

PLANNING COMMITTEE

AGENDA



Wednesday 6 November 2024

at 10.00am

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

MEMBERS OF PLANNING COMMITTEE:

Councillors Boddy, Darby, Feeney, Jorgeson, Little, Martin-Wells, Oliver, Scarborough, Sharp, Thompson 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 11 September 2024.

4. ITEMS REQUIRING DECISION

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

1. H/2022/0405 Land at Glenesk Garage, 194 Stockton Road (*page 1*)
2. H/2024/0053 117 York Road (*page 45*)

5. ITEMS FOR INFORMATION

5.1 Planning appeal at 54 Grange Road – *Assistant Director (Neighbourhood Services)*

5.2 Development Management Performance – Third and Fourth Quarter 2023-24 – *Assistant Director (Neighbourhood Services)*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

6. **ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

7. **FOR INFORMATION**

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

FOR INFORMATION

Date of next meeting – Wednesday 4 December at 10.00am in the Civic Centre, Hartlepool



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

11 September 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

Present:

Councillor Tom Feeney (In the Chair)

Councillors: Michael Jorgeson, Sue Little, Andrew Martin-Wells, Karen Oliver, Martin Scarborough, Cameron Sharp, Carole Thompson and Mike Young.

Officers: Kieran Bostock, Assistant Director (Neighbourhood Services)
Sylvia Pinkney, Assistant Director (Regulatory Services)
Jim Ferguson, Planning and Development Manager
Daniel James, Planning (DC) Team Leader
Kieran Campbell, Senior Planning Officer
Helen Smith, Planning Policy Team Leader
Peter Frost, Highways, Traffic and Transport Team Leader
Scott Watson, Arboricultural Officer
Samuel Horsfield, Graduate Planning Assistant
Umi Filby, Legal Adviser
Jo Stubbs, Democratic Services Officer

29. Apologies for Absence

Apologies were received from Councillor Moss Boddy

30. Declarations of interest by members

Councillor Michael Jorgeson declared an interest in Planning Applications H/2024/0063 and H/2024/0064 as a member of the Headland Parish Council.

Councillor Andrew Martin-Wells declared a prejudicial interest in Planning Application H/2022/0045 and indicated he would leave the meeting during consideration of this item.

Councillor Karen Oliver declared a prejudicial interest in Planning Application H/2022/0045 and indicated she would leave the meeting during consideration of this item.

31. Planning Applications *(Director of Regeneration and Neighbourhoods)*

Number:	H/2024/0196
Applicant:	MR HENRY TONES OXFORD ROAD HARTLEPOOL
Agent:	ELDER LESTER ARCHITECTS REEDS MILL ATLAS WYND YARM
Date received:	27/06/2024
Development:	Installation of roller shutter door (retrospective) and creation of access and dropped kerb on to Spring Garden Road
Location:	STORAGE LAND TONES WORKSHOPS OXFORD ROAD HARTLEPOOL

Councillor Mike Young requested that this item be deferred for a site visit on the grounds of health and safety considerations. He felt this would help members understand the context of the application in terms of the impact on residents and businesses. Councillor Sue Little seconded this request. Members approved this request unanimously by a show of hands.

Decision:	Deferred for a site visit
------------------	----------------------------------

Number:	H/2024/0125
Applicant:	STONEGATE GROUP MONKSPATH HALL ROAD SOLIHULL
Agent:	CONCORDBGW MISS GINTARE LAGUNAVICIUTE PALMER STREET DONCASTER
Date received:	26/06/2024
Development:	Proposed introduction of 2no. enclosed external garden areas to front of building facilitated by 1.1m high picket fence boundary on the front (east) external elevation, installation of new paving slabs to the left side and installation of new festoon lights supported from new 2.8m high timber posts. Proposed formation of new fire escape access door within the existing side (south) elevation.
Location:	FENS HOTEL CATCOTE ROAD HARTLEPOOL

This application was recommended for approval. The applicant, Scott Standing, was present and happy to answer questions. Councillor Jim Lindridge was in attendance and spoke in support of the application.

A member queried the wattage of the proposed lights. The Planning (DC) Team Leader was not aware of this but Public Protection had raised no objections.

A member asked Mr Standing whether parking charges had impacted on the business and whether the beer garden would improve matters. Mr Standing advised that it was difficult to say the restrictions had only been introduced this week and allowed for 90 minutes free parking. He hoped the beer garden would result in a great increase in footfall. A member asked if consideration could be given to softer landscaping and tree planting. Mr Standing confirmed he would be happy to consider this and had made efforts in terms of the landscaping design.

Councillor Jim Lindridge, speaking as Ward Councillor, expressed his support for the application. This was a fledgling business which Mr Standing was trying to improve. It was a community asset and there had been nothing but positive comments about the proposal.

Members were supportive of the application, noting the decline in the pub industry since covid.

The recommendations set out in the report were moved by Councillor Mike Young and seconded by Councillor Andrew Martin-Wells.

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Michael Jorgeson, Sue Little, Andrew Martin-Wells, Karen Oliver, Martin Scarborough, Cameron Sharp, Carole Thompson and Mike Young

Those against – None

Those abstaining – None.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details drawing number 5204-100-04 (Proposed External Elevations) received by the Local Planning Authority on 22nd April 2024; drawing number 5204-100-02 Rev A (Proposed Site Plan) received by the Local Planning Authority on 30th May 2024; drawing number 5204-100-05

(Site Location Plan) received by the Local Planning Authority on 21st June 2024; and drawing number 5204-100-03 Rev A (Proposed Block Plan) received by the Local Planning Authority on 26th June 2024.

For the avoidance of doubt.

3. Notwithstanding the submitted information and prior to above ground construction of the development hereby approved, details of the stain colour to the picket fencing and festoon lighting posts, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details. In the interest of visual amenity and the amenities of occupants of neighbouring windows.
4. The hardstanding and surfacing for the development hereby approved shall be constructed in accordance with the materials stipulated on drawing number 5204-100-03 Rev A (Proposed Block Plan, received by the Local Planning Authority on 26th June 2024). The scheme shall ensure that provision be made to direct run-off water from the hard surface hereby approved to a permeable or porous area or surface within the curtilage of the application site prior to the completion or first use (whichever is sooner) of the hardstanding area. Thereafter, the agreed scheme shall maintained in accordance with the agreed details.
In the interests of visual amenity and to prevent an increase in surface water runoff.
5. The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Mondays to Fridays and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays. Any deliveries and collections for the construction works shall be limited between these hours as well.
In the interests of the amenities of the occupants of neighbouring properties.
6. Other than the proposed festoon lighting hereby approved, no other external lighting shall be installed on site (in connection with the development hereby approved) without the prior written consent of the Local Planning Authority.
For the avoidance of doubt and in the interests of the amenity of neighbouring land users.

Members considered representations on this matter.

Number:	H/2022/0217
Applicant:	MRS SUSAN SCOTT THE FRONT HARTLEPOOL
Agent:	ASP SERVICES LTD MR JONATHAN LOUGHREY 8 GRANGE ROAD HARTLEPOOL
Date received:	19/05/2023
Development:	Application for the erection of a habitable chalet for permanent use within existing showman's yard to include alterations to the fence to the side.

Location: LAND TO THE REAR OF 47 - 50 THE FRONT
HARTLEPOOL

This application was recommended for approval. It had previously been deferred for a site visit.

The recommendations set out in the report were moved by Councillor Sue Little and seconded by Councillor Carole Thompson.

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Michael Jorgeson, Sue Little, Andrew Martin-Wells, Karen Oliver, Martin Scarborough, Cameron Sharp, Carole Thompson and Mike Young

Those against – None

Those abstaining – None.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. The development hereby approved (thereafter referred to as the ‘residential chalet building’ for the purposes of the planning conditions of this permission) shall be used as a C3 dwelling house 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.
2. The development hereby approved shall be carried out in accordance with the following plans: Site Location Plan (Scale 1:1250), 1055/P/9 (Proposed Curtilage Plan), 1055/P/3 (Proposed Plans), 1055/P/4 Rev A (Proposed Elevations) all received 24.04.2023 by the Local Planning Authority and 1055/P/8 Rev A (Proposed Site Plan – Drainage Strategy) received 12.01.2024 by the Local Planning Authority.
To define planning permission and for the avoidance of doubt.
3. Prior to the commencement of any further works at the site, details of the existing and proposed levels of the site including the finished floor levels of the proposed building to be completed 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 proposed building and land within the curtilage and its impact on adjacent properties and their associated

gardens in accordance with saved Policy QP4 and LS1 of the Hartlepool Local Plan.

4. Prior to the commencement of any further works at the site and notwithstanding the submitted information, a detailed scheme for surface water and foul drainage to serve the development hereby approved shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall be in general conformity with plan 1055/P/8 Rev A (Proposed Site Plan – Drainage Strategy, received 12.01.2024 by the Local Planning Authority) and demonstrate drainage connectivity of the site to the nearest combined public sewer, unless an alternative scheme is otherwise agreed in writing with the Local Planning Authority. Thereafter and prior to the occupation or completion (whichever is sooner) of the proposed residential chalet building hereby approved, the drainage scheme shall be implemented in full and thereafter retained and maintained in accordance with the approved details for the lifetime of the development.
To prevent the increased risk of flooding from any sources in accordance with the NPPF and to manage environmental impacts of the development.
5. Prior to the commencement of any further works at the site, details of proposed hard landscaping and surface finishes (including the requisite 2no. in curtilage 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 and shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. Thereafter and following the written agreement of the Local Planning Authority, the scheme shall be completed in accordance with the agreed details prior to the occupation or completion (whichever is the sooner) of the residential chalet building hereby approved.
In the interests of visual amenity of the surrounding area and highway safety.
6. Prior to the commencement of any further works at the site, a detailed scheme for the provision, long term maintenance and management of all soft landscaping including any tree and hedge planting within the site, and a timetable for implementation shall be first submitted to and be agreed in writing with the Local Planning Authority. Thereafter all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the agreed details and timetable for implementation and shall be maintained in accordance with the agreed scheme. 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 the visual amenity.
7. Prior to the occupation or completion (whichever is sooner) of the residential chalet building hereby approved, details of a scheme for the installation of a sprinkler system within the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any, equipment or structures required for the operation of the sprinkler system. Thereafter the development shall be carried out in accordance with

the approved details before the occupation of the building hereby approved and shall be retained for the lifetime of the development.

In the interests of fire safety and to accord with the provisions of Local Plan Policy QP5 which states that all new developments should adhere with national safety standards as set out by central government.

8. Notwithstanding the development hereby approved and prior to the occupation or completion (whichever is sooner) of the residential chalet building, a scheme to enclose the sides (east and west) of the raised external porch area and a partial screening/return of the front elevation (south-west) of the external porch area through the provision of 1.8m high (from the given level of the raised porch area) screens/returns shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter, the proposed scheme shall be implemented in accordance with the approved details, prior to occupation or completion of the dwelling hereby approved (whichever is sooner) and shall be retained and maintained for the lifetime of the development.
In the interest of the privacy and amenity of neighbouring residential occupiers.
9. Notwithstanding the submitted details, prior to the occupation or completion (whichever is sooner) of the residential chalet building hereby approved, a scheme for the erection of a boundary enclosure along the western boundary of the application site for a height 2.2 metres above the respective ground level, shall be submitted and approved by the Local Planning Authority. The scheme shall include an appropriate stain colour to the fence. Thereafter, the proposed scheme shall be implemented in accordance with the approved details, prior to occupation or completion of the residential chalet building hereby approved (whichever is sooner) and shall be retained and maintained for the lifetime of the development.
In the interest of the privacy and amenity of neighbouring residential occupiers.
10. Notwithstanding the submitted information, prior to the occupation or completion (whichever is sooner) of the proposed residential chalet building hereby approved, the 3no. windows installed within the rear (north) elevation of the chalet building (serving a kitchen, bedroom and bathroom), as detailed on Dwg. No. 1055/P/4 Rev A (Proposed Elevations) and Dwg. 1055/P/3 (Proposed Plans) (both date received 24.04.2023 by the Local Planning Authority), shall be replaced with fixed and obscure glazing using a minimum of type 4 opaque glass of the Pilkington scale or equivalent at the time of installation and shall remain as such for lifetime of the development. The application of translucent film to the window would not satisfy the requirements of this planning condition.
In the interests of the privacy of neighbouring residential occupiers.
11. Prior to the commencement of any further works at the site, precise details of the materials to be used in the construction of the external walls, windows and roof of the building and raised porch area, and details of any means of enclosure (other than those required by other conditions within this permission) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the details and means of enclosure shall be implemented prior to occupation or completion (whichever is sooner) of the building hereby approved.

To ensure a satisfactory form of development, in the interest of visual amenity and the character and appearance of the surrounding area.

12. Prior to the occupation or completion (whichever is sooner) of the proposed residential chalet building hereby approved, the bay window installed within the side (west) elevation of the erected chalet building shall be removed and the elevation 'made good' with the external cladding finish to match that of the main chalet building (details to be first agreed as part of condition 11 (materials)), and in accordance with submitted Dwg. No. 1055/P/4 Rev A (Proposed Elevations) and Dwg No. 1055/P/3 (Proposed Plans), both received 24.04.2023 by the Local Planning Authority.

In the interests of the privacy of neighbouring residential occupiers.

13. Prior to occupation or completion (whichever is sooner) of the residential chalet building hereby approved, details for the storage of refuse shall be submitted to and agreed in writing by the Local Planning Authority.

Thereafter the agreed scheme shall be carried out in accordance with the approved details prior to occupation or completion of the dwelling hereby approved (whichever is sooner).

To ensure a satisfactory form of development.

14. Prior to the installation of any external lighting associated with development hereby approved, full details of the method of external illumination, siting, angle of alignment; light colour, luminance of external areas of the site, including parking areas, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed lighting shall be implemented wholly in accordance with the agreed scheme and retained for the lifetime of the development hereby approved.

To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining land users.

15. The curtilage associated with the dwellinghouse (residential chalet building) hereby approved shall be in accordance with red line plan Dwg No. 1055/P/9 'Proposed Curtilage Plan' (Scale 1:1250, received by the Local Planning Authority on 24.04.2023). The approved curtilage shall be retained and not be extended at any time, for the lifetime of the development hereby approved. Any external storage areas shall remain ancillary to the main use of the site as a dwellinghouse (C3 Use) and for no other purposes.

For the avoidance of doubt and to define planning permission.

16. Notwithstanding the provisions of Classes A to F of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwellinghouse (residential chalet building) hereby approved shall not be extended or altered in any manner (including the installation of any additional windows or re-configuration of approved windows) or detached outbuildings or other buildings erected or additional areas of hard standing/surfacing created (other than those approved) within the curtilage of the dwelling (residential chalet building) as shown on plan 1055/P/9 (Proposed Curtilage Plan, received 24.04.2023 by the Local Planning Authority) without the written approval of the Local Planning Authority.

