## Introduction

Those of us who are fortunate to live in Elwick believe it is a very special place as one of the most attractive villages in the North East of England. It has a unique setting and character very precious to those of us living here.

Although we wish to preserve all that is good about the village, we recognise that it is a dynamic, living environment which needs to develop in order to maintain itself as a sustainable community. Standing still is simply not an option, but such change and development which may be necessary to sustain the community must be done in keeping with the character of the village. Changes should be made to enhance and develop the village, preserving and protecting that which we hold dear and developing in the interests of the community as a whole.

This Village Design Statement has been prepared to try and capture and preserve those special characteristics in such a fashion that they can be used to inform and direct planning issues which will face the village in the future.

We recognise that decisions on planning applications will be largely determined by the provisions of Hartlepool Borough Council's Local Plan and the Neighbourhood Plan for the Rural Hinterland of Hartlepool (known as the Rural Plan), but it is intended that this design statement will be adopted by the Borough Council as a supplemental guidance to planning policies in the Hartlepool Local Plan.

This Village Design Statement has been prepared as part of a Neighbourhood Plan for the wider Hartlepool rural area. The Village Design Statement will include:

- Descriptions of the built and natural form of the parish, as it currently exists, identifying its essential qualities, backed by photographs, maps and drawings;
- Statements regarding use of space, against which future development proposals can be measured; and
- Recommendations for future development which will act as supplementary planning guidance.

Elwick Parish Council has strong links with Hartlepool Borough Council regarding development and conservation matters. There has been communication between the Parish Council and the Conservation Officer and Planning Officers regarding the Neighbourhood Plan. These and other officers have helped with professional knowledge in the preparation of the Neighbourhood Plan.



## Aims and Objectives

### Aim:

To influence and support the local authority planning department, by providing a local context for development within the parish, based on character and sense of place, ensuring that any change is in harmony with the existing settlement and makes a positive contribution to the local environment.

### Objectives:

- To protect the distinctive character of the parish and surrounding countryside, including its landscape setting, the roads, lanes and footpaths and the nature of the settlement and buildings, through adopting local design principles; and
- To work in partnership with the local planning authority on local and future planning policy.

## Elwick Village

Elwick Village is located about four miles to the west of Hartlepool, only a short distance from the A19 Trunk Road linking Teesside and Tyneside. It is closely linked with the villages of Hart, to the North West and Dalton Piercy to the South.

The village is typically medieval, probably dating to the first half of the 12th Century. A village green runs from east to west around which two rows of farmsteads were built representing the original settlement. Elwick has been an agricultural settlement for most of its life and there are still working farms within the village. However, post war development to the north and west of the village has increased the population significantly. This also includes sheltered housing developments for older people.

The village has a manor house (Elwick Hall) and church built on top of a bank to the west side of the village, the church was built separate from the main village as a private chapel for the Lord of the Manor.

Although the Parish of Elwick covers a large area to the west and south of the village, this Design Statement specifically refers to the Village itself.

## The Village Today

Elwick has a population of approximately 600 people with over 200 houses within the curtilage of the village. It has a primary school, church, village shop and post office, two pubs and a Women's Institute (WI) Hall, which is used extensively by community groups, showing the vibrancy of the community.



Over the past 50 years the village has moved away from a traditional agricultural economy although there are still five active farms in the village. Nevertheless, mainly due to its good transport links, the majority of villagers tend to commute to the nearby conurbations of Hartlepool, Teesside and Tyneside.

## **Landscape Setting**

Elwick is mostly hidden from view on the approaches to the village from the east and west. The Church and Manor House are clearly separate and more obvious. The majority of the village is concealed by the rising farmland surrounding it. This setting, concealing the village from the surrounding countryside, seems to emphasise the unique sense of identity, a community set in its own environment.



Although Elwick is part of the Borough of Hartlepool, it is set in the rural west of the Borough and has its own distinctive separation from the rest of the Borough. Indeed, for many years the Village was only accessible from Hartlepool by an un-metalled road and it looked much more towards the villages of Durham for any sense of identity. Even now, many of the older residents regard themselves as belonging to County Durham.

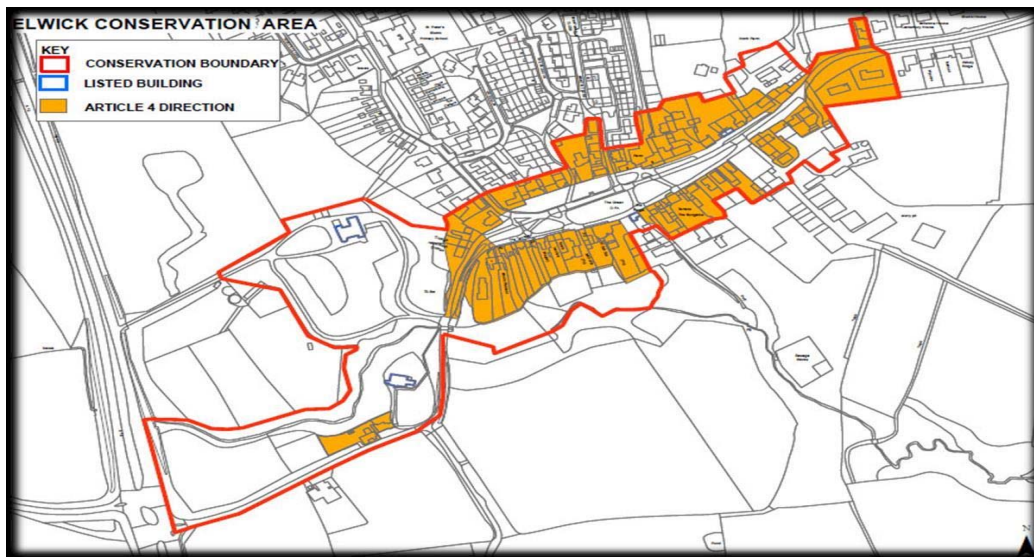
Even until 1974, for local government purposes, the Village was part of Stockton Rural Council within the County of Durham. Although it has now developed strong links with Hartlepool, it nevertheless values its sense of rurality and separation and has resisted any proposals to allow development along the Hartlepool Road which would erode its separate identity. Many people living in the village do so because of its unique identity and rural nature and would resist any suggestion that development should extend the boundaries of the town to Elwick.



## Elwick Conservation Area

A conservation area is an area of special architectural or historic interest where the groupings of all the buildings make a significant contribution to the townscape, the character of which it is desirable if not essential to preserve or enhance.

Conservation areas are designated by local planning authorities because of the quality of the buildings and environment. This quality is fragile and can easily be damaged or destroyed by badly directed modernisation and maintenance work or lack of concern and knowledge of the importance of the area. Any development, alteration or indeed any changes proposed within the conservation area must obtain prior permission from the local planning authority.



In particular, buildings are seriously affected by changes to such aspects as roof materials, gutter and downpipes, wall finishes, windows and dormers, doors and door surrounds. Even the simplest cottage or brick terrace is part of Elwick's local heritage and once its quality is destroyed, it is not easily recreated.

This Design Statement therefore endorses the guidelines set out by the local authority in relation to trees and buildings which lie within the boundaries of the Conservation Area. Further information on this can be obtained from the Planning Department of Hartlepool Borough Council.



## The Use of Green Space and Setting of the Village

The Village Green, at the centre of the community, is key in determining the open character of the Village. However, other developments such as The Walk, the Paddock and Greenlea as well as Manor Close and Martindale Close have their own open spaces much valued by the residents. Consultation with residents has indicated that to a lesser extent, but nevertheless of importance, are the wide verges and green areas on roads leading out of the village which are pleasant to the eye and contribute to the feeling of roominess. Again, this type of design contributes greatly to the rural nature and feel of the village and is one of the important characteristics of the settlement which contribute to the sense of space and wellbeing.



Two particular open space developments have been made in the last thirty years which are of importance. At the western end of the village the James Grieves playing field has been developed which is a highly valued asset for the village and must be maintained as such.

Equally, a wildlife garden has been constructed at the north end of Greenlea which provides an important social and educational facility for the Village. Again, this open space should be maintained.

The historical centre of Elwick is The Green, which is an open green space that has a mix of traditional buildings running parallel with the road. The housing mix is varied in type, style, height and grouping in relation to the neighbouring properties. Most of the traditional housing stock for the village is located along The Green. The buildings range in size and shape, as shown in the photos included in the building design section. Sizes and groupings range from single storey detached to double storey terraced. There is also variance in the ages from older detached double cottages to more modern detached single bungalows. This, combined with differing roof heights and the change in gradient from east to west, all add to the character of The Green. Interspersed with the residential property on The Green are two pubs and a village shop/post office.

The Green is the heart of the village in terms of amenities, and the houses along it form the southern edge of the Elwick. To the north the housing type, layout and the density of housing changes. These suburban areas have been added to the village in a number of separate developments over many years, each with its own unique character. To understand the views of the villagers within Elwick, and what type of housing or layout of space they would favour for future development, a community engagement event was held. In this we talked in groups using photographs of the different housing styles and layouts to help visualise the different styles for the group.