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

Number: H/2023/0439

Applicant: UNWIN GROUP THE FRONT HARTLEPOOL

Agent: COLLABORATIVE DESIGN LTD MR CHRIS SUTTON 65 ELMWOOD PARK COURT NEWCASTLE UPON TYNE

Date received: 21/02/2024

Development: Proposed replacement of the existing concrete roof tiles with clay roof tiles to main roof, proposed replacement of bay window to front with new 4-pane bay window (with opening mechanism to central pane windows), installation of 2no. awnings to front elevation, repair of existing windows and refurbishments to existing cast iron columns and beams to front.

Location: 70 71 THE FRONT HARTLEPOOL

This application was recommended for refusal. It had previously been deferred for a site visit.

The Agent, Chris Sutton, and applicant, Joanne Unwin, were both present and addressed the Committee. Mr Sutton advised that the applicant owned 4 properties along The Front and this particular business had traded for over 23 years. They had previously been given permission to make the proposed amendments but had been unable to complete them due to the covid pandemic meaning the permission had lapsed. The existing window could only be removed by 2 members of staff and was not particularly safe during strong winds. The amendment would allow 1 staff member to open the window. He acknowledged the business was in a heritage area but government guidance allowed for the removal of a heritage structure when beyond economic repair. The current shop front was dilapidated and in need of repair. If permission was not given they would replace with a mock window and the heritage asset would still be lost. This would enhance the appearance of a tired shop front and revamp a local business.

A member queried what benefit the changes to the shop front would bring. Mr Sutton advised that the current shop front was a health and safety concern in terms of the removal of the window. What was proposed was a bespoke window system which would be secured to the wall and open out in a bi-fold manner. While this had previously been approved they had decided not to proceed due to financial concerns around covid, preferring to use the funding set aside to pay their staff during lockdown.

A member queried why they were not suggesting installing 2 side windows and a middle sash window. Mrs Unwin advised that they wanted to have the option to serve out of the whole front and a sash window would not allow them to do this.

Furthermore a side and sash option had never been suggested by Council Officers. The Chair noted that members were asked to consider this application as put before them. Members acknowledged this but referred to similar businesses in other areas without wide windows.

A member commented that he was uncomfortable going against the officer recommendation but the window would need replacing in the future and he wished to support local business.

Councillor Mike Young moved that the application be approved. His reasons for going against the officer recommendation were as follows:

- Health and safety in terms of removal of the current window
- The application causes less than sufficient harm to the conservation area

Councillor Andrew Martin-Wells seconded approval of the application.

A member acknowledged local businesses should be supported but so should local heritage. She felt that the town's heritage was being shaved away and acceptable alternatives should be found. A line needed to be drawn at some point.

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Michael Jorgeson, Sue Little, Andrew Martin-Wells, Martin Scarborough, Carole Thompson and Mike Young

Those against – Councillors Karen Oliver and Cameron Sharp.

Those abstaining – None.

Decision: **Planning Permission Approved with conditions delegated to the Planning and Development Manager in consultation with the Chair of Planning Committee.**

Members considered representations on this matter.

Number:	H/2024/0063
Applicant:	MR SCOTT BOLTON ALBION TERRACE HARTLEPOOL
Agent:	ASP Service Ltd OFFICE 206 BOVIS HOUSE 7 to 9 VICTORIA ROAD HARTLEPOOL
Date received:	24/05/2024
Development:	Retrospective replacement of 4no. windows to front (including 2no. bay window) with timber

framed double glazed sliding sash windows. Proposed replacement of 1no. bay windows to front with timber framed double glazed sliding sash windows. Retrospective replacement of 5no. windows to the rear with white uPVC framed double glazed sliding sash windows. Retrospective application of render to rear elevation, retrospective removal of render from front elevation and proposed restoration of original brick external finish.

Location: 14 ALBION TERRACE HARTLEPOOL

This was a retrospective application and was recommended for refusal.

A member queried the lack of response from interested parties including the Victorian Society, Headland Parish Council and Historic England. The Planning and Development Manager indicated that national organisations did not tend to comment on local schemes such as this and no inference should be drawn from their lack of response.

A member acknowledged the financial benefits of UPVC but felt as this property was grade 2 listed then higher standards should be applied. They noted that the front had been completed using traditional methods and the same should apply to the rear. However another member noted that the rear profile was minimal when compared to the front. The Planning (DC) Team Leader advised that the applicant had been asked to use traditional materials on the rear but had refused.

The recommendations set out in the report were moved by the Chair, Councillor Tom Feeney, and seconded by Councillor Carole Thompson.

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Karen Oliver, Martin Scarborough, Cameron Sharp, Carole Thompson and Mike Young

Those against – Councillor Michael Jorgeson, Sue Little and Andrew Martin-Wells

Those abstaining – None.

Decision: Planning Permission Refused

REASON FOR REFUSAL

1. In the opinion of the Local Planning Authority, it is considered that the installation of uPVC windows to the rear elevation causes less than substantial harm to the designated heritage assets (Grade II Listed Building and Headland Conservation Area) by virtue of the design, detailing and use of inappropriate materials. It is considered that the works do not sustain or

enhance, but rather cause harm to the special interest and significance of the designated heritage assets and their setting. It is further considered that there is insufficient information to indicate that this harm would be outweighed by any public benefits of the development. The proposal is therefore contrary to policies HE1, HE3, HE4 and HE7 of the Hartlepool Local Plan (2018) and paragraphs 203, 205, 208 and 212 of the National Planning Policy Framework (2023).

Number:	H/2024/0064
Applicant:	MR SCOTT BOLTON ALBION TERRACE HARTLEPOOL
Agent:	ASP Service Ltd OFFICE 206 BOVIS HOUSE 7 to 9 VICTORIA ROAD HARTLEPOOL
Date received:	24/05/2024
Development:	Listed Building Consent for the retrospective replacement of 4no. windows to front (including 2no. bay window) with timber framed double glazed sliding sash windows. Proposed replacement of 1no. bay windows to front with timber framed double glazed sliding sash windows. Retrospective replacement of 5no. windows to the rear with white uPVC framed double glazed sliding sash windows. Retrospective application of render to rear elevation, retrospective removal of render from front elevation and proposed restoration of original brick external finish.
Location:	14 ALBION TERRACE HARTLEPOOL

This was a retrospective application and was recommended for refusal.

The recommendations set out in the report were moved by Councillor Mike Young and seconded by Councillor Martin Scarborough

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Karen Oliver, Martin Scarborough, Cameron Sharp, Carole Thompson and Mike Young

Those against – Councillor Michael Jorgeson, Sue Little and Andrew Martin-Wells

Those abstaining – None.

Decision: **Listed Building Consent Refused**

REASON FOR REFUSAL

1. In the opinion of the Local Planning Authority, it is considered that the installation of uPVC windows to rear elevation cause less than substantial harm to the designated heritage asset of the Grade II Listed Building (and the Headland Conservation Area) by virtue of the design, detailing and use of inappropriate materials. It is considered that the works do not sustain or enhance, but rather cause harm to the special interest and significance of the designated heritage asset and its setting. Insufficient information has been provided and there are no other material considerations that would this harm that would be outweighed by any public benefits of the development. The proposal is therefore contrary to policies HE1, HE3, HE4 and HE7 of the Hartlepool Local Plan (2018) and paragraphs 203, 205, 208 and 212 of the National Planning Policy Framework (2023).

Number:	This report relates to TPO 272
Date TPO created:	1 st May 2024
Description:	Tree Preservation Order of 6 no. Sycamore trees.
Location:	3, 5 & 7 EGERTON ROAD HARTLEPOOL

This item was recommended for confirmation.

An objector, Alan Upton, was present and addressed the Committee. He specifically objected to T1, T2 and T3 for reasons of their overbearing height causing significant shading to his property, reducing light and heat. Birds nesting in these trees damaged his garden and he had parking problems,. Small cracks had appeared in the bedroom wall and there was a strong risk of storm damage due to the height and girth of these trees. These trees were not on the main road and did not provide any aesthetic value.

A member queried whether a TPO prohibited trees being pruned. The Arboricultural Officer advised that anything other than work to remove dangerous or dead branches requires an application.

A member acknowledged trees of this size could be difficult to manage but they needed to be preserved. However another member queried the condition of these trees and expressed sympathy for Mr Upton. The Arboricultural Officer advised that the trees in question were 80-100 years old. If members chose not to confirm the TPO it would apply to all 6 trees not just those Mr Upton had objected to.

The recommendations set out in the report were moved by Councillor Andrew Martin-Wells and seconded by Councillor Karen Oliver

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Michael Jorgeson, Sue Little, Andrew Martin-Wells, Karen Oliver, Martin Scarborough, Cameron Sharp and Carole Thompson

Those against – Councillor Mike Young

Those abstaining – None.

Decision: **Tree Preservation Order 272 Confirmed Without Modification.**

Members considered representations on this matter.

Number:	H/2022/0045
Applicant:	MR TONY OLIVER 1 BLAISE GARDEN VILLAGE HARTLEPOOL
Agent:	LICHFIELDS TOM HUTCHINSON THE ST NICHOLAS BUILDING ST NICHOLAS STREET NEWCASTLE UPON TYNE
Date received:	22/02/2022
Development:	Application for the erection of 1 No. single storey residential dwelling (C3 Use), associated engineering works, site access and proposed landscaping (Demolition of existing stables building).
Location:	LAND NORTH OF A179 AND WEST OF TREMAINE CLOSE HARTLEPOOL

As per their previous declarations Councillors Andrew Martin-Wells and Karen Oliver left the meeting during consideration of this item.

This item was recommended for refusal.

The Agent, Tom Hutchinson, was present and addressed the Committee saying this was a unique opportunity to self-build a property in a sustainable location. It was a bespoke property appropriate to the location and a significant improvement on what is there currently. The stable was dilapidated and the focus of anti-social behaviour, There were also issues with fly tipping. A member queried how this would be addressed. Mr Hutchinson felt that someone being present on site would naturally deter fly tipping but he would be happy to take any suggestions on board. The Chair noted that site security was not a material planning consideration.

A member felt that this development had a minor visual impact when compared to other developments across the town and nearby. However another members felt this was clearly outside of Council policy and could find no good reason to build in this area.

The recommendations set out in the report were moved by Councillor Carole Thompson and seconded by the Chair, Councillor Tom Feeney.

In accordance with procedure rules, a recorded vote was taken.

Those for – Councillors Tom Feeney, Michael Jorgeson, Martin Scarborough, Cameron Sharp and Carole Thompson

Those against – Councillors Sue Little and Mike Young

Those abstaining – None.

Decision: Planning Permission Refused

REASONS FOR REFUSAL

1. In the opinion of the Local Planning Authority, the development would result in a new dwelling outside of the development limits defined in the Hartlepool Local Plan (2018) and Hartlepool Rural Neighbourhood Plan (2018), for which no satisfactory justification has been provided. The proposal does not meet any of the relevant tests for a new dwelling beyond development limits. The proposal is therefore contrary to policies LS1, RUR1 and RUR2 of the Hartlepool Local Plan (2018), the Council's New Dwellings Outside Development Limits SPD (2015), policies GEN1, H4 and H5 of the Hartlepool Rural Neighbourhood Plan (2018) and paragraphs 83 and 131 of the NPPF (2023).
2. In the opinion of the Local Planning Authority, it is considered that by virtue of the design, scale and siting of the dwelling outside of the development limits defined in the Hartlepool Local Plan (2018) and Hartlepool Rural Neighbourhood Plan (2018) and that it would be located within the Strategic Gap of the Hartlepool Local Plan and the Green Gaps identified by the Hartlepool Rural Neighbourhood Plan (2018), the proposed dwelling would compromise the integrity of both the Strategic Gap and Green Gaps by failing to preserve or enhance the open character and distinctiveness of the countryside and as such would be detrimental to the visual amenity of the application site as a whole and the character and appearance of the surrounding rural area, contrary to policies QP4, NE1, RUR1 and RUR2 of the Hartlepool Local Plan (2018), policy GEN1, GEN2, H4 and H5 of the Hartlepool Rural Neighbourhood Plan (2018) and paragraphs 83 and 131 of the NPPF (2023).

Members considered representations on this matter.

32. Any Other Business which the Chair considers urgent

It was agreed that the site visit previously requested by members would take place at 10am on Tuesday 8th October. Transport would not be provided and members would be asked to make their own way to the site.

The meeting concluded at 12.10pm

CHAIR

No: 1.
Number: H/2022/0405
Applicant: C/O AGENT
Agent: STOVELL & MILLWATER LTD MR STOVELL 5
BRETNALL CENTRE BRETNALL STREET
MIDDLESBROUGH TS1 5AP
Date valid: 01/03/2023
Development: Outline application with some matters reserved for the
erection of 3no. detached dormer bungalows with access
taken from Yarm Close (Demolition of existing commercial
garage).
Location: LAND AT GLENESK GARAGE 194 STOCKTON ROAD
HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

1.2 The application site is the location of an existing vehicle repairs garage. An application for Outline Planning Permission for residential Development (the erection of four plots) has previously been approved at the site on 06.09.1989, although the permission was never implemented (HOUT/1989/0466).

PROPOSAL

1.3 The application seeks Outline Planning Permission with some matters reserved ('appearance', 'scale' and 'landscaping', with both access and layout under consideration, for the erection of 3no. detached dormer bungalows, with access taken from Yarm Close. As a consequence of the proposed development, the existing commercial garage (known as Glenesk) would be demolished. The existing access to the commercial garage to be demolished would also cease and be closed off beyond the access point to the property it serves on Stockton Road. The site access would be taken off Stockton Road from Yarm Close (south-east).

1.4 Indicative drawings have been submitted with the planning application, which illustrate dormer bungalows at a maximum ridge height of approximately 6.8 metres. The dwellings are illustrated to feature attached side garages that step down to a maximum ridge height of approximately 5.3 metres. The proposed site layout plan illustrates the three detached properties at the north side of Yarm Close with the end unit (west) featuring a large side garden and all three properties are illustrated to benefit from open plan, green frontages.

1.5 Through the course of the planning application, the scheme was revised from four dwellings down to three dwellings, with the area to the west of the application site now forming the large side garden of the western plot.

1.6 Whilst no formal objections were received, a number of comments received (four) raised a number of concerns relating to material planning considerations and it was deemed appropriate for the matter to be referred to Planning Committee.

SITE CONTEXT

1.7 The application site relates to Glenesk garage workshop and hardstanding area, located off Stockton Road in Hartlepool. The application site is surrounded by residential properties. To the south (front) are the residential properties of 1 to 4 Yarm Close (consecutive); 1 to 3 are single storey gabled bungalow properties and 4 is a two storey dwelling, situated at the most western part of the site, adjacent to the existing garage building. To the north (rear), are the rear garden areas and the residential bungalow properties of 1a, 1, 3, 5 and 7 Tanfield Road. To the east of the application site is the two storey residential property of 194 Stockton Road; 192 and 192a are to the north-east and to the south-east, beyond the site access is the sub-divided, two storey flatted properties at 196 Stockton Road. Adjacent to the application site to the west are the modern, two storey residential properties of 1 to 9 Whistlewood Close. Within the grounds of the application site, adjacent to the shared boundary with the properties to the north, along Tanfield Road are a number of mature trees, which during the course of the Planning Application, were protected by way of a Tree Preservation Order.

PUBLICITY

1.8 The application was advertised by way of 36 neighbour notification letters and through the erection of a site notice. A total of six neighbour reply letters were received. Although no objections were received, some concerns were raised within four of the responses (albeit all 4 representations stated no objections to the proposed development itself). These concerns related to:

- The traffic associated with the construction/demolition works;
- Concerns with respect to the demolition works, which it is suggested should ensure that the party wall abutting the neighbouring domestic garage should be retained;
- Concerns in relation to the existing site trees to the rear of the site, where it is explained that the trees are impacting on the surroundings and should be removed.
- A notification letter of support and one stating 'do not object' was also received.

1.9 In May 2023, a 14 day neighbour notification letter was issued for revisions to the proposed scheme (and description) to reduce the number of dwellings from 4

down to 3 dormer bungalows, including revision of the positioning of the indicative dwellings. No additional comments were received.

1.10 In June 2023, an additional (21 day) neighbour notification letter was sent to a residential property, (194 Stockton Road) following confirmation that the address of the previous letter sent was not correct. No additional comments were received.

1.11 In July 2023, a further additional (21 day) neighbour notification letters were sent to flats 1 to 8 (consecutive) at 196 Stockton Road. The initial letter had not taken account of the separate flatted sub-division. No additional comments were received.

1.12 Background papers can be viewed via the 'click to view attachments' link on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155914>

1.13 The period for publicity has expired.

CONSULTATIONS

1.14 The following consultation replies have been received:

HBC Landscape Architect: - An Arboricultural Impact Assessment has been provided which retains trees on site. There are no landscape and visual issues with the proposed development, subject to Arb Officer comments and provision of hard and soft landscape details in due course.

HBC Arboricultural Officer: - The Arb Impact Assessment from Elliot's Consultancy covers everything needed to know in terms of trees within the proposed development site and should be followed as prescribed including the tree protection plan within which includes ground protection. It has been confirmed that the land to the east of the site next to 194 Stockton Road is not to be used for site access and therefore there will be no issues on the Council owned trees on Stockton Road.

I am happy that the proposed development has little direct impact on the trees with the proposed measures in place however there is a concern that the once the proposed bungalows become occupied that the trees will be removed due to lack of available garden space. As the trees are an amenity asset that serves both Yarm Close and Tanfield Road the category "B" trees, 4 no. Sycamores are worthy of protection via a TPO. This should have no additional impact on the application but will provide protection for the trees post development. The 2 no. Pear trees which are graded as a "C" are not worthy of protection. The TPO Process has been started with an instruction to Legal to create one.

I note two letters of support for the application which comment on the trees and the request for their removal. The trees are not being removed as part of the application and this highlights future pressure that may be put on any new owner to remove them, hence a valid reason for post development protection.

The proposed bungalows only have a 4 metre garden to the rear and it is therefore suggested that the bungalows are moved forward towards Yarm Close, This will provide a larger garden space which in turn may reduce the pressure for tree removal in the future and the development will be moved further forward giving more protection to the RPA of the retained trees.

Small tree planting to the front elevations of the proposed bungalows would provide a visual screen of the bungalows to Yarm Close, increase biodiversity of tree species and support the government's goal to increase tree canopy cover.

To conclude I am happy with the proposed measures put in place for the trees during the development but some protection post development will be needed due to mitigate potential pressure for removal in the future.

Further Comments Received 19/07/2023

The Arb Impact Assessment from Elliot's Consultancy covers everything needed to know in terms of trees within the proposed development site and should be followed as prescribed including the tree protection plan within which includes ground protection. The proposed bungalows have now been moved forward 1.8 metres from their original location. This is the same amount as the prescribed ground protection measures. There has been no additional or amended tree protection plans submitted since the change the current tree protection plan should be conditioned as it currently is. The applicant may wish to revise the tree protection plan and bring the tree protection fencing forward hence removing the need from ground protection but until a plan of such is supplied the current one must be adhered to.

I am happy that the proposed development has little direct impact on the trees with the proposed measures in place however there is a concern that the once the proposed bungalows become occupied that the trees will be removed due to lack of available garden space. As the trees are an amenity asset that serves both Yarm Close and the through route of Tanfield Road the category 'B' trees, 4 no. Sycamores are worthy of protection via a TPO. This has been determined using the TEMPO method for deciding whether trees should be protected or not. This should have no additional impact on the application but will provide protection for the trees post development. The 2 no. Pear trees which are graded as a 'C' are not worthy of protection. The TPO is now in place and is TPO265.

I note letters of support for the application, which comment on the trees and the request for their removal. The trees are not being proposed for removal as part of the application and this highlights future pressure that may be put on any new owner to remove them, hence a valid reason for post development protection.

The proposed bungalows have now been moved forward 1.8 metres from their original location. This will provide a larger garden space which in turn may reduce the pressure for tree removal in the future and the development will be moved further forward giving more protection to the RPA of the retained trees.

Small tree planting to the front elevations of the proposed bungalows would provide a visual screen of the bungalows to Yarm Close, increase biodiversity of tree species

and support the government's goal to increase tree canopy cover. Paragraph 131 of the NPPF says that streets should be tree lined and additional planting would contribute to that. To conclude I am happy with the proposed measures put in place for the trees during the development and have no objections to the application.

HBC Traffic & Transport: - The access for pedestrians is restricted along Yarm Close, the developer should fund a small section of new footway through the grassed area at the junction with Stockton Road, crossing points should be provided to allow level access. The proposed drive crossings should be constructed in accordance with the HBC specification and installed by a NRASWA accredited contractor. There are no objections subject to the footpath works.

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

HBC Ecology: - I have reviewed the Planning Statement, Ecological Impact Assessment and Nutrient Neutrality Statement. The proposal is for the erection of four detached dormer bungalows on land at Glenesk Garage, Stockton Road, Hartlepool. The proposal also includes the demolition of the existing buildings on site. The land is allocated as white land in the 2018 Hartlepool Local Plan; the site is previously developed land within a residential area.

There are no statutory designated sites located on or directly adjacent to the proposed development site. The nearest statutory designated sites are the Summerhill Local Nature Reserve (LNR) located approximately 1.56 km north west of the site, and the Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI) located approximately 1.81 km east of the site.

The ecological impact assessment (January 2023) submitted to support the application is relevant to the application and provides sufficient information to review and assess the impacts. The ecological impact assessment (EclA) summarises a desk and field visit and considers impacts to habitats and species. I have not made a site visit but based on the information provided I agree with the general conclusions made within the document.

An Arboricultural Impact Assessment has been provided which recommends that the several trees on site are retained. The views of the County Arboricultural shall be considered in full.

The National Planning Policy Framework encourages the re-use of brownfield land provided that it is not of high environmental value. The proposed is in line with Hartlepool's NE1: Natural Environment where Development avoids harm to and, where appropriate, enhances the natural environment.

I have no objection to the application and recommend the following conditions:

Condition 1: Any felling works should be carried out outside of the bird nesting season, which is defined as running from March to August, inclusive. If this is not feasible for any reason, a nesting bird survey must be carried out by a suitably

qualified ecologist shortly prior to the start of works to ensure no active nests are present. In the event that any active nests are found during this survey or at any point during the works, a suitable exclusion zone should be put around the nest, with no work taking place in this area until such time as the nest can be confirmed that the young have fledged and/or the nest is no longer active.

Reason: Due to the suitability of the trees on site to support nesting birds and avoid damage and disturbance to active birds' nests.

Condition 2: Trees on site that are to be retained shall be protected using fencing around their Root Protection Areas, in accordance with British Standard documentations BS 5837:2012 – '*Trees in relation to design, demolition and construction. Recommendations.*' Advice from a professional arboriculturist should be sought when establishing the protection areas.

Reason: Protection of existing trees on site.

Condition 3: Notwithstanding the submitted information, no development shall take place until a detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall detail management of demolition, clearance and construction activities on site to reduce impact on biodiversity.

Reason: Reduce construction impacts on biodiversity.

Condition 4: Temporary and permanent lighting will be carefully located and designed to minimize light spread to reduce impact on bats, potentially food supply for bats and small mammals (including hedgehogs). The lighting must be directed downwards to retain darkness above.

Reason: To reduce impact on bats and other small mammals.

Condition 5: Each dwelling should be built with one integral bird nest box brick for either sparrows or starlings, to be >3m above ground level (house or garage) and one integral bat roost box to be >3m above ground level (house or garage). The bricks should be in sunlight for part of the day, therefore a sunny location on the east or south facing side of the building is preferred.

Reason: To satisfy NPPF (2018) paragraph 170 d), which 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.

Informative

Bird nest and bat roost boxes are available from several suppliers such as:

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

<http://www.schwegler-natur.de/fledermaus/?lang=en>

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

<https://www.nhbs.com/1fe-schwegler-bat-accesspanel>

<http://www.schwegler-natur.de/fledermaus/?lang=en>

Further comments received 12/04/2023

I have reviewed the Planning Statement, Ecological Impact Assessment and Nutrient Neutrality Statement. The proposal is for the erection of four detached dormer bungalows on land at Glenesk Garage, Stockton Road, Hartlepool. The proposal also includes the demolition of the existing buildings on site. The land is allocated as white land in the 2018 Hartlepool Local Plan; the site is previously developed land within a residential area.

There are no statutory designated sites located on or directly adjacent to the proposed development site. The nearest statutory designated sites are the Summerhill Local Nature Reserve (LNR) located approximately 1.56 km north west of the site, and the Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI) located approximately 1.81 km east of the site.

The ecological impact assessment (January 2023) submitted to support the application is relevant to the application and provides sufficient information to review and assess the impacts. The ecological impact assessment (EclA) summarises a desk and field visit and considers impacts to habitats and species. I have not made a site visit but based on the information provided I agree with the general conclusions made within the document.

An Arboricultural Impact Assessment has been provided which recommends that the several trees on site are retained. The views of the County Arboricultural shall be considered in full.

The National Planning Policy Framework encourages the re-use of brownfield land provided that it is not of high environmental value. The proposed is in line with Hartlepool's NE1: Natural Environment where Development avoids harm to and, where appropriate, enhances the natural environment.

The Applicant's Nutrient Statement (section 5) states that surface water and foul water will be disposed of via mains sewers discharging to the Seaton Carew Waste Water treatment plant. Based on the last guidance from Natural England, the Seaton Carew wastewater treatment site has been removed from the nutrient neutrality calculator due to its long sea outfall. This is in line with HBCs current guidance: https://www.hartlepool.gov.uk/homepage/102/nitrates_and_the_teesmouth_and_cleveland_coast_special_protection_area_ramsar

The Applicant's Nutrient Statement concludes no impact.

I have no objection to the application and recommend the following conditions:

Condition 1: Any felling works should be carried out outside of the bird nesting season, which is defined as running from March to August, inclusive. If this is not

feasible for any reason, a nesting bird survey must be carried out by a suitably qualified ecologist shortly prior to the start of works to ensure no active nests are present. In the event that any active nests are found during this survey or at any point during the works, a suitable exclusion zone should be put around the nest, with no work taking place in this area until such time as the nest can be confirmed that the young have fledged and/or the nest is no longer active.

Reason: Due to the suitability of the trees on site to support nesting birds and avoid damage and disturbance to active birds' nests.

Condition 2: Trees on site that are to be retained shall be protected using fencing around their Root Protection Areas, in accordance with British Standard documentations BS 5837:2012 – 'Trees in relation to design, demolition and construction. Recommendations.' Advice from a professional arboriculturist should be sought when establishing the protection areas.

Reason: Protection of existing trees on site.

Condition 3: Notwithstanding the submitted information, no development shall take place until a detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall detail management of demolition, clearance and construction activities on site to reduce impact on biodiversity.

Reason: Reduce construction impacts on biodiversity.

Condition 4: Temporary and permanent lighting will be carefully located and designed to minimize light spread to reduce impact on bats, potentially food supply for bats and small mammals (including hedgehogs). The lighting must be directed downwards to retain darkness above.

Reason: To reduce impact on bats and other small mammals.

Condition 5: Each dwelling should be built with one integral bird nest box brick for either sparrows or starlings, to be >3m above ground level (house or garage) and one integral bat roost box to be >3m above ground level (house or garage). The bricks should be in sunlight for part of the day, therefore a sunny location on the east or south facing side of the building is preferred.

Reason: To satisfy NPPF (2018) paragraph 170 d), which 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.

Informative Bird nest and bat roost boxes are available from several suppliers such as: <https://www.ibstockbrick.co.uk/wp-content/uploads/2015/01/AA6606-Portfolio-Ecoproducts.pdf> <http://www.schwegler-natur.de/fledermaus/?lang=en> <http://www.wildlifeservices.co.uk/batboxes.html> <https://www.nhbs.com/1fe-schwegler-bat-accesspanel> <http://www.schwegler-natur.de/fledermaus/?lang=en>

Further comments received 19/02/2024

Following on from my note of 12th April 2023, I am happy that Condition 2 and Condition 4 may be dealt with through the standard conditions that are also

recommended for the scheme. Condition 1 may proceed as an informative to the planning documentation.

However, I would recommend that Condition 5 is maintained. This is in line with NPPF, paragraph 180 - 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.

Further comments received 24/06/2024

Summary

- The project has been HRA assessed and is compliant with the legislation.
- The HRA Appropriate Assessment must be approved by Natural England.

The issue of Nutrient Neutrality is dismissed prior to screening stage because:

- While there is a material land use change from garages to dwellings, the new dwellings will link into the existing Seaton Carew WwTW, making this an embedded mitigation feature.
- It is assessed that because the site is in an urban area, there will be no material change to the surface water regime, meaning a SuDS feature is not required.

Evidence is provided in the form of the submitted Nutrient Statement (Stovell and Millwater Ltd) which includes the following statements:

For the purposes of calculating the nutrient load of the proposed development for stage 2 of the calculator the pre-development land use has been classified as 'Commercial/industrial urban land'. This is on the basis that historically it has been used for a car garage.

As specified in the submitted application form surface water and foul water will be disposed of via mains sewers discharging to the Seaton Carew Waste Water treatment plant.

On the basis of the information submitted Stage 4 of the calculator give an outcome of 0 kg of total nutrients/ year confirming that no mitigation is required for nutrient neutrality.