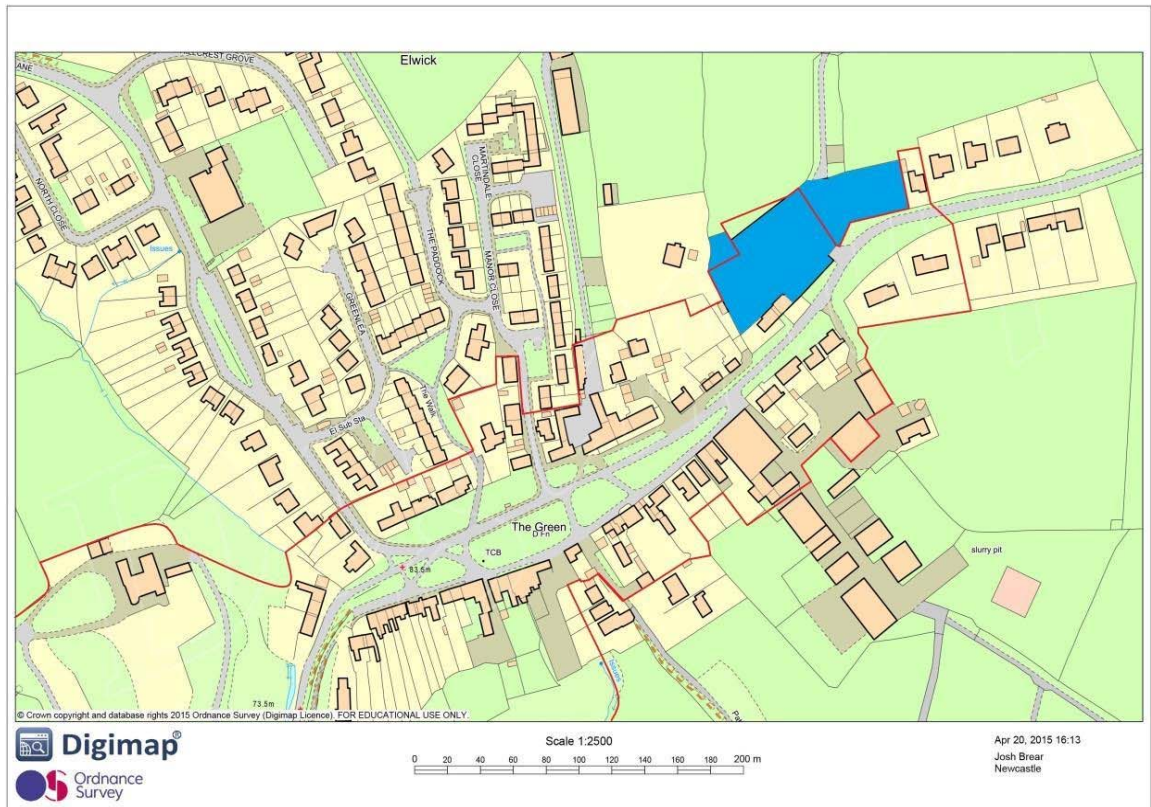
The core issues raised in the Community Engagement event were to ensure:

- Any new development in Elwick has appropriate pedestrian links to the rest of the village and especially The Green;
- New development answers the needs of the village in terms of the requirement of affordable housing and different sized dwellings to accommodate single occupants and new families;
- Different types of housing is provided, to reflect the differentiation in size and shape that give character to the area and match that of the village;
- Any new development reflects the village as a whole and links back to the heart of the village;
- If bungalows are included in a new development scheme, these will be located closer to the heart of the village and near pedestrian links, so that they are incorporated into the community instead of being on the perimeter of the village;
- Use of one and two storey developments, with nothing higher than double storey; and
- Any new boundary to the village remains rural in its aesthetic, so the use of boarded fences on external boundaries is not be encouraged, and native hedgerows are preferred.

## **Future Development of the Village**

Future development within Elwick will concentrate on the North Farm site which has been previously identified in the Hartlepool Strategic House Land Availability Assessment and also identified in the Rural Plan. North Farm is located at the east end of the village at the end of The Green, with most of the site located within the Elwick Conservation Area. There is a traditional brick barn fronting this last section of green space leaving the village, and the entrance heads into the site at an angle from the main road on the corner, just before it drops into the village. Within the site itself are predominantly modern farm buildings and storage areas.





### ***North Farm Site***

Any new development at this site needs to be based on an understanding and reflection of the relationship between buildings and space, as at the heart of the village. It also needs to respond to the core issues raised by the community, such as how The Walk encompasses green space into a relatively modern development.

To provide visual examples, the North Farm Site has been put into a suggested two phase development scheme below.

#### **Phase 1**

New development should incorporate the use of the existing buildings to the south of the site. Due to their conservation status these buildings have to remain. The layout is flexible, however the key concern is access, as the main entrance will be both vehicular and pedestrian. The second pedestrian link to the west incorporates the potential use of a side access in-between the main housing fronting The Green. This responds to the requirement raised during the community engagement event for better pedestrian links to the heart of Elwick.

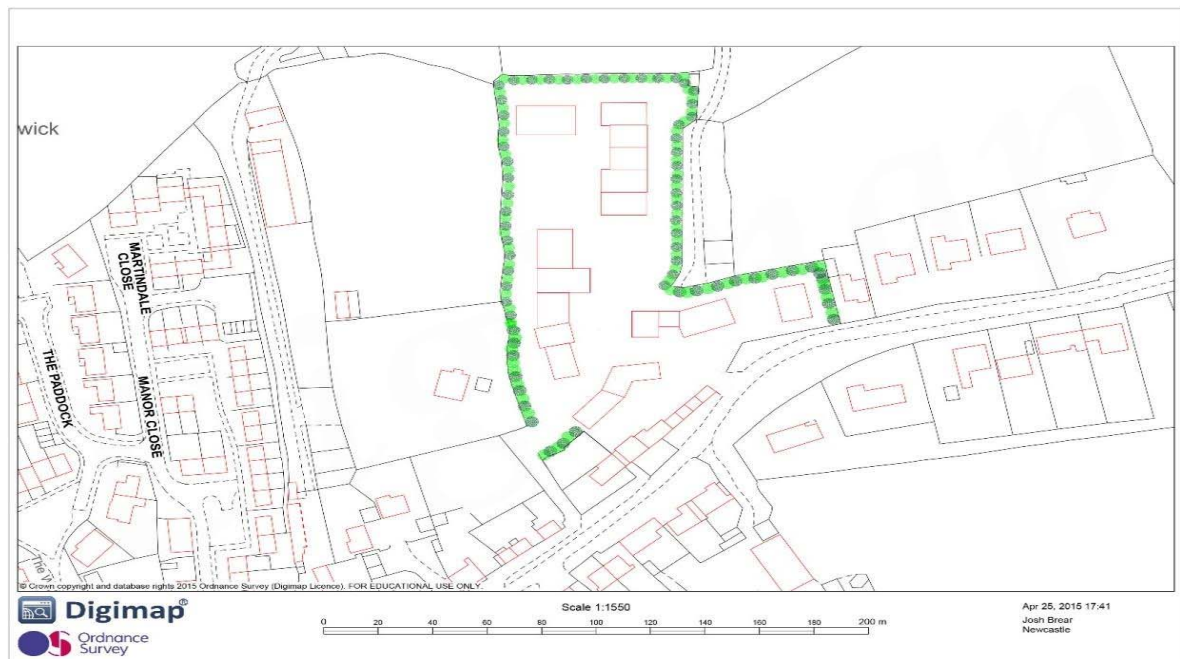


### **Phase 1**

The types of housing are smaller dwellings, for example single storey bungalows or terraced property and 2-3 bed houses for first time buyers.

This mix of housing was another key point which was raised and is felt strongly by the residents. It provides opportunities for a community to grow where the mix of ages can enjoy the green space and links to the centre of the village. An additional point raised was that by having the bungalows nearer the heart of the village and on the pedestrian routes, they will have ease of access but also have a sense of community around them. This was felt to be crucial for the wellbeing of the residents. By contrast the existing bungalows in Martindale Close are not on any pedestrian links and are on the edge of the village away from the community, leading to some sense of isolation amongst the residents.

## Phase 2



### **Phase 2**

The 2nd phase expands into the northern field, which is currently in agricultural use. The layout again is flexible to meet a developer's design. However, there is the potential for an adjoining 3rd phase site to be developed at some point in the future. The example layout takes this into consideration along with the points raised during the community engagement. There will be a single access road serving the properties, whilst providing linking green areas where building groupings and pedestrian routes can contribute to a sense of community. The access road runs around the perimeter of the site, in order to reduce the amount of boarded fence on this edge and instead having a natural border such as bushes and hedges next to the road.

The groupings of the houses will produce a mix of sizes, shapes, roof angles and heights reflecting the design points from The Walk and The Green. As with the established sites, detached and long rows of terraced housing will not be supported – rather semi-detached and small groups of terraced properties of 4-6 dwellings, to produce a design of housing that feels consistent with the village rather than just another residential street.



## Building Design



The old part of the village surrounding the Village Green has evolved over the centuries, with the addition and replacement of buildings, but is largely in the same layout pattern originating as an agricultural community. This area is mainly covered by the Conservation Area although small extensions have been made in the centre and to the east of the main village.

Indeed, one of the commendable aspects of the conservation area is that it comprises such a variety of buildings, from four of the original farmsteads built many years ago, to the attractive Victorian terrace running along the southern edge of The Green, interspersed with buildings which, generally, have been in sympathy with the original buildings blending with the general character.