Likely Significant Effect triggering Habitats Regulations Assessment

This Change of Use (CoU) application requires a Habitats Regulation Assessment (HRA) for the Likely Significant Effect (LSE) of Increased Recreational Disturbance.

The application will result in the increase of three new dwellings.

The HRA is provided below.

Habitats Regulations Assessment stage 1 screening

Revision history

Version	Date	Revision	Prepared by
1	24/06/2024	A	Graham Megson (MSc Ecology)

Stage 1 findings

Recreational disturbance

Is Recreational disturbance accounted for by the Hartlepool Local Plan Coastal Mitigation Scheme?	No	HRA Appropriate Assessment required (see below).
---	----	--

Habitats Regulations Assessment stage 2 Appropriate Assessment

Revision history

Version	Date	Revision	Prepared by
1	24/06/2024	A	Graham Megson (MSc Ecology)

Introduction

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

HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment

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

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

That HRA stage 1 screening screened in the following LSE:

- Increased recreational disturbance.

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

Background

Recreational disturbance is identified as an LSE, potentially harming populations of SPA/ Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is a consequence of housebuilding. The Hartlepool Local Plan (adopted May 2018) identified an average increase of 2.3 people per new dwelling and 24% of new households owning one or more dogs.

Since the publication of the Hartlepool Local Plan, the Local Planning Authorities (LPA) in the Tees catchment commissioned a joint study which examined the relationship between population growth and the provision of new homes. The report (dated April 2023) concludes that the nationally derived occupancy figure of 2.4 people per dwelling does not reflect local conditions, mainly due to population movement wholly within the Tees Valley area. It advises that a 5-year average of dwelling delivery (based on trends in the last twenty years) provides a reasonable,

local, upper estimate. The report states that this is an occupancy figure of 0.56 people per dwelling. Natural England guidance allows for robustly evidenced locally derived figures to be used.

Mitigation

The Hartlepool Local Plan policy 'HSG1 New Housing Provision', provides allocated sites for major residential development (ten or more dwellings). These were collectively HRA assessed as part of the Hartlepool Local Plan HRA, and their mitigation is dealt with by the Hartlepool Coastal Mitigation Scheme (the 'Scheme'). Additional recreational visits to the coast are mitigated by funding and SANGS elements – the funding being based on a per-house financial allocation. The Hartlepool Local Plan aspiration is for 6,150 new houses and the value of the Hartlepool Coastal Mitigation Scheme is calculated as £424,000. The Scheme is periodically reviewed to ensure it remains robust.

All major, non-allocated housing developments, all small-scale housing developments (nine or fewer dwellings) and all Change of Use (CoU) applications which increase the number of dwellings [collectively referred to as windfall sites] are not directly covered by the Hartlepool Local Plan HRA/ Hartlepool Coastal Mitigation Scheme and (due to the *People Over Wind Ruling*) must be Appropriately Assessed in their own right.

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

The Hartlepool Coastal Mitigation Scheme was designed so that:

- A windfall housing development greater than nine dwellings can use the same funding formula (to provide a financial contribution to the Scheme) to meet its HRA AA mitigation requirements.
- Developments of nine or fewer dwellings (including CoU), are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings.

Conclusion

This outline for 3 proposed dwellings to replace the commercial garage is a windfall project, which is mitigated by the built-in contingency measure of allocated housing projects contributing additional funds to cover small-scale projects, through the Hartlepool Coastal Mitigation Scheme, meaning that increased recreational disturbance will not cause an Adverse Effect on Integrity of any European Site.

End.

Natural England: - Thank you for your consultation on the above dated 25 June 2024 which was received by Natural England on 25 June 2024. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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

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

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

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

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

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

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

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

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

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is

included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

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

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

Annex A –Natural England general advice (Listed within below Informative).

HBC Engineering Consultancy: - In response to your consultation on the above application, the Geo-Environmental Desk Study submitted with the application finds potential risk from contamination and ground gas and recommends further and intrusive investigation. As such please include our standard residential contaminated land condition on any permission issued for proposals.

In respect of surface water management little detail has been provided with the application other than it is proposed to drain to sewer. Due to the location of the site it is unlikely that there are any other options and there is no reason why this is not practical. To allow further detail to be provided before any development please include the condition below on any permission issued for proposals:

Notwithstanding the submitted information, no development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run-off from the undeveloped site following the corresponding rainfall event (subject to minimum practicable flow control). The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

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

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

In respect of demolition of the existing building, the applicant's attention is drawn to section 80 of The Building Act 1984 that requires the applicant to give notice to and receive permission from Hartlepool Borough Council for the intended demolition should that be required by the criteria stated in section 80 (1) of that act. This requirement is separate and in addition to the planning application and is administered by jack.stonehouse@hartlepool.gov.uk

Further comments received 09/06/2023

In response to your consultation on the above amended application we have no further comments to add.

Northern Gas Networks: - Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location. Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue. If you have any further enquires please contact the number below.

Further comments received 30/05/2023

Northern Gas Networks do not object to the amended plans as per 1400017374 withdrawal, however please see attached for the relevant safety documents.

Northern Powergrid: - (summarised with advice appended as informative) Thank you for your enquiry dated 01/03/2023 concerning the above. The enclosed mains records only give the approximate location of known Northern Powergrid apparatus within the area. Great care is therefore needed and all cables and overhead powerlines must be assumed to be live.

Further comments received 25/05/2023

(summarised with advice appended as informative) Thank you for your enquiry dated 25/05/2023 concerning the above. The enclosed mains records only give the approximate location of known Northern Powergrid apparatus within the area. Great

care is therefore needed and all cables and overhead powerlines must be assumed to be live.

HBC Housing Standards: - No objections from a Housing Standards perspective.

HBC Public Protection: - Not object. I have no objections to the application subject to the following conditions:

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

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

There should be adequate dust suppression facilities on site during demolition works.

There should be provision of a wheel washing facility to the entrance/exit of the site.

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

Further comments received 25/05/2023

Not Object. I have no further comments to make regarding this amended application.

Cleveland Police: - No objections in relation to crime prevention always advise use of doors and accessible windows certified to Pas24 2020 dusk/dawn to all entrance door rear of dwelling kept private min boundary fencing height of 1.8m with lockable gates of same height

Further comments received 09/06/2023

I've viewed the Planning Statement and visited the proposed site yesterday. I would recommend that the developer incorporates the Secured by Design Standards within the proposal. This can be used to help market the bungalows. Our input is available free of charge. Details of the design guide 'Homes 2023' can be found by following the link [HOMES_GUIDE_2023_web.pdf](https://www.securedbydesign.com/HOMES_GUIDE_2023_web.pdf) ([securedbydesign.com](https://www.securedbydesign.com))

HBC Waste Management: - Developers are expected provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/ receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time.

Developers can choose to enter an undertaking to pay the Council for delivery and associated administration costs for the provision of bins/ receptacles required for each new development. These charges are a one-off cost and the bins remain the

property of the Council. Alternatively, developers are required to source and provide containers which meet the specifications necessary for the required bins/ receptacles to be compatible with the Council's waste collection service and vehicle load handling equipment.

Please see our 'Developer Guidance Waste and Recycling for new properties' document which can be found at www.hartlepool.gov.uk/usingyourbins for further information.

There needs to be sufficient secure storage per property for up to 2 x 240ltr wheeled bins and a receptacle of no more than 30 litres for food waste. Bins will be required to be presented at the kerbside for collection on the scheduled collection day.

HBC Building Control: - I can confirm that a Building Regulation application for erection of 4 bungalows.

Further comments received 05/05/2023

A Building Regulation application will be required for the 'erection of 3 dwellings'.

Cleveland Emergency Planning Unit: - In regards to the Outline application with some matters reserved for the erection of 4no. detached dormer bungalows with access taken from Yarm Close (Demolition of existing commercial garage) H/2022/0405, after reviewing the documentation the Cleveland Emergency Planning Unit has no comments to make.

Cleveland Fire Brigade: - Cleveland Fire Brigade offers no representations regarding the development as proposed. However, Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1:2019, Section B5 for Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1. It should be confirmed that 'shared driveways' and 'emergency turning head' areas meet the minimum carrying capacity requirements as per ADB Vol 1, Section B5: Table 13.1, and in line with the advice provided regarding the CARP, above.

Tees Archaeology: - Thank you for the consultation on this application. I have checked the HER and the proposed development should not have a significant impact on any known heritage assets.

Anglian Water: - Thank you for your email consultation on the planning application consultation for Yarm Close H/2022/0405 The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details. The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/development-services/locating-our->

assets/ Please note that if diverting or crossing over any of our assets permission will be required. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-assets/>

Northumbrian Water: - This site will drain to Seaton Carew WWTW.

HBC Economic Development: - No comments received.

HBC Community Safety & Engagement: - No comments received.

HBC Estates: - No comments received.

PLANNING POLICY

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

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

Hartlepool Local Plan (2018)

CC1: Minimising and adapting to climate change

CC2: Reducing and Mitigating Flood Risk

HSG1: New Housing Provision

HSG2: Overall Housing Mix

LS1: Locational Strategy

NE1: Natural Environment

NE2: Green Infrastructure

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 Planning Policy Framework (NPPF)(2023)

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

important for determining the application are out-of-date, granting permission unless policies within the Framework provide a 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:

PARA002: Determination of applications in accordance with development plan
 PARA003: Utilisation of NPPF
 PARA007: Achieving sustainable development
 PARA008: Achieving sustainable development
 PARA009: Achieving sustainable development
 PARA010: Achieving sustainable development
 PARA011: The presumption in favour of sustainable development
 PARA012: The presumption in favour of sustainable development
 PARA038: Decision making
 PARA047: Determining applications
 PARA056: Planning conditions and obligations
 PARA057: Planning conditions and obligations
 PARA060: Delivering a sufficient supply of homes
 PARA114: Considering development proposals
 PARA115: Considering development proposals
 PARA123: Making effective use of land
 PARA124: Give substantial weight to the value of using suitable brownfield land.
 PARA128: Achieving appropriate densities
 PARA131: Achieving well-designed and beautiful places
 PARA157: Meeting the challenge of climate change, flooding and coastal change
 PARA159: Planning for climate change
 PARA165: Planning and flood risk
 PARA180: Conserving and enhancing the natural environment
 PARA185: Habitats and biodiversity
 PARA224: Implementation
 PARA225: Implementation
 PARA226: Implementation

1.18 HBC Planning Policy Comments: The proposed development site is located within the Hartlepool Development Limits (Local Plan Policies Map), on previously developed land that is not allocated/designated on the Policies Map. Neighbouring uses are predominantly residential. The principle of residential redevelopment of the site is therefore acceptable in compliance with Local Plan policies LS1, CC1 and HSG1 (windfall housing within the existing urban area).

1.19 According to the 2015 SHMA there is an undersupply of bungalows in the Borough, therefore this type of dwelling on the site would be favourable. Planning Policy therefore has no objection in principle to the application. Together with relevant Local Plan Quality of Place policies, this outline and any subsequent reserved matters application should be assessed with regard to the Council's Residential Design SPD.

PLANNING CONSIDERATIONS

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

PRINCIPLE OF DEVELOPMENT

1.21 The application seeks Outline Planning Permission with some matters reserved, with both access and layout under consideration for the erection of three dwellings at the Glenesk Garage site. Planning permission was historically been granted Outline Planning Permission for four dwelling at the site in 1989, although this was never implemented and permission has since expired. Whilst the previous planning approval is a material planning consideration to the current planning application, the weight attributed to the historic planning approval is considered to be limited and the site is assessed against the current and up to date Adopted Hartlepool Local Plan (2018).

1.22 The application site is located within the Hartlepool Development Limits, on previously developed land, which is not allocated on the Policies Map of the adopted Hartlepool Local Plan (2018). The application site is the location of an existing employment use in the form of a vehicle repairs garage, which is within a residential area, where such a proposed residential use would be expected to be located.

1.23 Whilst it is acknowledged that the proposed development would result in the loss of the existing business, such uses are not specifically protected outside of designated employment areas. Furthermore, capacity is understood to exist for such employment uses within the available commercial/industrial estates of the borough. Consequently, the proposed loss of the existing employment use would raise no significant policy concerns in this respect.

1.24 The application site is considered to be a sustainable location within the built up conurbation and represents a windfall development that would provide (dormer) bungalow properties, which are identified within the 2015 published SHMA as an undersupplied residential form within the Borough. The Council's Planning Policy section have been consulted on the planning application and consider the provision of the bungalow properties in this location to be of benefit to the borough.

1.25 Having regard to the above considerations, and having regard to the comments and considerations of the Council's Planning Policy section, the proposed development is considered to comply with planning policies LS1 (Locational Strategy), CC1 (Minimising and adapting to Climate Change) and HSG1 (New Housing Provision) of the adopted Hartlepool Local Plan (2018) and the principle of development is considered to be acceptable in this instance, subject to the material considerations as set out below.

DEVELOPER OBLIGATIONS

1.26 To improve access to the application site by sustainable means, the Council's Traffic & Transport section request a Green Infrastructure contribution of £7,000 for the provision of a public footpath from Stockton Road to the application site.

1.27 This contribution, which is deemed to meet the statutory Planning Obligations tests, is to be directed towards physical works to improve footway and cycling access / links in and around the vicinity of the site, thereby promoting sustainable travel patterns. The requested contributions are considered to improve the sustainability of the site more generally and the applicant's agent has confirmed agreement of the contributions, which can be secured by way of a s106 legal agreement. Subject to the required legal agreement, this matter is considered acceptable.

Other Principle Planning Matters

1.28 Recent changes in Building Regulations legislation (post June 15th 2022) have upgraded the energy efficiency requirements of new buildings and in some instances this would supersede the requirements of Local Plan Policies CC1 and QP7. With respect to the current application, it is considered that the proposed dwellings would provide a level of energy efficiency that would at least be in line with planning policy requirements and therefore no planning condition is required in this instance.

IMPACT ON VISUAL AMENITY/IMPACT ON CHARACTER AND APPEARANCE OF EXISTING DWELLING AND SURROUNDING AREA

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

1.30 The area surrounding the application site is residential in character and is largely made up from a mix of both two storey detached and single storey bungalow properties. To the front of the application site (south) are the three detached gable fronted bungalows on Yarm Close. To the front (south-west), within the same street is the two storey detached property, adjacent to the commercial garage building and at the entrance to the site, adjacent to Stockton Road (south-east) is the converted, two storey flatted accommodation. Bounding the site and along Stockton Road to the side (east), are detached two storey and single storey bungalow properties. To the rear, bounding the application site, located on Tanfield Road, are the detached and semi-detached single storey bungalow and dormer bungalow properties. At the opposite site (west) are the two storey detached properties located on Whistlewood Close.

1.31 The planning application is submitted in outline (with details of layout and access), where final details (appearance, scale and landscaping) are not being

considered at this stage, although the written description confirms that the development proposes 'dormer bungalows'. In addition, the submitted 'indicative' drawings also illustrate modest dormer bungalow properties. The submitted drawings, along with the layout of the scheme that is applied for, are considered to be appropriate to the description of the proposed development, and therefore a reasoned assessment can be made on the impact on the character of the area, based upon the submitted information.

1.32 Given the mix of largely detached two storey and detached bungalow properties surrounding the application site on all sides, it is considered that the illustrated detached dormer bungalows would not be out of keeping with the surrounding area, where similar residential forms exist. With respect to consideration of the development pattern of the immediate area, the three properties would sit opposite three gabled single storey bungalows that would be separated by the access road of Yarm Close. The proposed infill development of the application site would form a largely balanced and complementary cul-de-sac made up from of modest properties. Conditions controlling the upper limits of the proposed dwelling heights, external finishing materials, boundary enclosures and the removal of permitted development rights for boundary enclosures would aid in ensuring a complementary and appropriate design is realised through the eventual reserved matters scheme.

Landscaping and Trees

1.33 As detailed within the above section, the application is submitted in outline, where landscaping is a reserved matter, although there are number of landscape features requiring consideration at this stage and landscaping also impacts on the layout, which is a matter under consideration. The submitted proposed site plan illustrates that the proposed development would incorporate large areas of soft landscaping in the form of open plan grassed front lawns. In addition, some existing vegetation also contributes to a relatively verdant setting. Following the case officer's site visit, it was appreciated that the application site benefits from a number of established, mature (Sycamore; 4 No.) trees that would be located within the respective rear garden areas of the proposed dwellings. During the course of the planning application, these trees were deemed appropriate for long term retention and protection through the formal Tree Preservation Order (TPO) process, although two pear trees in this area were not deemed worthy of inclusion and are not covered by the TPO order. An informative is recommended to make the applicant aware of the presence of the TPO designation and the applicants' legal responsibilities in this respect. Additionally, through the course of the planning application, the location of the indicative dwellings were repositioned to establish a greater separation between any proposed dwellings and the site trees, with the intention of assisting in reducing the future pressure for the removal of the trees in this area.

1.34 Both the Council's Landscape Architect and the Council's Arboricultural Officer have considered the proposed development and no objections have been received from either consultee. An Arboricultural Impact Assessment was submitted with the planning application and the Council's Arborist is satisfied with the mitigation measures as set out within the report, which stipulate the use of both ground and tree protection measures for the trees at the north of the site during the construction

phase. Conditions are recommended to secure these measures accordingly. The applicant's submitted document stipulates some works to the protected trees with crown lifting works recommended. A condition is recommended to ensure that such works, as approved under this permission, are carried out to the necessary national standard.

1.35 At the entrance to the site (east), there is also a grassed area that features some further mature trees. The Council's Arboricultural Officer notes that as a result of the proposed development, the existing site access (north-east) would be closed off, which would prevent any significant impact on the adjacent mature trees to the south, including during the construction period, where there would be a greater potential for typically larger construction vehicles to cause harm to the adjacent mature trees. Further to the comments of the Council's Arboricultural Officer, site access for the construction period would also therefore be required to be taken from Yarm Close and a condition is recommended accordingly for the cessation of the use of the proposed redundant access point.

1.36 At the request of the Council's Traffic & Transport section, there is a requirement for a public footpath to link Stockton Road to the application site, which would be positioned between the mature trees in this area (east). As the need for the public footpath requires the applicant to fund for the proposed works, where it is understood that the Local Authority would carry out the engineering activity, the Council's Arboricultural Officer is satisfied that there is no requirement for further detailed arboricultural information to be submitted in this respect, as the Local Authority can exercise necessary control over these associated works. Accordingly, no planning condition is therefore required in this respect. Given the presence of mature trees adjacent to the required access of Yarm Close, construction activity is required to be mindful of the constraints on the use of large HGV's and this has been raised as a matter of concern through a response received as part of the public consultation exercise. A condition is considered to be appropriate for the requirement of a construction management plan to be first submitted to address such matters (along with other matters as requested by HBC Public Protection).

1.37 The Council's Arboricultural Officer has also suggested tree planting take place within the front gardens of the proposed bungalow properties, in line with paragraph 136 of the NPPF, which states that "*Planning policies and decisions should ensure that new streets are tree-lined*". It is considered that the provision of trees would assist in enhancing the verdant appearance of the application site. Such details would need to come forward as part of the Reserved Matters application but such requirement for tree planting can be included within an appropriately worded condition as part of the current outline application and this is recommended accordingly.

1.38 Having regard to the above considerations and the comments of the Council's Arboricultural Officer and the Council's Landscape Architect, subject to the recommended planning conditions in relation to tree and ground protection, the requirement for cessation of the redundant access, a construction management plan, a condition in relation to proposed landscaping and the use of Informative, and subject to the subsequent reserved matters application, the proposed development

is considered to provide protection and enhancement of trees and landscaping at the site, which contributes to the attractive verdant character of the area.

Character Conclusion

1.39 Overall, it is considered that the proposed development would repurpose the commercial garage site with an attractive residential development that would provide positive benefit to the area and would not lead to any unacceptable impacts on the character of the surroundings, subject to recommended conditions, which are recommended accordingly.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES (+ FUTURE OCCUPIERS)

1.40 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy. The following minimum separation distances must therefore be adhered to:

1.41 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy. The following minimum separation distances must therefore be adhered to:

- Principal elevation (habitable room window) to principal elevation (habitable room window) - 20 metres.
- Gable (blank or non-habitable room window) to principal elevation (habitable room window) - 10 metres.

1.42 The above requirements are reiterated in the Council's Residential Design SPD (2019).

1.43 Whilst appearance and scale (and landscaping) are not under consideration as part of this outline planning application, the written description details that the proposed development would be for 'dormer bungalow' properties, which are indicatively illustrated to have a maximum height of approximately 6.8 metres. The indicative upper height is considered to be at the upper limits of the acceptability of residential properties in this location and therefore, despite some details still being 'reserved', it is considered that a sufficiently detailed assessment can be made with respect to the relationships with the surrounding neighbouring residential properties.

Properties to the Front (South)

1, 2 & 3 Yarm Close

1.44 To the front of the application site (south), beyond the vehicular highway serving Yarm Close are the three detached single storey gable bungalows of 1, 2 and 3 Yarm Close. No.1 Yarm Close projects marginally further forward than the neighbouring properties to the west and therefore, based upon the proposed site layout plan, this property would have the closest front to front relationship. The proposed separation distance between this property and the proposed dormer bungalows would be approximately 20 metres. The distances between the proposed dormer bungalows and the other properties opposite would all be in excess of 20 metres (approx.). The revised proposed site layout would therefore meet the required separation distance (of 20 metres), as is the planning policy requirement set out within Local Plan Policy QP4 and the Residential Design SPD (2019).

1.45 Whilst the proposed dormer bungalows would in all likelihood be at an increased scale when compared to those single storey bungalow properties opposite on Yarm Close, it is considered that given the (indicative) upper limit of the proposed dormer bungalows and given the distances and relationships indicated that would comply with planning policy and design guide, the proposed development could be accommodated and is considered to not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring residents located to the south (or for future occupiers of the proposed dwellings).

4 Yarm Close

1.46 Located to the front/side (south-west), is the dormer bungalow property of 4 Yarm Close. The two storey property is situated at a different aspect from the neighbouring properties of 1 to 3 Yarm Close and the side of the respective dwelling would face towards the front of the proposed dormer bungalow located at the most western part of the site, albeit at an oblique angle.

1.47 Through the course of the planning application a 'fourth' dwelling proposed was removed from the most western part of the site, owing to separation distances between the proposed dwelling and the neighbouring property of 4 Yarm Close being reduced below the requirements of Policy QP4 and the aforementioned Design Guide requirement. As a result of concerns raised, the proposed scheme was altered and with this dwelling being removed, 'indicative' plans now illustrate this area as serving the large side garden of the third residential property at the most western part of the application site.

1.48 The neighbouring property's (4 Yarm Close) side (north) elevation currently faces towards the side elevation of the warehouse building of the commercial garage. Within the side elevation of the neighbouring residential property at first floor are two windows serving a secondary bedroom window and a bathroom (confirmed by the respective residential occupier at the time of the case officer's site visit). As a result of the proposed demolition of the garage, views from the respective first floor windows would be possible towards the application site, although based upon the proposed layout, they would not be direct with the nearest proposed dormer bungalow. Nonetheless, it is considered that any views between the existing and proposed residential properties would be indirect and there would be an approximate 15 metre separation distance, where there would be no significant overlooking or

loss of privacy for the existing and future occupier of the proposed dwelling. The relationship with the proposed dormer bungalows further to the east would be at an acute angle from the first floor side elevation windows of 4 Yarm Close and this relationship is considered to be oblique. With respect to the openings at the front of the neighbouring property, given the (90 degree) orientation of 4 Yarm Close from the proposed dormer bungalows to the north, the relationship is considered to be oblique. In addition, there would be no significant direct views from the application site towards the private rear garden area of the neighbouring property given its positioning and orientation, relative to the proposed dwellings.

1.49 Taking account of the layout of the proposed dormer bungalows, indicative scale and given the indicated distance and relationships that would not conflict with planning policy and design guide requirements, it is considered that the proposed development could be accommodated and would not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring resident located to the south-west (or for future occupiers of the proposed dwellings).

Flatted Properties at 196 Stockton Road

1.50 Located to the front/side (south-east), is the part three storey flatted building of 196 Stockton Road. The property is situated at a different aspect from the neighbouring properties of 1 to 3 Yarm Close, with the single storey aspect at the closest point to the nearest illustrated dwelling of the proposed development at a distance of approximately 29 metres, with the remaining aspect of the neighbouring flatted property at a greater distance. The relationship between the neighbouring site and the proposed residential properties would also be largely oblique and indirect.

1.51 Given the oblique nature of the relationships between all three proposed dormer bungalows and the neighbouring properties to the north-east, the proposed layout and indicative scale produces a relationship that could be accommodated and it is considered that the proposal would not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring residents located to the south-east (or for future occupiers of the proposed dwellings).

Properties to the West

1.52 Adjacent to the application site to the west are the modern, two storey residential properties of 1 to 9 Whistlewood Close. The proposal would remove the existing commercial warehouse building, adjacent to these neighbouring properties and it is considered that subject to the replacement boundary treatments, the respective neighbouring outlook would be improved through the demolition works consequently. With respect to the proposed dwellings, based upon the submitted proposed site layout, the nearest proposed dormer bungalow at the most western part of the application site would be approximately 21 metres away from the rear aspect of the properties located along Whistlewood Close, which would be a side to rear relationship. The proposed site layout would be in excess of, and would therefore meet the required separation distance (of 10 metres), as is the planning policy requirement set out within Local Plan Policy QP4 and the Residential Design SPD (2019). It is considered that given the indicative upper limit of the proposed

dormer bungalows and given the distances and relationships indicated that would comply with planning policy and design guide, and taking into account the existing boundary treatments, the proposed development could be accommodated and is considered that the proposal would not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring residents located to the west (or for future occupiers of the proposed dwellings).

Properties to the North

1.53 To the rear of the application site (north), are the bungalow properties located on Tanfield Road. The neighbouring properties to the north notably benefit from sizable rear garden areas. There would be a rear to rear separation distance of approximately 24 metres between the proposed dormer bungalows and the bungalows to the rear (north) would be in excess of, and would therefore meet the required separation distance (of 20 metres), as is the planning policy requirement set out within Local Plan Policy QP4 and the Residential Design SPD (2019).

1.54 As set out within the character section, the application site benefits from a number of trees that will also provide a degree of screening between the proposed plots and the neighbouring properties, which would assist further in reducing any concerns in respect to the impact from the proposals in respect to loss of amenity and privacy considerations. It is considered that given the (indicative) upper limit of the proposed dormer bungalows and given the distances and relationships indicated that would comply with planning policy and design guide, the proposed development could be suitably accommodated and is considered that the proposal would not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring residents located to the north (or for future occupiers of the proposed dwellings).

Properties to the East

194 Stockton Road

1.55 Located to the east of the application site is the large detached property of 194 Stockton Road. Based upon the submitted proposed site layout plan, the nearest proposed dormer bungalow at the most eastern part of the application site would be approximately 25 metres away from the rear aspect of the property located on Stockton Road, which would be a side to rear relationship. The proposed site layout produces a relationship that would be in excess of, and would therefore meet the required separation distance (of 10 metres), as is the planning policy requirement set out within Local Plan Policy QP4 and the Residential Design SPD (2019). It is considered that given the (indicative) upper limit of the proposed dormer bungalows and given the distances and relationships indicated that would comply with planning policy and design guide, the proposed development could be accommodated and is considered that the proposal would not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring resident located to the east (or for future occupiers of the proposed dwellings).

1.56 In addition, the current vehicular access to the application site runs to the side of this property and also shares the same site access. The proposed site layout illustrates the existing site access to cease and to be closed off as part of the proposed scheme, with site access being taken from Yarm Close. The closing off of the access is not expected to create any undue amenity and privacy related concerns.

192a, 192 and 190 Stockton Road

1.57 Located to the north-east of the application site are the semi-detached, single storey bungalow properties of 192a and 192 Stockton Road and the detached bungalow of 190 Stockton Road at a further distance. Based upon the submitted proposed site layout plan, the nearest proposed dormer bungalow at the most eastern part of the application site would be approximately 28 metres away from the rear aspect of the nearest property (192a) located on Stockton Road and at greater distance from those proposed dormer properties further to the west and would be at greater distances from 192 and 190 Stockton road, where the relationships would be a rear/side to rear relationship. Given the oblique nature of the relationships between all three proposed dormer bungalows and the neighbouring properties to the north-east, the proposed site layout produces a relationship that could be accommodated and is considered that the proposal would not lead to any significant loss of privacy and amenity in terms of overbearing, overshadowing, loss of light, significant loss of outlook or overlooking for the neighbouring residents located to the north-east (or for future occupiers of the proposed dwellings).

Impact from the Use of Access

1.58 It is recognised that the proposed dwellings would generate a degree of activity from associated comings and goings, with vehicles utilising the existing vehicular access. Whilst it is acknowledged that the properties either side and to the front across Stockton Road would have views onto vehicles and their headlights entering and exiting the site and would experience a degree of noise and light from vehicular movements, it is considered that given the limited number of dwellings that the site would serve, the associated activity is considered to be limited and infrequent. In addition, the access is existing and serves a number of residential properties, where similar levels of activity could and will take place. Having regard to these considerations and that no objections have been received from HBC Public Protection, the proposed development is considered not to lead to any significant issues in terms of loss of residential amenity for the surrounding neighbouring residents to warrant the refusal of the planning application on such grounds.