Away from The Green the village has developed during the post war period with buildings typical of the day from the former council housing in Manor Close and North Lane to the 1960s two storey and single storey buildings typical of such developments in North Lane, North Close and Hillcrest. The development of the "Yuill's Estate" in The Walk, Greenlea and the Paddock in 1974 increased the population of the village significantly.



However, the development introduced terraced, semi-detached and detached housing, designed sympathetically to fit into a rural village setting, with a mix of brick and rendered finishes and an emphasis on open green spaces. Following this, only small infill developments have been permitted.

## Requirements

- Any new development should look to reflect the Village Green and Conservation Area, which have been identified as the most attractive and valued parts of the village character.
- Any new developments in the Village should include open spaces as a central feature of their layout, similar to those in The Walk and along Manor Close, Martindale Close and in North Lane, which are highly valued as pleasant features contributing to the sense of space in the village.
- The mix of housing in any future development must reflect the needs of the population of the village, recognising both the ageing population and the need to provide homes for young purchasers, in order to maintain a sustainable community rather than simply the commercial demands of developers.
- Any new development must include sufficient car parking to alleviate the need for parking on pavements.
- The Village Envelope, as defined in the Rural Plan, should be preserved to ensure Elwick's distinct identity as a small rural village.
- The network of pavements around the village should be preserved and maintained and, where possible, linked into any new developments.
- Street furniture in the village, particularly on the Village Green should be reviewed, minimised and, where possible, a unity of style adopted.

## **Hartlepool Rural Plan**

# **Housing Needs Survey**

**October 2015**

## **Contents:**

Introduction

Analysis of responses:

Q1: How many people in each age group live in your home?

Q2: What is the tenure of your home?

Q3: What kind of property is it?

Q4: How many bedrooms does it have?

Q5: Thinking about the coming years, who is thinking of moving?

Q6: Where do you currently live?

Q7: If moving house, where would you prefer to live?

Q8: When do you or your household need to move?

Q9: What type of accommodation will you require when you move?

Q10: How many bedrooms will you require when you move?

Q11: Would you consider building your own house (self-build)?

Q12: If you were to move, what tenure would you prefer?

Q13: Are you on a housing waiting list?

Q14: Thinking about the next 5 years or so, do you require an adapted bungalow or flat to meet your current or future health needs?

Q15: Thinking about the next 5 years, do you require housing with extra care or a residential home?

Q16: What would be your main reason for needing to move from your current home?

Q17: Please use the space below to give details of any specific housing needs for people within your household e.g. mobility requirement.

Q18: If you have any further comments to explain your answers, please use the space provided below or a separate sheet.

Analysis by village

Reflections of the Rural Plan Working Group based on the evidence base

## **Introduction**

The Hartlepool Rural Plan Working Group undertook this survey in June/July 2015, in order to assess the future housing needs of the rural area of Hartlepool.

This paper is a summary and analysis of the responses received; it should be noted that 12 responses from Hart village, hand-delivered to the Civic Centre, were mislaid by the Borough Council before they could be analysed.

## **Methodology**

Every household in the Rural Plan area, was provided with a copy of the survey and asked to complete it if they felt that the household, or someone within it, was likely to be moving within the next 5 years or so.

Everyone was provided with a reply envelope addressed to the Hartlepool Rural Plan Working Group, c/o The Civic Centre, and a key place for these to be returned to within each village. Pre-paid envelopes were provided to those households outside the village envelopes, to ensure that they would not be disadvantaged.

In the run up to the closing date of 3 July, the Housing Needs Survey was heavily promoted at all Rural Plan Consultation events, at meetings of Parish Councils and, informally, at the village shops and public houses.

The Working Group only expected to receive responses from those expecting or wishing to move within the next 5 years. The total number, 75 including those missing from Hart, gave a response level of approximately 7%.

The following is an analysis of the 63 responses actually received by the Hartlepool Rural Plan Working Group, using the layout of the survey form for accuracy.

Questions 1-16 were tick box options, whilst 17 and 18 were comment only.

### 1. How many people in each age group live in your home?

	1 person	2 people	3 people	4 people	5 or more people
Aged 0 to 15 years old	6	3	0	1	0
Aged 16 to 24 years old	4	2	0	0	0
Aged 25 to 44 years old	8	6	0	0	0
Aged 45 to 59 years old	9	7	0	0	0
Aged 60 to 74 years old	10	20	0	0	0
Aged 75 or over	12	7	0	0	0

*The majority of respondent households were made up of elderly people.*

### 2. What is the tenure of your home?

Own with a mortgage	15
Own with no mortgage	33
Live with parents, relatives or friends	0
Housing tied to job	3
Rent from council or housing association	8
Rent from a private landlord (including Greatham Hospital)	5
Shared ownership with housing association	0
Other (please specify below)	1

*The majority of respondents lived in owner-occupied properties.*

### 3. What kind of property is it?

House	46
Bungalow	14
Flat	0
Other (please specify below)	3
One identified as a cottage.	

*The majority of respondents lived in houses.*

#### 4. How many bedrooms does it have?

One	3
Two	14
Three	31
Four	9
Five or more	5

*The majority of respondents lived in properties with 3 bedrooms.*

#### 5. Thinking about the coming years, who is thinking of moving? (Please tick one box on each line)

	Yes	No	Not sure
Is the whole household looking to downsize within the next 5 years?	18	39	
Is the whole household looking to move together from this home to another in the rural plan area within the next 5 years?	8	35	4
Is there anyone living with you who needs to move to separate accommodation (e.g. a young adult) now or in the next 5 years?	7	40	1
Has anyone from your family moved away from the parish in the last 5 years due to difficulties in finding a suitable home locally and wishes to return? (Please note 'family' means your children, parents, brothers or sisters)	2	46	0
Is anyone in your household permanently employed in the plan area and looking for a home in the rural plan area, now or in the next 5 years?	0	47	1

*Whilst the majority of respondents households were not seeking to move within the next 5 years, over a third **were** seeking to downsize or move.*

#### 6. Where do you currently live?

Dalton Piercy	5
Greatham	33
Newton Bewley	1
Elwick	16
Hart	8
Elsewhere (please state below)	0

*The number of respondents corresponds to and reflects the size of their particular village, with the majority of respondents living in Greatham (the largest village); if the missing 12*

responses from Hart are taken into account, they would be second with Elwick a close third.

**7. If moving house, where would you prefer to live? Tick one box only**

Dalton Piercy	1
Greatham	23
Newton Bewley	0
Elwick	10
Hart	5
Elsewhere (please state below)	9
Hartlepool/nearer to centre of town; Out of Hartlepool area; Co. Durham; Wolviston x 2; Depends on what is available; Beverley, to be near daughter.	

*The majority of respondents wish to remain in their own village.*

**8. When do you or your household need to move?**

Within the next 2 years	10
Between 2 and 5 years	13
In more than 5 years	22

*The majority of respondents are expecting to move within five years.*

**9. What type of accommodation will you require when you move?**

House	14
Bungalow	28
Flat/apartment	3

*The majority of respondents wish to live in a bungalow.*

**10. How many bedrooms would you require when you move?**

One	7
Two	26
Three	11
Four	5
Five or more	0

*The majority of respondents want a two-bedroomed home.*



**11. Would you consider building your own house (self-build)?**

Yes	12
No	35
Not sure	6

*The majority of respondents would not consider a self-build option.*

**12. If you were to move, what tenure would you prefer?**

Buy on the open market	35
Rent from private landlord (includes Greatham Hospital)	12
Rent from council/housing association	9
Shared ownership (allowing you to buy a share of your home, usually a housing association, and pay rent on the remaining share)	5

*The majority of respondents would wish to buy on the open market.*

**13. Are you on a housing waiting list?**

	Yes	No
Are you on the Local Authority or housing association register or waiting list?	6	50
Are you on a waiting list with Greatham Hospital?	2	47

*Almost all respondents are not on a housing waiting list.*

**14. Thinking about the next 5 years or so, do you require an adapted bungalow or flat to meet your current or future health needs?**

Yes, to buy on the open market	5
Yes, to rent from a housing association	9
No	44

*The majority of respondents are not looking for an adapted bungalow or flat.*

**15. Thinking about the next 5 years, do you require housing with extra care or a residential home?**

May require extra care	10
May require a residential home	1
No	46

*The majority of respondents do not require housing with extra care or a residential home within the next 5 years.*

**16. What would be your main reason for needing to move from your current home?**

It is too small	4
It is too large	7
It is too expensive	1
It is too difficult to manage	11
Health or mobility problems	16
Need to be closer to family or carer	5
Need to be closer to employment	1
Need to live independently	3
Other (please specify)	4
<ul style="list-style-type: none"> <li>• Release capital;</li> <li>• To live in a more attractive area away from Teesside;</li> <li>• To have it on one level – no stairs;</li> <li>• Ridiculously high council tax; poor value for money council services; run down town run by unaccountable politicians subsidised by surrounding villages.</li> </ul>	

*The majority of respondents would need to move home for health, mobility problems or due to difficulty in managing their property.*

**17. Please use the space below to give details of any specific housing needs for people within your household e.g. mobility requirement.**

- Stairs;
- Mobility requirements;
- Limited mobility, required level access, no stairs; handrails where required;
- Easy access from drive into house. Not many steps to climb, easy working garden. Special rails for bath/shower; Old age leads to mobility and size/manageability of property issues;
- I have great problems using the stairs and cannot manage the garden any more;
- The ageing process restricts mobility & activity & an adult son (Downs Syndrome) may need assistance in later years;
- I have mobility problems due to several conditions in my legs, the worst being osteoarthritis. Also my wife has a debilitating illness which can also cause her to have mobility issues;
- We recognise that we are starting to have mobility problems and want to move to a bungalow (no stairs) whilst we are still fit enough to cope with the move;
- Stair lift; hand rails; bath help frame; toilet help frame;
- As asbestosis, COPD & heart problem sufferers we need/must live in a bungalow. Apartments are not suitable (stairs);
- Wet room; room for wheelchair, easy access to plugs etc.
- We are trying to get our bungalow to adapt to our needs (shower wet room & ramp from the front door) hoping to get it sorted soon.