Impact on Future Occupiers

1.59 The submitted indicative proposed floor plans illustrate dormer bungalows that would be capable of providing two adequately sized bedrooms (one with an en-suite), a bathroom, a large living room and kitchen respectively. Through the course of the planning application, the location of the proposed dormer bungalows were re-positioned further forward (south) in order to provide for an increase the size of the private amenity spaces at the rear of the proposed dwellings and to also provide

greater space between the proposed dwellings and the retained trees along the rear (northern) boundary, which is considered to reduce future pressure for the trees removal, to the satisfaction of the Council's Arboricultural Officer. Consequently, based upon this revised layout, the proposed development would each benefit from proportionately sized private rear garden areas.

1.60 In respect to the aforementioned relationship between the upper floor windows in the side/north elevation of 4 Yarm Close and the adjacent proposed dwelling (most west of three proposed dwellings), it is acknowledged that the relationship (as a result of the proposed garage demolition) is likely to result in views onto and from the indicative side garden of proposed third property (west). However, the proposed third property would benefit from the large side garden, as well as a more private rear garden at the north of the plot thereby ensuring that future occupiers of the proposed end dwelling would still be served by a satisfactory level of private amenity/garden area and such a relationship would warrant a refusal of the application.

1.61 The Council's Housing Standards section were consulted who raise no issues or concerns with respect to the proposed development. All properties would benefit from the requisite separation distance requirements, which meets the planning policy requirements as set out in planning policy QP4 of the Hartlepool Local Plan and the Council's Residential Design SPD (2019).

1.62 Having regard to the above matters, it is considered that the proposed scheme would be capable of providing sufficient and acceptable levels of residential amenity for the future occupiers and the proposed development is therefore considered to be acceptable, subject to the acceptability of a subsequent Reserved Matters scheme submission.

Existing and Proposed Levels

1.63 From the case officer's site visit, the application site appeared relatively level, although the application site is at a marginally higher level than the adjacent Yarm Close to the south. Notwithstanding this, a condition is recommended to secure the levels details and a condition is recommended accordingly.

The Construction Phase

1.64 Consideration of the impacts of the proposed development, including the construction phase have been considered by the Council's Public Protection section. The Council's Public Protection section have raised no objections or concerns to the proposed development, although a number of planning conditions are recommended. Conditions are recommended in respect to the times and days of construction activity and deliveries to the site, as well as in respect to dust suppression. The Public Protection section have also requested a condition for wheel washing at the entrance/exit of the proposed site. The control of matters such as dust suppression and wheel washing, as well as the management of associated construction activity and the storage of materials can be controlled through an all-encompassing Construction Management Plan condition, which is recommended accordingly.

1.65 The Council's Public Protection section also recommends no open burning should take place on the site and an informative is recommended accordingly, explaining that such activity should not take place during the construction phase of the proposed development. Subject to the recommended conditions and informative, the construction phase of the proposed development is considered not to raise any significant issues in terms of impacts on the amenity of the surrounding neighbouring residential occupiers.

Other Amenity Related Matters

1.66 The Council's Public Protection section have requested that details of any external lighting be suitably controlled to prevent any associated lighting nuisance issues from arising. A condition is recommended accordingly to control such details.

Amenity Conclusion

1.67 Whilst appearance and scale are not under consideration as part of this outline planning application, taking account the proposed layout and of the accepted indicative upper limit of the proposed 'dormer bungalows', despite some details still being 'reserved', having regard to the relationships with the surrounding neighbouring properties and plots, subject to the recommended conditions, it is considered that the application has demonstrated that the quantum, form and layout of development can be achieved, which would not lead to any significant loss of privacy and amenity for neighbouring properties and future occupiers, and would therefore be in accordance with policy QP4 of the adopted Hartlepool Local Plan and paragraph 135 of the NPPF and the proposed development is considered acceptable in this respect.

ECOLOGY

1.68 The Council's Ecologist has provided a response to the planning application having regard a number of potential impacts from the proposed development including the bio-diversity value of the site and loss of habitat considerations; the consideration of the potential bio-diversity enhancement; the potential for increased nitrogen pollution, as a result of increased overnight accommodation being provided; and the assessment of recreational disturbance, as a result of increased populations utilising public amenity areas, where protected birds and vegetation communities co-habit these spaces. These matters are duly considered below.

1) Bio-diversity Value and Loss of Habitat

1.69 It is noteworthy that the application was submitted prior to mandatory Bio-Diversity Net Gain (BNG) small scale sites requirements that came into force in April 2024. Consequently, the application is not required to meet the post April 2024 BNG requirements in this respect.

1.70 The planning application was submitted with an 'Ecological Impact Assessment, which found the site to have little potential for impact upon biodiversity value and no important habitats were found to be present within the area of the

application site. The Council's Ecologist has reviewed the ecological appraisal and concurs with the findings and also notes that there are no statutory designations within immediate proximity of the application site.

1.71 The Council's Ecologist notes that the application site features a number of mature trees and recommends that the trees be retained. As detailed within the above landscape section, and in line with the Council's Arborist's recommendations, the mature trees along the northern boundary of the application site have been formally protected through the use of a Tree Preservation Order (TPO). The Council's Ecologist recommends that the retained trees should be protected during the construction phase through the use of protective fencing, which is secured by an appropriately worded planning condition. There are also a number of smaller trees that do not form part of the TPO and the Council's Ecologist also recommends a condition to prevent felling works inclusive of the bird breeding season. Whilst noting the recommendation, the matter of disturbance of breeding bird populations is managed under criminal law rather than through planning legislation, and the issue is therefore relayed as an informative to advise the applicant of their legal responsibilities and the informative is duly recommended.

1.72 The Council's Ecologist also recommends a condition for a Construction Environmental Management Plan (CEMP) in order to reduce construction impacts on bio-diversity and the condition is recommended accordingly. A condition is also recommended to control/manage the impacts of external lighting and this matter is dealt with via a wider lighting condition, as set out within the above amenity section. To provide bio-diversity enhancement to the application site, the Council's Ecologist recommends a condition for the installation of one integral bird nest box and one integral bat roost box to be installed within each respective dwelling. A condition is recommended accordingly and an informative is also recommended to advise the applicant of suitable options of bird and bat boxes.

1.73 Having regard to the above consideration and subject to the recommended planning conditions, it is considered that there would be no significant loss of bio-diversity value and loss of habitat at the site and the proposed development would provide opportunities through the incorporation of nest bricks and bat boxes to provide bio-diversity enhancement.

2) Nitrate Pollution

1.74 On 16 March 2022 Hartlepool Borough Council, along with our neighbouring authorities within the catchment of the river Tees, received formal notice from Natural England that the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is now considered to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the protected area. Given the application would involve residential development, it is considered the proposals are 'in scope' for further assessment.

1.75 A Nutrient Neutrality Statement has been submitted, which concludes that the application does not result in a net increase in nitrates as a result of foul and surface water discharging to the Seaton Carew Waste Water Treatment Works. The discharge location has also been confirmed by the utility operator, Northumbrian

Water. A HRA Stage 1 Screening Assessment was duly completed by the Council's Ecologist, which confirms there would not be a Likely Significant Effect on the designated sites in terms of nitrate pollution in this respect. The proposed development therefore raises no concerns in respect to this matter.

3) Recreational impacts on designated sites

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

1.77 The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments could be suitably mitigated. Those developments below 10 dwellings would be captured and covered by the wider mitigation scheme, which has factored such minor developments into the overall consideration.

1.78 As the number of new residential units to be created by this scheme would be limited to the below threshold amount of 9 units, the Council's Ecologist has appropriately assessed the application and considers that in this instance the increased recreational disturbance is mitigated by the Hartlepool Coastal Mitigation Scheme and there will be no Adverse Effect on Integrity of any European Site. Natural England have been consulted and are satisfied with the Local Planning Authority's strategic solution is reliable and effective in preventing adverse harmful effects from increased recreational pressure on the protected sites.

1.79 Consequently, the proposed development is considered to be acceptable in this respect. Natural England have provided additional advice for the applicant and this has been relayed to the applicant by way of informative accordingly.

Ecology Conclusion

1.80 The proposed development is considered not to result in any significant loss of bio-diversity value or habitat and provides opportunity to enhance value and habitat through the use of bird nest bricks and bat boxes within the construction of the proposed dwellings, and can be controlled by way of planning conditions.

1.81 Owing to the drainage solution proposed, there are no considered Likely Significant Effects on the designated sites in terms of nitrogen pollution and given the number of dwellings proposed would be below 10, any increased recreational disturbance is mitigated by the wider Hartlepool Coastal Mitigation Scheme and there will be no Adverse Effect on Integrity of any European Site. This view is confirmed by Natural England.

1.82 Having regard to these considerations, the proposed development is considered acceptable in terms of ecology matters, subject to the recommended planning conditions.

HIGHWAY SAFETY AND CAR PARKING

1.83 Vehicular access for the proposed dwellings would be taken from Stockton Road off the existing cul de sac of Yarm Close, to the south of the application site. Each of the three dwellings would feature a driveway and an integral garage. The Council's Traffic & Transport section have considered the proposed scheme and have raised no objections in respect to vehicular traffic and parking related matters, although have commented that the vehicular crossing points between Yarm Close and the application site should be constructed to HBC standards to ensure appropriate specifications and standards are achieved for the construction of the crossing point. In the event that the applicant carried out the required works, it is appropriate to make the applicant aware that an appropriate licence would be required from the Highways Section and an informative is therefore recommended accordingly to direct the applicant with respect to their responsibilities with respect to this matter.

1.84 With respect to considerations of pedestrian access, the Council's Traffic & Transport section have requested that the proposed scheme provides a pedestrian footpath access into the site, which would be achieved by creating a footpath through the landscaped area to the east/south-east of the application site. This would provide a footpath link from Stockton Road into Yarm Close, where one currently does not exist. Where the proposed footpath would cease within Yarm Close, there is an existing footpath across from the vehicular highway serving the street (on the southern side of the road). Pedestrians at this point could access the existing footpath, which together, would provide positive, sustainable pedestrian links that would be an enhancement of the proposed scheme. The provision of the footpath and costs have been agreed by the applicant and can be secured by way of legal agreement for the cost of the required works.

1.85 The Council's Countryside Access Officer was also consulted and raises no objections or concerns with respect to the proposed development.

1.86 Subject to the necessary legal agreement to secure the funds for the required footpath works, the proposed development is considered to be acceptable in terms of parking, pedestrian and vehicular highway safety related matters.

FLOOD RISK AND DRAINAGE

1.87 The application site is located in Flood Zone 1, the least vulnerable flood zone. The Council's Engineering Consultancy has been consulted and notes that the associated surface water would discharge from the application site into the public sewer network, which the Engineering Consultancy considers to be the most appropriate solution in this instance, although it is noted that no detailed information has been submitted in respect to the drainage solution at this stage. The Council's Engineering Consultancy has therefore recommended a condition be imposed securing a scheme for detailed design and associated management and maintenance of surface water drainage, which would be based upon sustainable drainage principles.

1.88 Both Northumbrian Water and Anglian Water were consulted through the course of the planning application, although no detailed response has received from Northumbrian Water and Anglian Water have detailed that the threshold for consultee consideration is above the level of the proposed development and no detailed comments are therefore provided in this instance. Notwithstanding the threshold, Anglian Water have provided contact details for the applicant to raise any queries and to check proximity to associated sub level infrastructure and this can be relayed to the applicant as an informative accordingly. Subject to the recommended planning condition, the proposed development raises no significant concerns with respect to flood risk and surface water management related issues and the proposed development is considered acceptable in this respect.

CONTAMINATION

1.89 The application was submitted with a Geo-Environmental Desk Study, which identifies a potential risk for contamination and the presence of ground gas. The Council's Engineering Consultancy has considered the submitted information and recommends a planning condition be imposed, in the event of a planning approval, for a scheme to be submitted and approved that would deal with the risks associated with contamination of the site.

1.90 Additionally, the proposed development would also involve the demolition of the existing commercial garage. The Council's Engineering Consultancy has highlighted the requirement for the applicant to comply with the section 80 of The Building Act 1984 in relation to the intended demolition works. This matter can be relayed by way of informative to make the applicant aware of their responsibilities in this respect in the event of a planning approval. As detailed within the above amenity section, matters relating to dust suppression, wheel washing and open burning would be controlled and directed through the appropriate conditions and informative accordingly.

1.91 Having regard to the above considerations, subject to the recommended planning condition in relation to the potential for contaminated land, where such issues can be considered and addressed, and through the use of informative to direct the applicant accordingly, the proposed development is considered not to raise any significant issues in respect to contamination related matters and the proposed development is considered acceptable in this respect.

OTHER PLANNING MATTERS

Crime and Safety

1.92 Section 17 of the Crime & Disorder Act (1998) requires the planning system to give consideration to implications for crime and anti-social behaviour. Comments have been received from Cleveland Police who have advised that the applicant should consider integrating secure by design principles into the proposed development, including the use of certified doors and windows and the use of private boundary fencing/gates at a height of 1.8m with lockable gates. A link has been provided to the Secured by Design Homes Guidance Document (2023), which

includes such measures that can be relayed to the applicant in the event of a planning approval.

1.93 In addition, the Council's Community Safety & Engagement team were also consulted, although no comments were received. Having regard to these considerations, including the comments and considerations of both Cleveland Police, the proposed development is considered to be acceptable in respect to crime and safety related matters.

Waste Management

1.94 A planning condition is recommended requesting details of the storage of refuse, which shall be submitted to and agreed with the Local Planning Authority. The Council's Waste Management section were consulted who have advised on how the applicant can acquire waste containers from the Local Authority and this is relayed to the applicant as an informative for information purposes. Subject to the recommended planning condition and informative, the proposed development raises no concerns or issues in relation to waste management related issues.

Archaeology

1.95 Tees Archaeology have been consulted and have advised that upon checking the HER, there are no known archaeological artefacts within this area and it is considered that there is a low potential to encounter archaeological remains on site and no objections and no requirement for any associated conditions to be recommended in respect to Archaeological works. Having regard to the comments and considerations of Tees Archaeology, the proposed development is considered acceptable in respect to Archaeology related matters.

Utilities

1.96 Northern Powergrid were consulted and have not raised any concerns or objections in respect of the proposals, however have provided a Mains Record for the applicant's information and has provided advice in respect of any works in proximity to Northern Powergrid apparatus. An informative note is recommended accordingly.

1.97 Northern Gas Networks have been consulted and whilst they offer no objections to the proposals, they have advised that there may be apparatus in the area that may be at risk during construction works and therefore they require the promoter of these works to contact Northern Gas Networks directly to discuss their requirements in detail. An informative note is recommended accordingly.

OTHER MATTERS

Building Regulations

1.98 The Council's Building Regulations section have advised that the appropriate Building Regulations process would be required, should planning permission be granted. An informative is recommended accordingly.