- I would need accommodation without a garden as I am able to take my time with housework but gardening is beyond me. To rent or buy, I don't mind
- We have a house which we have bought and are paying for ourselves. By working hard and saving up we are providing for our own housing needs.

*The majority of comments identify health and mobility problems in relation to their housing needs.*

**18. If you have any further comments to explain your answers, please use the space provided below or a separate sheet:**

- The village needs some 3 bed affordable homes for young couples from the village, who wish to continue to live in the village. The proposed new development consisting of 2/2 beds, 1/3 bed and 20 4/5 bed houses makes it almost impossible for 1st time buyers to afford them. We have checked with the builders as our daughter was interested in purchasing one; although she is a teacher with a good income the houses are still out of reach.
- Structured affordable housing allowing young people to live independently would be welcomed, thus meaning friends and family are close by if needed. This would encourage young adults to accept responsibility to live independently in a familiar place among a strong community of well known people.
- Greatham currently has insufficient private bungalows for those residents who wish/need to move from their home for mobility/age requirements. Residents who have owned their own homes do not want /or cannot afford to move into rental properties.
- We would like to downsize but stay in Elwick.
- We would wish to downsize to something with less land/outbuildings, and probably modern. As we grow older we would prefer easier access to shops etc, particularly since the villages have lost a regular/reliable bus service. Although, we would actually prefer to stay in Dalton Piercy or Elwick if that were feasible.
- As I live alone I only require a one-bedroomed house. My mobility is getting worse so I think I would move to a bungalow quite soon if possible. Very poor access to public transport.
- I don't know regarding the next 5 years as I'm in good health at present but the last thing I want is to go into a nursing home!
- Although residential care is not needed yet, or for some time by immediate family, it would have been beneficial for parents if residential care were available nearby for them to have moved to.
- A requirement is a regular/frequent bus service so that we can, if necessary, get into town without using car. Staying in Greatham is a strong preference, but not a requirement.
- The current expansion of housing development risks making the limited rural environment of Hartlepool non-existent. The infrastructure surrounding Hartlepool and through the villages of Elwick and Dalton Piercy is inadequate for any increased traffic throughput. The access points to the A19 are already dangerous, increasing pressure at these points will only exacerbate these dangers. The rural roads are also already dangerous for non car drivers (cyclists, pedestrians, horse riders), any further road use will again exacerbate an already dangerous situation. The villages do not have the amenities to support expansion without changing their character/nature.
- A new build with modern facilities – with high level of eco-friendly building materials and techniques, ultra efficient insulation, glazing, water conservation, plumbing and recycling.
- Would only move to a minimum 2-bedroomed property because I would want my daughter & family (who live in Scotland)
- Our home is a self-build (26 years ago) & we have lived in the village for over 40 years. Naturally we would like to remain in this community & change of accommodation may be necessary. There are few available options for change at this time.
- We cannot afford to rent as we would not be able to have assisted rents.
- We believe the Parish Councils should organise a referendum for 'Rural West' to seek self-determination & leave Hartlepool Borough. We believe this is the only way the villages will receive a fair deal for residents, if they set their own council tax and budgets, & buy in services from neighbouring authorities, by competitive tendering. The 'Rural West' Parish Councils should form the basis of a new 'Local Authority' taking over planning, education, refuse and all other local services for Rural West.

*It became clear once the results were analysed by village, that there were different requirements, depending on where people lived.*

## DALTON PIERCY

Number of responses: **5** (They want: **1 no move; 2 downsize in DP, 1 move to Greatham, 1 move out of Teesside**).

2 owned outright, 2 with mortgages, 1 privately rented.

- A couple with two young children living in a mortgaged 3-bed house, don't plan to move ; if they need to move for employment reasons they would want to buy a 2/3 bed-house wherever they moved to.
- A couple with a young child, living in a mortgaged 5-bed house, plan to move out of the Hartlepool area, to a self built 4-bed house after a minimum of 5 years, in order to live in a more attractive area away from Teesside.
- A couple with older /adult children, living in a mortgage-free, 5-bed house , may want to downsize to a purchased 3-bed bungalow some 5 or more years hence; if the house becomes too large for them.
- A pensioner couple living in a mortgage free, 4-bed house, with land and outbuildings, want to downsize to Hartlepool within the next 3-5 years, to a purchased 4-bed modern house, as their current property will be too large.
- A pensioner couple living in a privately rented 2-bed bungalow want to move to a similar property in Greatham, 5 or more years hence, as they may

## ELWICK

Number of responses: **16**. (They want: **9 No move; 1 down-size to buy, 1 down-size to rent, 1 self-build 4-bed house + 1 residential care place, 1 eco-friendly 3-bed house, 1 upgrade to 2-bed to rent, all within the village; 1 downsize in Co Durham; 1 young adult moving out**).

**12** owned outright, **2** with mortgage, **1** privately rented, **1** local authority/housing association rented.

- One family with 2 older children live in a mortgage free 4-bed house; they have no plans to move.
- An elderly couple live in a mortgage free , 3-bed house and do not wish to move.
- A pensioner couple in their mortgage free 2-bed bungalow do not want to move at all, whilst 2 other pensioner couples, living in mortgage free, 3-bed bungalows feel the same (one would only move to be nearer to family).
- A pensioner couple in a mortgage free, 5-bed house, have no wish to move.
- Two pensioners, each living in a mortgage free, 3-bed house, do not wish to move.
- A pensioner couple living with a middle-aged adult in a privately rented, 3-bed house., would only move if the house became too difficult to manage; they may need extra care 5 years or more hence.
- One pensioner couple in a mortgage free, 4-bed house will want to downsize in 3-5 years to a purchased 2-bed bungalow in the village, due to increasing difficulty in managing their property.
- An older pensioner living in a mortgage free, 4 bed house, would like to rent a 2-bed bungalow in the village, in 3 years or more; happy to rent from any sector and is on the Public Housing register.
- One family, with 2 young children and an elderly relative, live in a mortgaged 3-bed house. They would like to self-build a 4-bed house in the village but also expect their elderly relative to need to move to either a publicly owned adapted property or into residential care sometime ,5 years or more hence, for health reasons. This relative is on the Public Housing Register.

- A pensioner living in a mortgage free, 3-bed bungalow wants to move to a privately rented 2-bed bungalow or residential care in Co. Durham in the next 2 years, as their current home is too big.
- A younger pensioner couple with a mortgaged 3-bed house will want to buy an eco-friendly 3-bed bungalow within the village in the next 3-5 years.
- A pensioner couple renting a 1-bed bungalow from a housing association would like to upgrade to a 2-bed bungalow as their home is too small; they would continue to rent from the public sector and are on the Public Housing Register.
- A pensioner couple, living with their adult child in a mortgage free, 4-bed house, expect the young adult to move within the next 2 years, to a 1 or 2 bed house or flat, either bought or shared purchase.; no locality identified.

## GREATHAM

Number of responses: **33 (They want: 19 No move; 2 moving from tied to rented within 2 years; 8 downsize/move to bungalow/flat – rent or buy; 1 family move to Wolviston 5+ years; 1 downsize to Beverley 5+ years; 1 upgrade; 1 self-build same size).**

7 live in public/housing association properties, 2 in a privately rented property; 2 live in a tied property; 7 have mortgages and the remaining 15 own their houses outright

- An older couple (not yet pensioners) live in a privately rented 2-bed 'other property', and do not plan to move.
- A middle-aged couple living in a 2-bed bungalow with a mortgage, don't plan on moving.
- A pensioner couple living in a public/housing association 1-bed bungalow, don't want to move.
- A pensioner couple with an adult child, living mortgage free in a 3-bed bungalow , don't want to move.
- A family with 4 young children living in a mortgaged 5+ bed house, , don't plan to move.
- A pensioner living with 2 older/adult children in a mortgage free, 3-bed house , doesn't want to move but may need to move to a privately rented 1-bed bungalow some 5 years hence .
- A pensioner couple renting a 2-bed bungalow from the local authority/housing association , may need to move to a similar but adapted bungalow some 5 years hence.
- A couple with a young child, renting a 3-bed house from the local authority/housing association, don't want to move.
- 2 pensioner couples, each living in a mortgage free, 2-bed house, don't plan to move.
- A pensioner renting a 2-bed local authority/housing association house doesn't want to move at present, not sure about the future - may need a bungalow, but would want to stay in Greatham.
- A pensioner couple renting a 1-bed bungalow from the local authority/housing association , do not wish to move.
- An elderly pensioner living in a mortgage free, 3-bed house does not wish to move, but has special needs, for mobility.
- A pensioner couple living in a mortgage free, 3-bed house, don't wish to move.
- An elderly pensioner living in a mortgage free, 3-bed house does not wish to move, but may eventually purchase a similar house in Wolviston for health reasons.
- A middle-aged adult living in a mortgaged, 2-bed house doesn't plan to move, but may consider downsizing some 5 years or more hence.
- A pensioner couple privately renting a 2-bed house, do not plan to move.

- A pensioner couple and middle-aged adult, living in a mortgage free, 4-bed house, don't want to move but may consider buying/self build of a 3-bed house in the village some 5 years or more hence.
- A pensioner couple living mortgage free in a 4-bed bungalow, don't want to move, but may need to move elsewhere, some 5 years hence, to purchase a 2-bed bungalow; they would consider self-build.
- A pensioner couple and 2 adults live in a tied 2-bed house, want to move within the next 2 years, to a 2-bed house in Greatham, for health reasons.
- An older couple (not yet pensioners) living in a 3-bed tied house want to move to a similarly rented, adapted 2-bed bungalow within the next 2 years, for health reasons.
- A pensioner couple living in a mortgage free, 3-bed house, may want to purchase a 2-bed bungalow some 5 years hence, if the house becomes too difficult to manage.
- An elderly pensioner living in a mortgage free, 3-bed bungalow, wants to buy or rent a 2-bed flat in the next 3-5 years, as the bungalow becomes too difficult to manage, and may need extra care.
- A pensioner couple with adult child, living in a 4-bed house with mortgage, want to downsize to a purchased 2/3-bed bungalow in 3-5 years as their current house becomes too difficult to manage.
- A pensioner couple living in a mortgage free, 3-bed house want to buy a 3-bed bungalow within the next 2 years for mobility reasons as the house is too difficult to manage.
- A pensioner couple living in a mortgage free, 3-bed house want to buy/rent an adapted 2-bed bungalow within the next 5 years as their house is too large and difficult to manage for health reasons; would consider self-build and shared ownership.
- A single, middle-aged person living in a public/housing association rented 2-bed house, wants to move within the next 2 years to a rented (public or private) 1-bed bungalow for health reasons.
- A middle-aged couple renting a 2-bed house may want to rent an adapted 1-bed bungalow some 5 years hence; they are on both the local authority and Greatham Hospital Housing Registers.
- A pensioner couple living in a mortgage free, 3-bed house, may want to downsize to a rented 2-bed bungalow some 5 years hence.
- A family of two adults with 2 adult children living in a 5-bed cottage with a mortgage, plan to purchase a 3-bed house in Wolviston in 3-5 years, as the house will be too large.
- A pensioner couple living in a mortgage free, 1-bed house may want to purchase a 2-bed bungalow in Beverley, to be nearer to their daughter, some 5 years hence.
- A family with 2 young children living in a 3-bed house with a mortgage, want to buy a 4-bed house in 3-5 years, as their house becomes too small.
- A couple with a teenager living in a mortgaged, 3-bed house, may consider self-building a 3-bed house in Greatham some 5 years hence.

## HART

Number of responses: **8.** (They want: **2 No move; 1 self-build 3-bed house, 1 affordable house for young adult and 3 down-size to bungalows in Hart; 1 move to town**).

Of these, **3** were families where the adults were under 60, and **1** was a single young person, all of whom had mortgages; the remaining **4** were all pensioners who owned their homes outright.

- One family with a small child currently living in a 2-bed house do not wish to move at all. They have strong views about the Borough Council's management of the locality.

- A pensioner couple currently living in a mortgage free, 3-bed house do not wish to move at all but recognise they may have to at some point if they find they need extra care.
- The youngest respondent owns their own 3-bed house, with a mortgage, and would like to purchase a 2-bed bungalow within the village but not for at least 5 years or more; the move would be for health reasons.
- A 4-bed house is owned, mortgage free, by a pensioner couple who may purchase a 2-bed adapted bungalow nearer to the town centre in 3-5 years, as they may need extra care.
- Two pensioners would each like to move from their own 3-bed house to a 2-bed bungalow in Hart within the next 2 years. One would consider self-build but prefers to rent privately, as the move would be to release capital; the other would prefer to rent an adapted bungalow from the local authority or housing association as they will need extra care and are finding their current home too difficult to manage, as they have mobility problems – this is the only Hart resident on a local authority Housing Register
- A couple with 2 teenage children, who live in a 3-bed bungalow envisage their children leaving home and needing affordable housing within the village; in the next 3-5 years they would need a 1 or 2-bed house to buy or rent.
- A family with one small child live in a 3-bed house; they would like to self-build another 3-bed house in the village as their current house is too small.

#### **NEWTON BEWLEY**

Number of responses: 1

- A middle-aged couple living in a privately rented 3-bed house don't plan to move.

#### **Reflections of the Rural Plan Working Group based on the evidence base**

The Working Group has endeavoured to accurately interpret the evidence provided by the survey response forms in order to inform the development of appropriate policies.

The first, generic, analysis only gave a very broad outline of the needs and wants of residents. Once the deeper, village by village, analysis had been completed the picture became clearer, although the responses from Hart may be deemed to be skewed, due to the 12 missing surveys, local knowledge indicates that the majority were completed by older residents.

It should be noted that Greatham has much more housing available to rent than other villages, due to The Hospital Of God Trust, who own a considerable number of smaller units in the village, used to house mostly older or disabled people. There is however, a shortage of smaller homes to purchase, particularly bungalows, as well as larger family homes.

It is clear that in Dalton Piercy, Elwick and Hart there is a demand for smaller homes to buy outright or to rent. These would be to house elderly people wishing to



downsize or young people becoming independent of their families. Such developments would then free up larger homes for growing families to move into.

With an increasingly ageing population, the need for homes that are of a good design, accessible and adaptable to the needs of those becoming infirm or disabled, and on a single level, such as bungalows, is a key issue for these villages.

Local knowledge informs that many young people, who would like to live in the villages of their birth, are excluded due to the high cost of housing in these areas. The need for affordable homes is vital, to encourage the return of young people and their families, in order maintain the schools and the vitality of the villages.

## APPENDIX 8: LOCAL GREEN SPACE - Elwick

The National Planning Policy Framework (para 76) states that “local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

A Local Green Space designation (as defined by the NPPF, para 77) applies:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

The Hartlepool Neighbourhood Rural Plan designates a Green Space at Elwick.

Lying to the immediate south of the village centre and its green, the Char Beck valley, known locally as 'The Ghyll', is a small area of species-rich grassland either side of the stream. This stream leads, via Dalton Piercy, to Greatham Beck and ultimately to the river Tees.

This area is of significant environmental value – its extensive flora and fauna having been well recorded by local ecologists (see below for table of Flora and Fauna)

The ghyll has been used by Elwick villagers for over a thousand years; archaeologists believe originally by agricultural workers, as a route to the settlement of Dalton Piercy and for the movement of stock; it is now used extensively by local children, as a natural playground in summer and for sledging in winter, by dog walkers and ramblers.

It is a much loved and valued asset of the Elwick community and as such, Elwick Parish Council has recently developed two new circular walks which utilise the ghyll.

### Flora and Fauna of Elwick

This list is not exhaustive, and does not include, in particular, the wide number of birds commonly found on farmland and in gardens, both as native species and winter visitors.

PLANTS	
Adder's Tongue Fern ( <i>Ophioglossum vulgatum</i> )	Bird's Eye Primrose ( <i>Primula farinosa</i> )
Blunt-flowered Rush ( <i>Juncus subnodulosus</i> )	Bog Bean ( <i>Menyanthes trifoliata</i> )
Brookweed ( <i>Samolus valerandi</i> )	Butterwort ( <i>Pinguicula vulgaris</i> )
Creeping Willow ( <i>Salix repens</i> )	Green Hellebore ( <i>Helleborus viridis</i> )

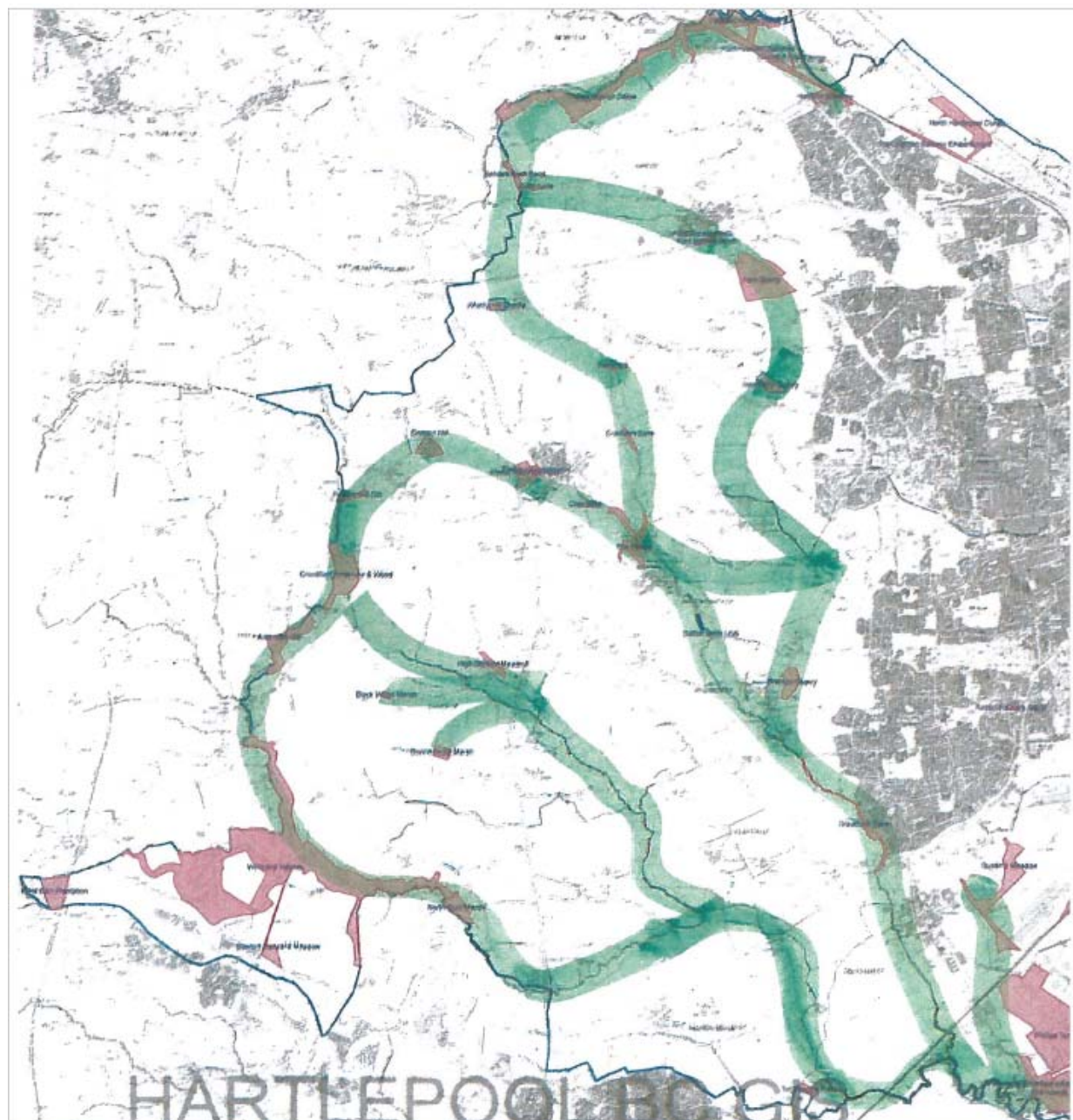
Globeflower ( <i>Trollius europeaus</i> )	Heath Dog Violet ( <i>Viola canina</i> )
Heather ( <i>Calluna vulgaris</i> )	Marsh Cinquefoil ( <i>Potentilla palustris</i> )
Marsh Valerian ( <i>Valeriana dioica</i> )	Marsh Woundwort ( <i>Stachys palustris</i> )
Melancholy Thistle ( <i>Cirsium heterophyllum</i> )	Purple Loosetrife ( <i>Lythrum salicaria</i> )
Shoreweed ( <i>Littorella uniflora</i> )	Spindle Tree ( <i>Euonymus europeaus</i> )
Toothwort ( <i>Lathraea squamaria</i> )	Tufted Sedge ( <i>Carex elata</i> )

MAMMALS	AMPHIBIANS
Badger	Frog
Bank Vole	Great Crested Newt
Brown Hare	Palmate Newt
Brown Long-eared Bat	Smooth Newt
Brown Rat	Toad
Common Pipistrelle Bat	REPTILES
Daubenton's Bat	Lizard
Field Vole	FISH
Fox	3-Spined Stickleback
Grey Squirrel	INVERTEBRATES
Harvest Mouse	Alder Moth
Hedgehog	Magpie Moth
House Mouse	Spindle Ermine Moth
Mink	Wasp Beetle
Mole	White Letter Hairstreak Butterfly
Muntjac Deer	BIRDS

Nathusius' Pipistrelle Bat	Buzzard
Noctule Bat	Corn Bunting
Otter	Crossbill
Rabbit	Goshawk
Roe Deer	Great Crested Grebe
It is likely that all three British species of shrew live in the Parish but only the rarest of the three, the Water Shrew has so far been recorded.	Grey Partridge
Stoat	Honey Buzzard
Water Vole	Mute Swan
Weasel	Osprey
Wood Mouse	Skylark

## Appendix 9:

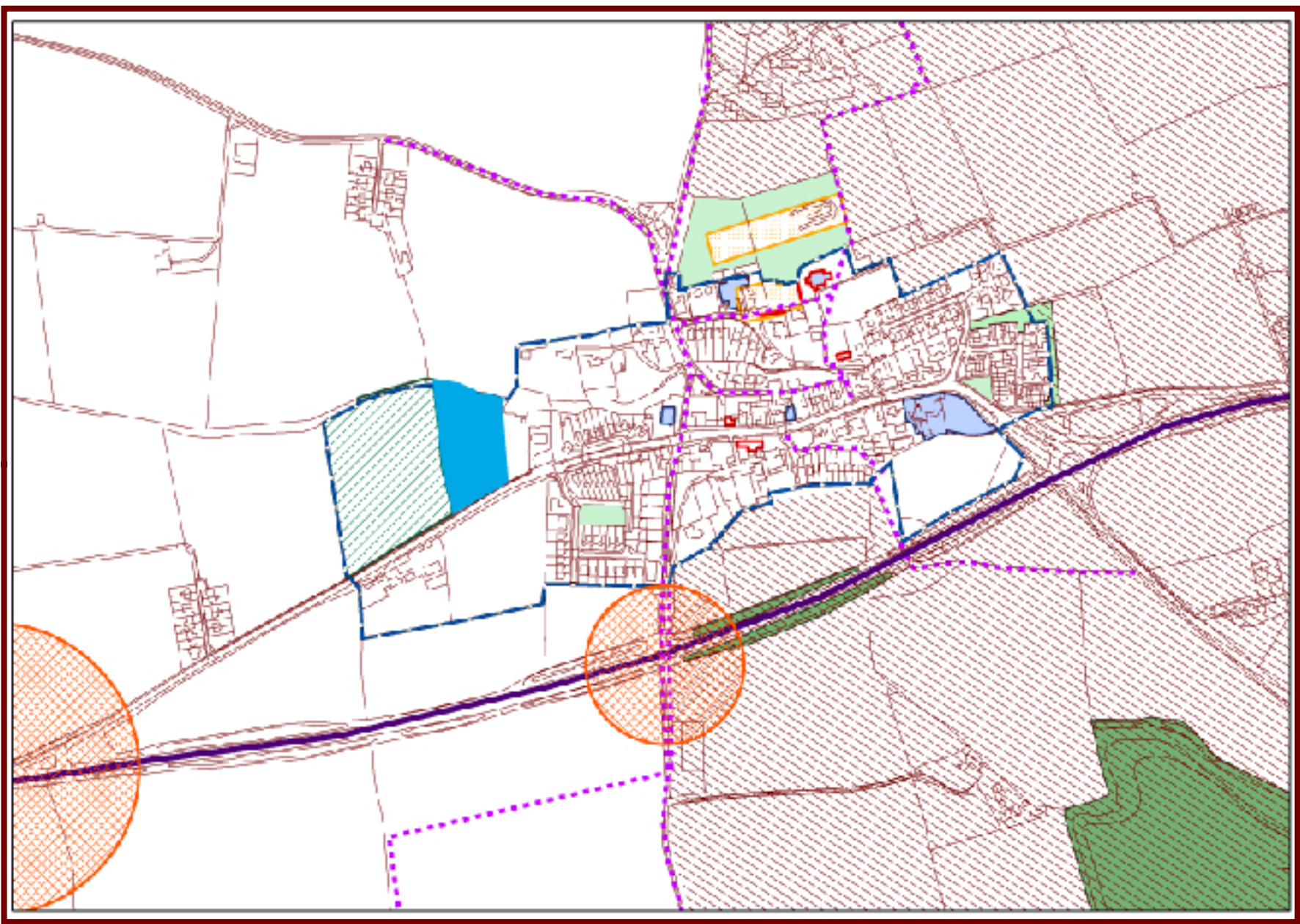
Indicative aspirational wildlife corridors map



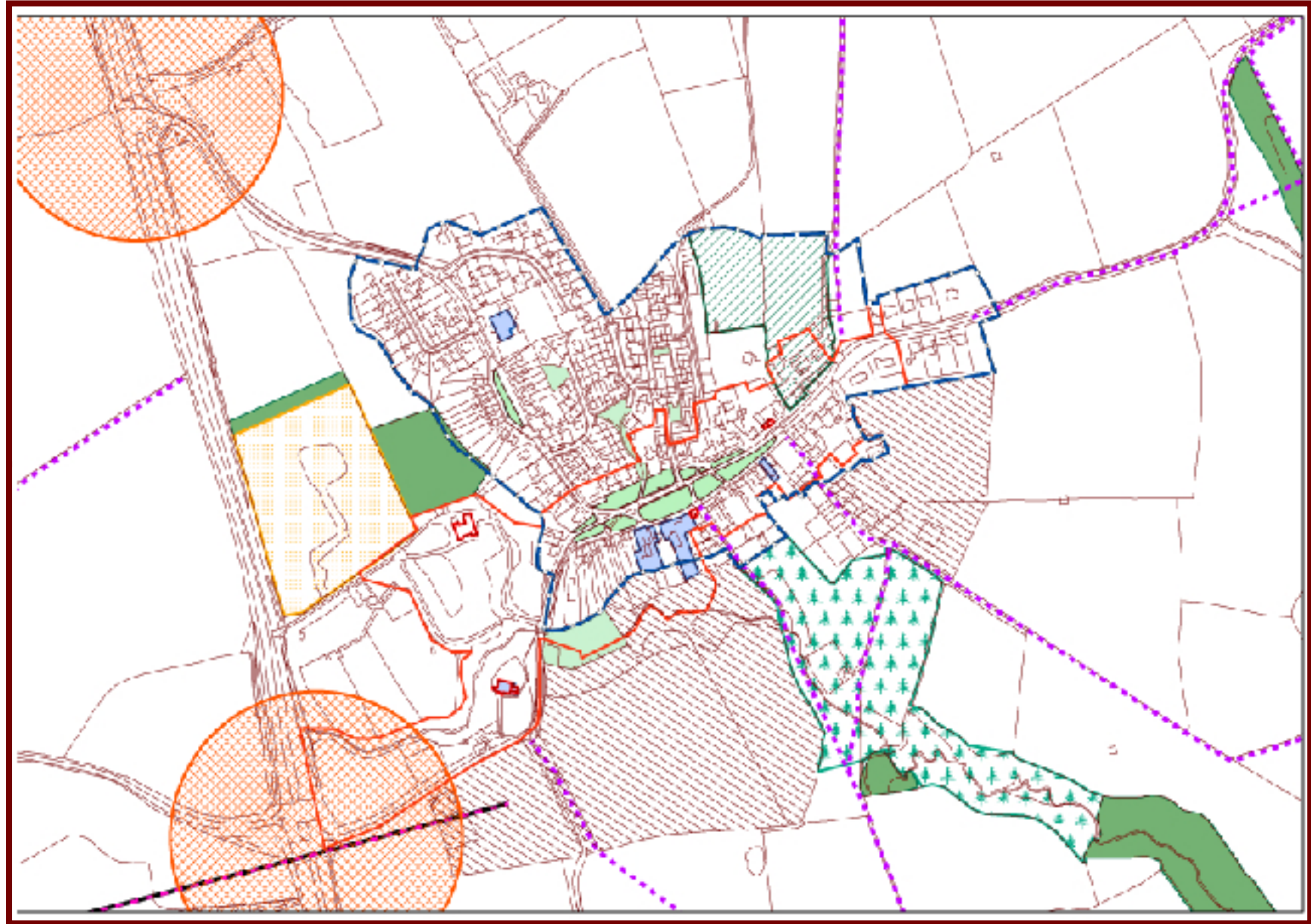


**Hartlepool Rural  
Neighbourhood Plan  
Made/Adopted December 2018**

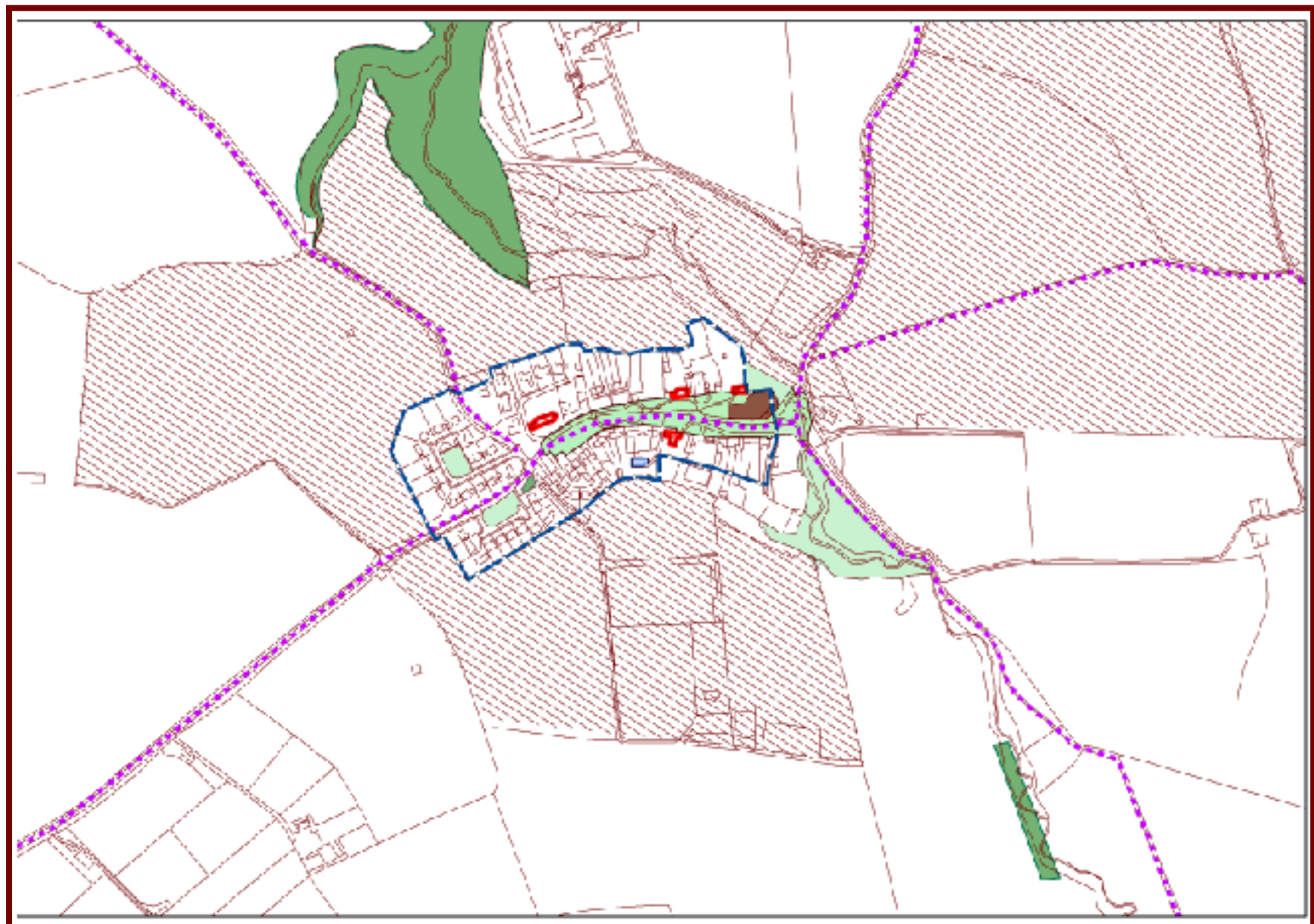
KEY	
	Rural Area
	Policy T2 Priority Footways and Cycle Ways
	Development Limits
	Conservation Area
	Policy T2 New Bridges and Light Controlled Crossing
	Highway Aspirational Road Improvement
	Listed Buildings
	Rural Plan Housing
	Scheduled Monuments
	Community Buildings
	Accessible Green Spaces
	Local Wildlife Sites
	South West Extension Housing Areas
	RHM Site
	Greatham Railway Station
	Green Gaps
	Local Green Space
	New Multi - Purpose Community Open Space at Hart
	Junction Improvement Areas
	A19 Service Station
	Wind Turbine
	Solar Farm
	Allotments



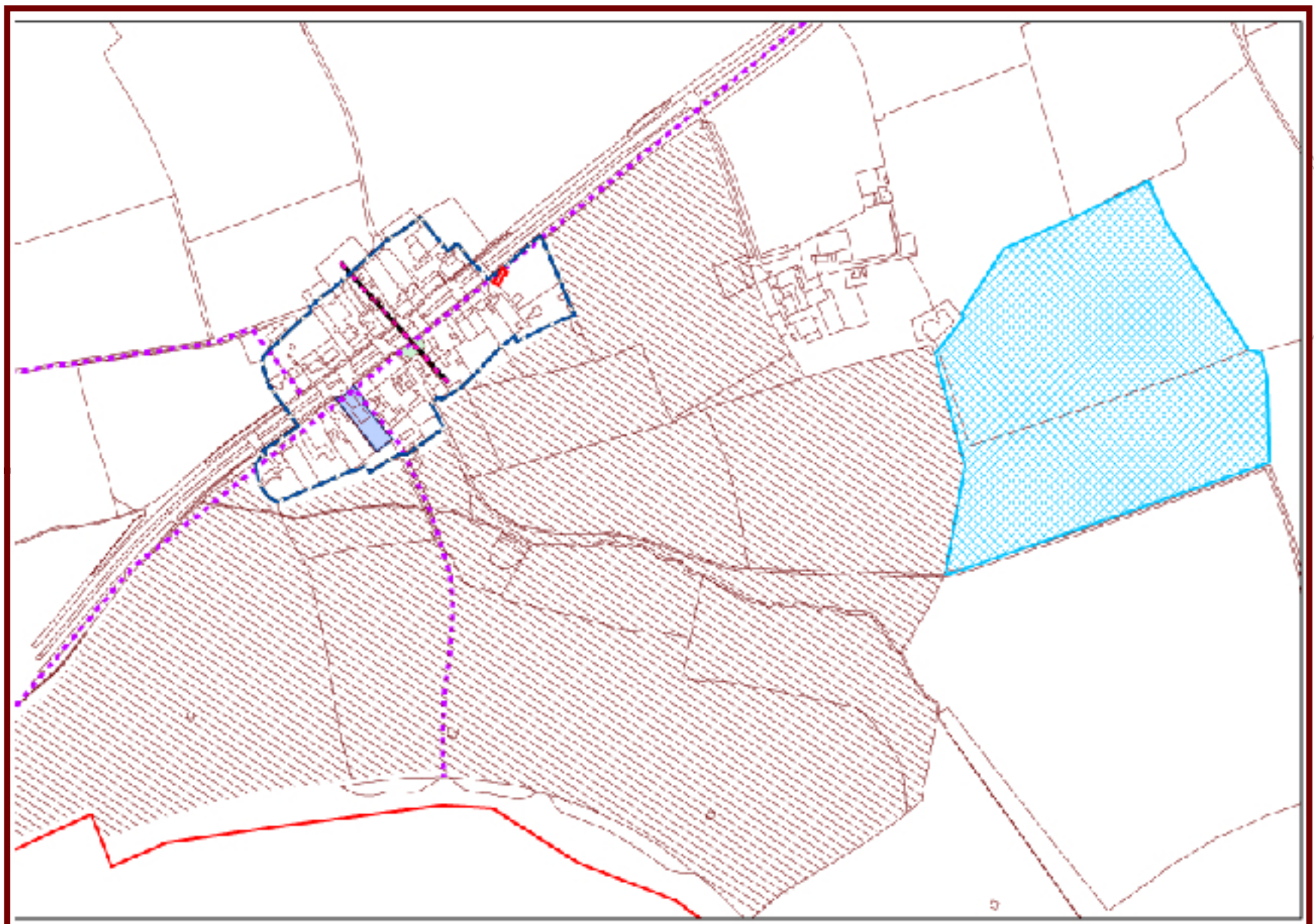
Hart Village



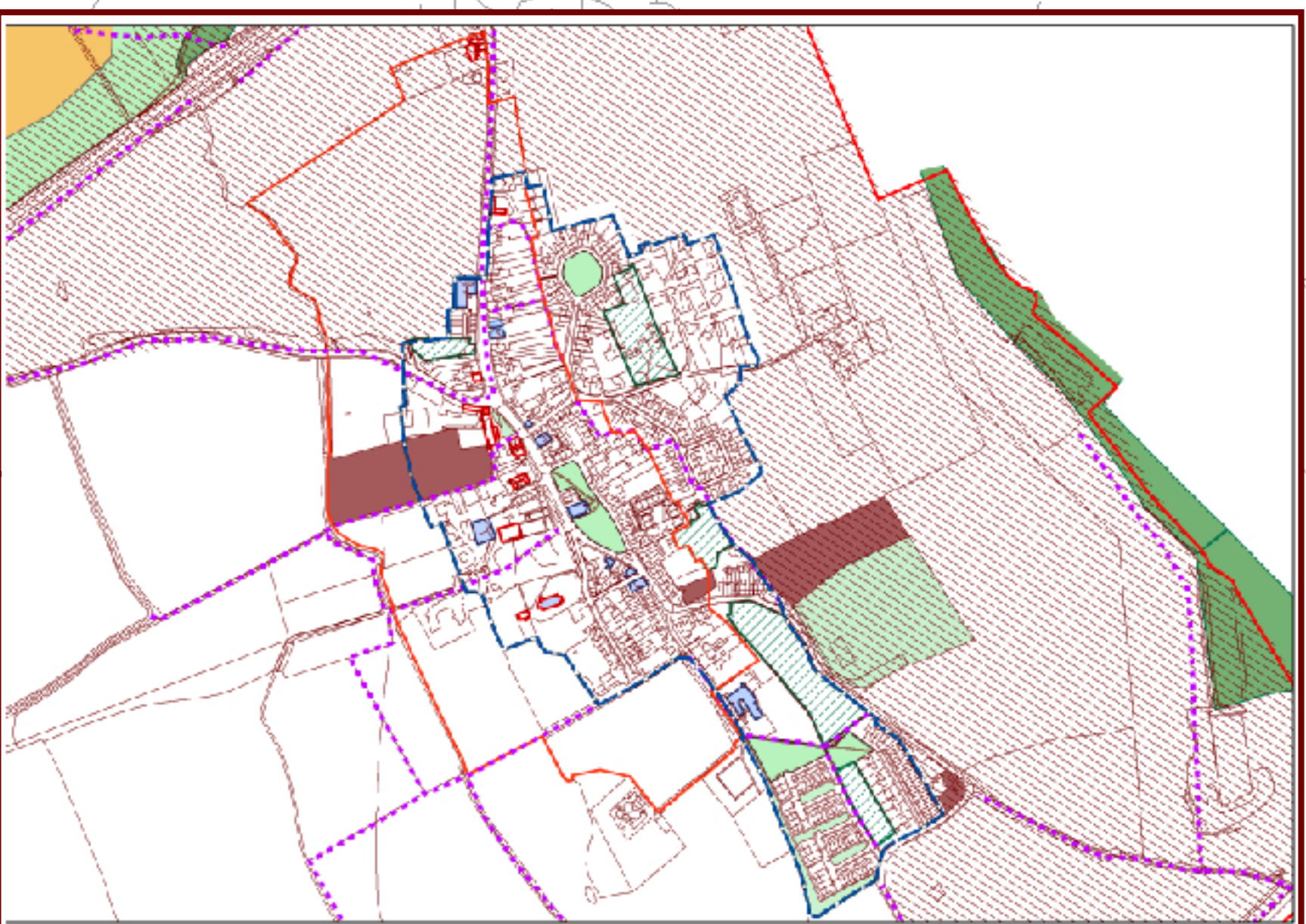
Elwick Village



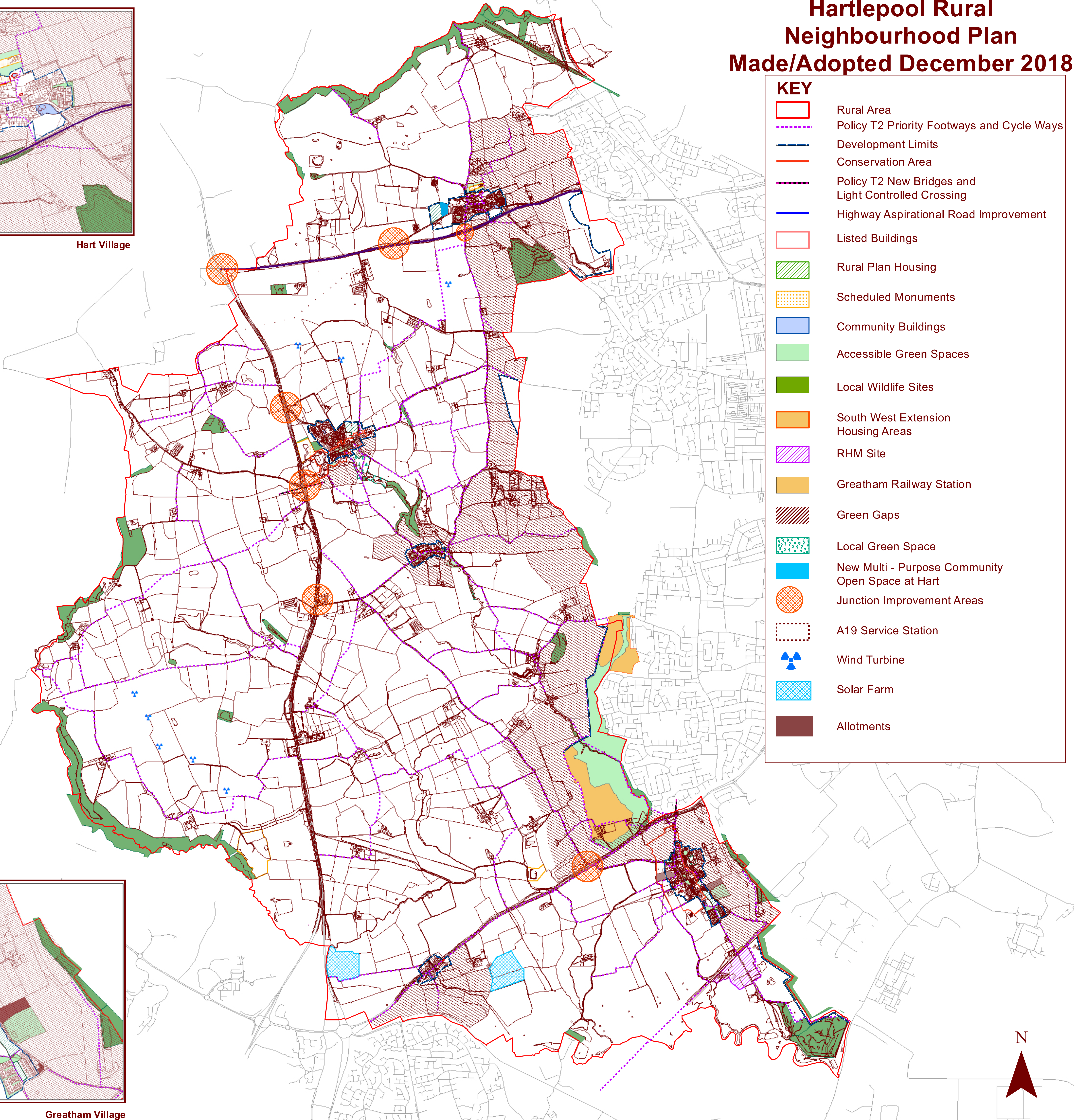
Dalton Village



Newton Bewley Village



Greatham Village



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