Cleveland Fire Brigade

1.99 Cleveland Fire Brigade have offered no objections to the proposals with advice on the requirement for access and water supplies. Such matters would need to be considered and addressed through the separate legislation of Building Regulations and is not a material planning consideration. Nevertheless, Cleveland Fire Brigade's comments have been forwarded to the applicant for their consideration and a suitable informative note if recommended to reiterate this advice.

Concerns raised in neighbour representations

1.100 Through the course of the public consultation exercise, neighbouring comments suggested the trees along the northern boundary, now protected by TPO, should be felled. As set out within the comments of the Arboricultural officer and the relevant landscape section of the report, the existing mature trees are considered to provide a positive amenity value to the area more generally and therefore whilst the comments are noted, the trees would be retained, with no evidential harm arising from their presence.

1.101 A further comment received through the public consultation exercise notes that the garage building proposed to be demolished, shares a boundary wall with the neighbouring residents' garage and it is requested that the party wall be left in situ for structural purposes. Whilst the matter raised is fully appreciated, this would be a civil matter to be addressed outside of the planning process between the applicant and the neighbouring resident. Nonetheless, an informative is recommended to make the applicant aware of the site circumstances.

CONCLUSION

1.102 The application is considered to be acceptable with respect to the abovementioned relevant material planning considerations and is considered to be in general accordance with the relevant policies of the adopted Hartlepool Local Plan 2018 and provisions of the NPPF (2023). The application is recommended for approval subject to the planning conditions and Section 106 or other appropriate legal agreement (with respect to the funding of the provision of a public footpath into the site), as set out below.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.103 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.104 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.

1.105 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION - APPROVE subject to the completion of a legal agreement securing contributions towards green infrastructure/footpath links (£7,000) within vicinity of the application site and subject to the following planning conditions;

1. Application for the approval of the reserved matters referred to below in condition 2 must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the scale and appearance of the building(s) and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority.
In order to ensure these details are satisfactory.
3. The development hereby permitted shall be carried out in accordance with plan No HL/22/001/001 (Location Plan & Existing Site Plan) dated October 2022, received by the Local Planning Authority on 08/02/2023.
To ensure a satisfactory form of development and for the avoidance of doubt.
4. The total quantum of development hereby approved shall not exceed 3 no. dwellinghouses (C3 use class).
To ensure a satisfactory form of development and for the avoidance of doubt.
5. The details submitted at reserved matters stage shall be in general conformity with the agreed layout as detailed on plan HL/22/001/002/A (Proposed Site Plan) received by the Local Planning Authority 12/05/2023.
To ensure a satisfactory form of development.
6. Notwithstanding the submitted information, no development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run-off from the undeveloped site following the corresponding rainfall event (subject to minimum practicable flow control). The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards

(or any subsequent update or replacement for that document). Thereafter, the approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

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

7. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include method statements for the avoidance, mitigation and compensation measures as detailed in; Section 5 (Conclusions & Recommendations) of the Ecological Impact Assessment by Naturally Wild (dated 03/01/2023) and received by the Local Planning Authority on 27th January 2023. The CEMP (Biodiversity) shall include the following:
 - i) A pre-commencement check for nesting birds shall be undertaken by a suitably experienced ornithologist if vegetation clearance or building demolition is undertaken between March and August inclusive;
 - ii) A pre-commencement check for Hedgehogs including for the potential for those in hibernation and where necessary, site clearance or exclusion zones to be created by a suitably qualified ecologist, in accordance with the submitted information.
 - iii) Any fenced boundaries are to be gapped, with a 13 x 13 cm hole cut at ground level to allow small mammals to access and egress gardens.
 - iv) A sensitive lighting scheme should be implemented during and after construction to avoid indirect disturbance to foraging and commuting bats, birds and small mammals that may be using the adjacent gardens and buildings, and should include the following elements:
 - Sensitive positioning of lighting to avoid unnecessary spill onto adjacent gardens and buildings.
 - Angle of lighting: avoidance of direct lighting and light spill onto areas of habitat that are of importance as commuting pathways and/or foraging areas.
 - Type of lighting: studies have shown that light sources emitting higher amounts of UV light have a greater impact to wildlife. Use of narrow-spectrum bulbs that avoid white and blue wavelengths are likely to reduce the number of species impacted by the lighting.
 - Reduce the height of lighting columns to avoid unnecessary light spill.
 - v) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Thereafter the approved CEMP shall be adhered to and implemented throughout the construction period and strictly in accordance with the approved details. In the interests of avoiding or mitigating ecological harm.
8. Prior to the commencement of development above ground level, details of universal bird nesting bricks (3no. in total) to be installed integral to each of the dwellings (1 per dwelling) and details of integral bat roost boxes (3no in total) to be installed integral to each of the dwellings (1 per dwelling) including the exact location within either the east or south elevation of the dwellings and shall

include the specification, design and height and shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bird nesting bricks and bat roost boxes shall be installed strictly in accordance with the details so approved prior to the occupation or completion of the dwellings, whichever is the sooner, and shall be maintained for the lifetime of the development.

To provide an ecological enhancement for protected and priority species, in accordance with paragraphs 185 and 186 of the NPPF.

9. No development shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - a. human health,
 - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,
 - f. archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

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

4. Reporting of Unexpected Contamination

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

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

5. Long Term Monitoring and Maintenance

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

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

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

6. Extensions and other Development Affecting Dwellings.

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

To ensure that the risks posed by the site to controlled waters and human health are assessed and addressed as part of the redevelopment.

10. The Reserved Matters application (referred to in conditions 1 and 2) shall be accompanied by a scheme for the provision, long term maintenance and management of all landscaping within the site. The landscaping scheme shall, where achievable, include tree planting within front garden areas to create tree lined streets. The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. Thereafter the agreed scheme (as

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

In the interests of visual amenity and the amenities of future occupiers.

11. Notwithstanding the submitted information and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, the submitted scheme for the protection and retention of the retained trees, including ground protection measures, (as identified in the 'Arboricultural Method Statement, including Impact Assessment' by Elliots Consultancy Ltd, dated December 2022, received by the Local Planning Authority on 27/01/2023, shall be carried out in strict accordance with the approved document. Thereafter and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, the agreed protection measures shall be implemented on site (and thereafter retained until the completion of the development). Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees that are found to be dead, dying, severely damaged or diseased as a result of site works shall be replaced with trees of such species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the existing trees and the visual amenity of the area and surrounding area.

12. All tree works as detailed in the 'Arboricultural Method Statement, including Impact Assessment' by Elliots Consultancy Ltd, (dated December 2022), received by the Local Planning Authority on 27/01/2023, shall comply with BS 3998:2010 'Tree work - Recommendations', paying particular regard to Appendix 2 'Tree Data & Works Required'.

In the interests of the health and appearance of the existing mature site trees.

13. The Reserved Matters application (referred to in conditions 1 and 2) shall be accompanied by 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). This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed in accordance with the agreed details prior to the occupation of the dwellings or completion of the development hereby approved, whichever is the sooner.
To enable the Local Planning Authority to control details of the proposed development, in the interests of the visual amenity of the area and highway safety.

14. Prior to the commencement of development, details of the existing and proposed levels of the site including 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. Such a scheme shall indicate the finished floor levels and levels of the garden areas of the individual plot and adjacent plots, and the areas adjoining the site boundary. Development shall be carried out in accordance with the approved details.
To take into account the position of the buildings and impact on adjacent properties and their associated gardens and to ensure that earth-moving operations, retention features and the final landforms resulting do not detract from the visual amenity of the area or the living conditions of nearby residents.
15. The Reserved Matters application (referred to in conditions 1 and 2) shall be accompanied by details of all walls, fences and other means of boundary enclosure. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the first occupation of the dwellings or completion of the development hereby approved, whichever is the sooner.
In the interests of visual amenity and the amenity of the occupiers of the site.
16. No development shall commence until details of external lighting associated with the development hereby approved, including full details of the method of external illumination, siting, angle of alignment; light colour, luminance of external areas of the site, including parking areas has been submitted to and agreed in writing by the Local Planning Authority. The agreed lighting shall be implemented wholly in accordance with the agreed scheme and retained for the lifetime of the development hereby approved.
To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining residents and highway safety.
17. No development shall take place until a Construction Management Plan has been submitted to and approved in writing with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phase, and to effectively control dust emissions from the site remediation and construction works. The Construction Management Plan shall address earth moving activities, control and treatment of stock piles, parking for use during construction, measures to protect any existing footpaths and verges (including trees), vehicle movements, wheel and road cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Thereafter, the development of the site shall accord with the requirements of the approved Construction Management Plan.
To avoid excessive noise and disturbance to the occupants of nearby residential properties.
18. The dwellings hereby approved shall not exceed two storeys in height with a maximum ridge height of 6.8 metres.
In the interests of visual amenity.

19. Prior to the occupation of the dwelling hereby approved, including the associated demolition and construction works, the existing access point serving the commercial garage (outlined in blue on the submitted plan HL/22/001/001 (Location Plan & Existing Site Plan), received by the Local Planning Authority on 08/02/2023), shall cease use for purposes associated with the proposed development.
In order to establish the permission as applied for and in the interests of managing the associated impacts on nearby trees to the front of the site.
20. No dwellinghouse hereby approved shall be occupied until vehicular and pedestrian access (including footway links) connecting the proposed development (and individual dwellings) to the public highway has been completed in accordance with Dwg. No. HL/22/001/002/A (Proposed Site Plan, received by the Local Planning Authority 12/05/2023).
In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area.
21. The Reserved Matters application (referred to in conditions 1 and 2) shall be accompanied by details of the external finishing materials for the development and details of storage of refuse. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the first occupation of the dwellings or completion of the development hereby approved, whichever is the sooner.
To ensure a satisfactory form of development.
22. Notwithstanding the provisions of Part 1 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) and associated garages hereby approved shall not be converted or extended, in any way, and no garage(s) or other 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 visual amenity and the amenities of the occupants of adjacent residential properties.
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) and notwithstanding the agreed details under condition 15, no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority
To enable the Local Planning Authority to exercise control in the interests of visual amenity.
24. No construction/building works or deliveries shall be carried out except between the hours of 08.00 am and 6.00 pm on Mondays to Fridays and between 09.00 am and 1.00 pm on Saturdays. There shall be no deliveries or construction activity including demolition on Sundays or on Bank Holidays.
To avoid excessive noise and disturbance to the occupants of nearby properties.

BACKGROUND PAPERS

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

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155914>

1.108 Copies of the applications are available on-line:

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

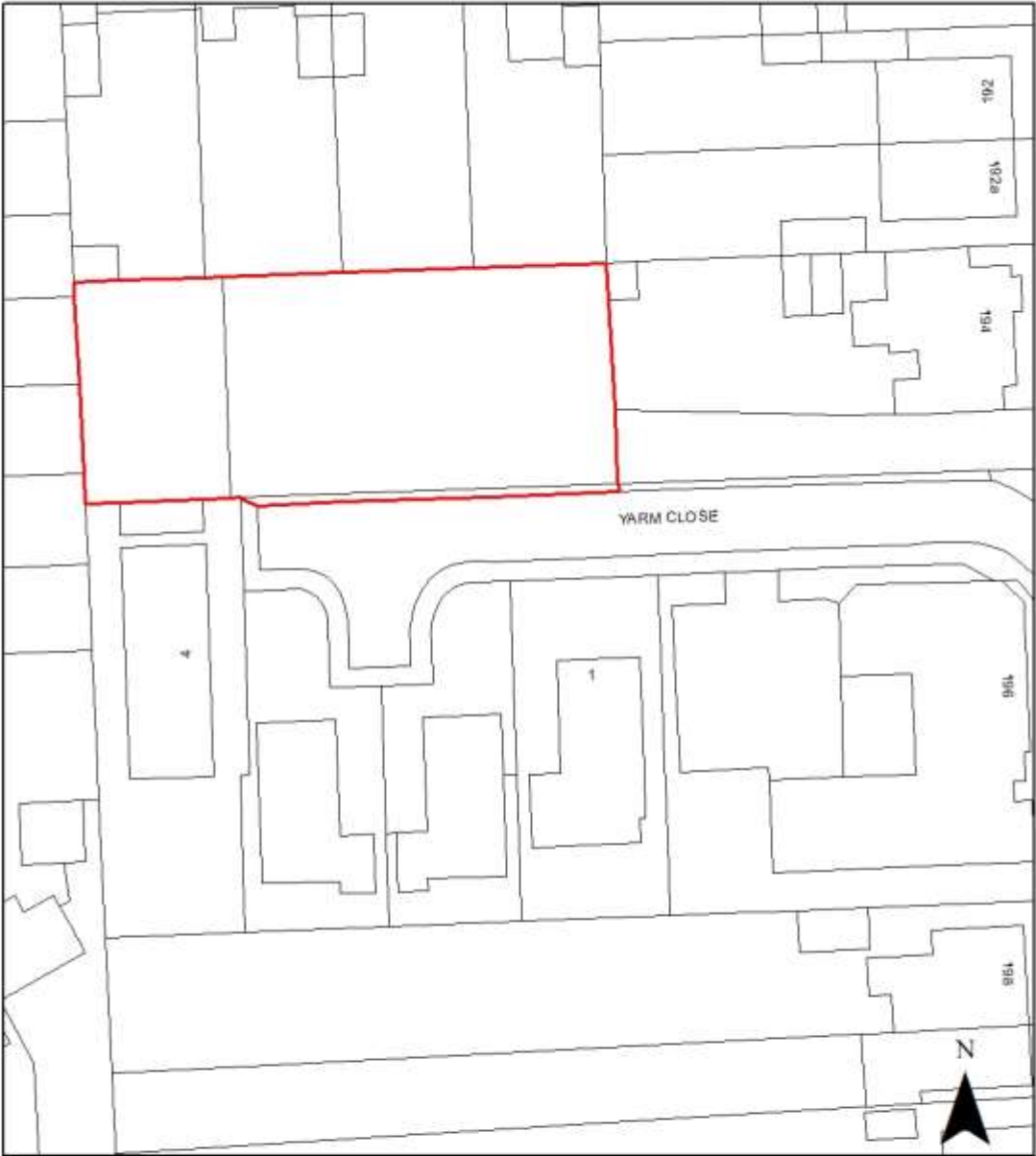
CONTACT OFFICER

1.109 Kieran Bostock
Assistant Director (Neighbourhood Services)
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 284291
E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR

1.110 Kieran Campbell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 242908
E-mail: kieran.campbell@hartlepool.gov.uk

Glenesk Garage, 194 Stockton Road, Hartlepool



© Crown Copyright. All rights reserved AC0000849987 (2024).

THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRAWN JB	DATE 21.10.2024
	SCALE 500	
	DRG.NO H/2022/0405	REV

No: 2.
Number: H/2024/0053
Applicant: MR ASHLEY JOHNS YORK ROAD HARTLEPOOL
TS26 9DL
Agent: ASP Service Ltd JONATHAN LOUGHREY OFFICE 206
BOVIS HOUSE 7 to 9 VICTORIA ROAD HARTLEPOOL
TS24 7SE
Date valid: 28/05/2024
Development: Change of use from a shop to a Bar/Nightclub (Sui
Generis use class), including alterations to shop front
Location: 117 YORK ROAD HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 It is understood that the bar/nightclub use (that the current application relates to) has recently begun operating (without planning permission). It is further understood that the existing shop front has been painted (black) along with a new fascia sign. The application will therefore be considered part-retrospective in this context.

2.3 The following planning history relates to the current application site;

HFUL/2001/0224 - Change of use to Class A2 use to provide financial services and mortgage advice centre – Approved 25/06/2001.

H/2010/0626 – Installation of new shop front, alterations to roof and windows – Approved 23/12/2010.

PROPOSAL

2.4 This application seeks planning permission for the change of use from a former vacant retail shop (Class E(a) use class) to a bar/nightclub (Sui Generis use class), within the ground and first floors of 117 York Road. The proposal also includes external alterations to the existing shop front.

2.5 The ground floor of the premises is proposed to feature seating areas, a service area, a storage space, a kitchen, and a w/c, while the proposed first floor features toilets, a seating area, a dance floor area and an office. Following a request for clarification, the agent has confirmed that the second floor (understood to be served by a dormer window to the front and roof light to the rear) is 'condemned' for structural and asbestos reasons, therefore the existing staircase has been

completely blocked up with new timber stud walls and there is no ability or intention to use the second floor as part of this application.

2.6 Following the case officer's request, amended plans were received during the course of the application to address a number of officer concerns regarding the original shop front proposals, and in respect to the requirement for 2 existing windows to the first floor rear elevation to be blocked up.

2.7 Regarding the proposed shop front works, following the submission of amended plans, the proposal would retain the existing shop front (installed circa 2010) including the traditional detailing of the timber pilasters and corbels, and the recessed entrance, but would install a main entrance door which is a half glazed single timber door (with adjacent timber panels) to be installed flush with the existing shop front windows (with the existing recessed door left in situ, thereby creating an initial lobby). As noted above, it was recently observed that the timber shop frontage has been painted black (it was previously understood to be blue).

2.8 To address officer concerns and as discussed in further detail within the main body of this report, the external alterations to the proposed rear elevation now involve the removal and bricking up of the 2 existing windows to the first floor rear elevation, which would serve toilets and a store room.

2.9 The submitted plans indicate that waste bins would be stored outside in the alleyway 'during operational hours and brought into the unit on an evening when the bar is closed) for security reasons'.

2.10 The original proposal (and application form) detailed that the proposed opening hours were to be 12:00pm-11:30pm Monday to Friday, and 12:00pm-00:00am on Saturdays, Sundays and Bank Holidays. However and following concerns raised by officers, these hours of opening were later reduced to 12:00pm-11:30pm Monday to Sunday inclusive.

2.11 The application has been referred to the Planning Committee at the request of a Local Ward Councillor, in line with the Council's Scheme of Delegation.

SITE CONTEXT

2.12 The application site is a vacant three-storey, terraced property relating at 117 York Road. The surrounding area is a mixture of commercial and residential uses, with a number of properties with commercial uses on the ground floor and residential units and commercial uses above. It is apparent that the property has previously been extended to accommodate a large two storey extension which projects up to the rear boundary (abutting the highway/alleyway), and as a result does not benefit from an external yard area.

2.13 The host property is adjoined to the side/north by nos. 115 (a ground floor opticians) and 115a (a first floor dentist) York Road, to the side/south by nos. 119 York Road (which appears to be a computer shop 'tech and games' at both ground and first floor level) and beyond that is 121 York Road (a vape shop). To the rear/west the site is abounded by a rear alleyway with the residential properties of

no's 3, 5, 7 and 9 Johnson Street beyond. The site is bound to the front/east by no's, 116. 118-120 York Road, with the presence of the highway of York Road in between.

PUBLICITY

2.14 The application has been advertised by way of neighbour letters (10) and a site notice.

2.15 Following validation of the application, it later came to light that the red line boundary on the site location plan was incorrect. Following receipt of the correct red line boundary and location plan, the ownership certificates (that form part of the application forms) were updated. On receipt of these updated details, full consultations were re-issued. To date and a result of the consultations, there have been 4 responses received, 2 in the form of objections, and 2 in the form of support.

2.16 The objections/concerns raised can be summarised as follows:

- It is a resident area.
- Weekends are already ruined due to anti-social behaviour.
- Large amount of noise from the existing bars.
- The proposal is going to add to existing problems.

2.17 The responses in the form of support can be summarised as follows:

- The venue closes early
- Staff will be trained on noise management etc
- The bar has a community feel

2.18 Following the concerns raised by officers regarding the shop front design and a number of other matters (including some anomalies with the submitted drawings), amended plans were received in respect to an amended shop front design, blocking up of 2 first floor rear windows and to address the drawing anomalies. A 14 day re-consultation was issued. To date, no further responses have been received at the time of writing.

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

https://edrms2.hartlepool.gov.uk/PublicAccess_Live/SearchResult/RunThirdPartySearch?FileSystemId=PL&FOLDER1_REF=H/2024/0053

2.20 The period for publicity has expired.

CONSULTATIONS

2.21 The following consultation replies have been received:

HBC Economic Development: No objection from Economic Growth.

HBC Traffic and Transport: There are no highway or traffic concerns.
Additional comments received 24/10/2024;

I can confirm that there are no highway objections to this application.

It is a common occurrence to store bins in a back alley and so long as these are not causing an obstruction and blocking vehicular access I would have no objections. From my observations the neighbouring properties already store their bins in the alleyway and do not obstruct vehicles.

HBC Public Protection: No objections subject to the below.

Comments and background to any licensing position

Any waste from the premises should be stored internally, due to a lack of external storage areas and the disposal of waste could create issues regarding noise disturbance given the close proximity of residential properties to the rear of 117 York Road so I would ask the following condition be added.

Suggested Planning Conditions

Prior the first use or completion (whichever is sooner) of the development hereby approved, a scheme to demonstrate the storage of refuse internally with the building, including details of location, size, means of enclosure and materials/receptacles, shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved internal refuse storage areas shall be completed and made available prior to the first use or completion (whichever is sooner) of the development hereby approved and shall be maintained in accordance with the approved details. Refuse shall not be stored externally at any time other than on the day of waste collection.

No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm 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.

No deliveries shall be taken or despatched for the premises outside of the following hours 09:00 and 20:00 Monday to Sunday (including Public/Bank Holidays).

The premises hereby approved shall only be open to the public between the hours of 12:00 and 23:30 Mondays to Sundays inclusive.

Before the use of the premises commences the premises shall be soundproofed in accordance with a scheme. The applicant must Provide and submit a detailed acoustic report (that looks at both noise and vibration) prepared by a qualified professional, demonstrating the impact of the proposed development on nearby residential dwellings. The report must consider all relevant standards and, if necessary, recommend noise mitigation measures, including the selection of any proposed plant, equipment, or sound insulation measures. This report must be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.

Informative (advice to applicant re any other requirements such as licensing)
None

Updated comments received (dated 16/10/2024):

Suggested planning condition:

The emptying of bins containing glass bottles from inside the premises into any external waste bins shall only take place between the hours of 9:00am and 9:00pm on any day. In the interests of the amenities of the occupants of neighbouring properties.

HBC Engineering Consultancy: No comments received.

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

HBC Public Health: No comments received.

HBC Heritage and Open Spaces Manager: I have a feeling this property might have had a grant from our regeneration team in the past hence the traditional look, and likely to be the applications referred to in 2010. It would be disappointing for public investment to be lost, if that's the case, as I'm sure the expectation at the time would be that it would last for well over ten years.

With regard to the design of the shop front, it would be a real shame to lose it. The terrace is now dominated by large, modern fascia signs which obscure the traditional detailing on the upper floors but there does appear to be some remnants of traditional shop front design elsewhere, and in particular similar arrangements to the application site, whereby a door sits between two display windows.

I note in the Planning Statement the SPD on shopfronts if referred to, but I can't see consideration for the guidelines?

With regard to new shopfronts these state,

“age and architecture of the building should be taken into consideration in any new design or alterations.”

Given the age of the property and the existing design and in particular the design of the upper floors – and those elsewhere on the street, a traditional shop front, as existing at the moment would expect to be seen.

“The finishing materials should be chosen to complement the design of the host building and surrounding property.”

The existing finishing materials do this, and to remove the shopfront and introduce modern materials would not reflect the current materials on the host building, which include timber windows to the upper floors. Given the age of the shop front, with regular maintenance this should be in a reasonable condition and it is of a design that meets the criteria set out in the SPD.

Cleveland Police: With regards to your recent planning application H/2024/0053 for a bar/nightclub, 117, York Rd. Hartlepool.

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

I would like to make you aware that Cleveland Police operate the “Secured By Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Commercial 2023 Guide at www.securedbydesign.com

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

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

- The National Planning Policy Framework 2023 paragraph 92(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2023, paragraph 130(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on www.securedbydesign.com. Although not an SBD requirement, Hartlepool along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

HBC Waste Management: We have concerns about this proposal. It appears from the plans that there is no bin storage area incorporated into the footprint of the building. As the business is likely to generate more waste, and waste that may be more problematic (namely glass bottles and food) than the previous use, it is likely that any waste stored in the back street will cause a nuisance. It is also likely that it will lead to additional street cleansing requirements from the local authority. Further consultation should also be undertaken with representatives of the local authority regarding environmental enforcement and anti-social behaviour (for

example, use of bins as a means of climbing into yards of neighbouring properties, use of bins for transporting stolen goods, arson, etc).

Updated comments received (dated 17/10/2024):

We would have no objections, however, I would speak to Enforcement regarding leaving the bins out. If the bins went missing/stolen then it would be the responsibility of the tenant/landlord to purchase replacements.

HBC Commercial Team: Commercial Services have no objections to the bins being stored in the back alley (this is common practice for many food businesses). Food hygiene legislation states that adequate provision is to be made for the storage and disposal of food waste, non-edible by-products and other refuse. If refuse is stored inside it must be stored appropriately and must not restrict any fire exits or cause any health and safety issues e.g. tripping hazards. All bins would need to be kept in such a condition that they did not constitute a public health nuisance i.e. were kept clean, emptied regularly and not overfilled.

HBC Community Safety and Engagement: Community Safety has no objection. For reference the area is covered by public space CCTV at the front of the property.

Updated comments received (dated 20/08/2024):

To clarify Community Safety have no objections to H/2024/0053 as it is the policy of the Civil Enforcement Team to allow the businesses to leave their trade waste bins permanently out in their rear alley as long as they are secured. This is due to the large size and weight of the bins when full preventing businesses from easily and safely moving them into and out of rear yards and the alley way.

However from a crime prevention perspective leaving bins in the alley way makes them available to use by criminals who can use them as a step to help climb over rear yard walls. Leaving bins in the alley way also poses a potential arson target risk and could restrict access in the alleyway for large vehicles such as bin wagons and emergency vehicles.

In the case of the application I note that the plans do not show a bin store due to the previous loss of the rear yard of the property due to a building extension.

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

CC1: Minimising and adapting to climate change
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 RC1: Retail and Commercial Centre Hierarchy
 RC2: The Town Centre
 Policy RC17: Late Night Uses Area
 SUS1: The Presumption in Favour of Sustainable Development

National Planning Policy Framework (2023)

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

PARA001: Role of NPPF
 PARA002: Determination of applications in accordance with development plan
 PARA003: Utilisation of NPPF
 PARA007: Achieving sustainable development
 PARA008: Achieving sustainable development
 PARA009: Achieving sustainable development
 PARA010: Achieving sustainable development
 PARA011: The presumption in favour of sustainable development
 PARA012: The presumption in favour of sustainable development
 PARA047: Determining applications
 PARA055: Planning conditions
 PARA096: Promoting healthy and safe communities
 PARA128: Achieving appropriate densities
 PARA131: Achieving well-designed places
 PARA135: Achieving well-designed places
 PARA139: Achieving well-designed places
 PARA224: Implementation

2.25 HBC Planning Policy comments: The application site is located with the Town Centre area, as allocated under Policy RC2 of the Local Plan, which identifies drinking establishments and nightclubs as appropriate uses in principle, providing they do not adversely affect the character, appearance, function and amenity of the property and surrounding area. Given there are existing residential uses in the area, the views of HBC Public Protection will be paramount in determining whether the requirements in relation to amenity impacts can be complied with.

2.26 Policy RC17 (Late Night Uses Area) sets out that the area identified on the Local Plan Policies Map as the Late Night Uses Area, will be the only appropriate location for uses operating after 11:30pm and before 2am, and that no businesses will be allowed to operate from 2am-7am. The application site is not within the Late Night Uses area and as such, hours of operation should not go beyond 11:30pm, in accordance with the requirements of both policies RC2 and RC17. The submitted application form sets out that the hours of opening proposed are 12pm-11:30pm Monday to Friday, 12pm to 12am Saturdays, Sundays and bank holidays. The proposal could only be considered acceptable in Planning Policy terms if a planning condition were imposed to limit the hours of opening, preventing opening between 11:30pm and 7am every day. Without such a condition, the proposals do not accord with the requirements of policies RC2 and RC17 and Planning Policy would object.

2.27 The proposed shop front alterations should be in accordance with the Shop Fronts and Commercial Frontages Design Guide SPD.

PLANNING CONSIDERATIONS

2.28 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of development, the impact on the neighbouring residential amenity, the impact on the character and appearance of the existing building and surrounding area, highway safety considerations, the impact on crime and anti-social behaviour, and waste. These and all other matters are set out in detail below.

PRINCIPLE OF DEVELOPMENT

2.29 The application is for the change of use from a vacant retail unit (Use Class E(a)), to a bar/nightclub (Sui Generis use class). The application site is situated at the edge of, but within the Town Centre, as defined within the adopted policies map and through Hartlepool Local Plan (HLP) Policy RC2 (The Town Centre).

2.30 HLP Policy RC2 recognises the Town Centre area as a suitable location for drinking establishments and nightclubs, subject to the use not adversely affecting the character, appearance, function and amenity of the property and the immediate vicinity. In addition, HLP Policy RC17 seeks to control night time functions, including drinking establishments and nightclubs in appropriate locations, and places restrictions on late night establishments.

2.31 With respect to the application proposal, the application site does not fall within the defined late night uses area and therefore it is a policy requirement for the

operating hours to be limited to 11:30pm. This view is supported by the comments provided by both the Council's Planning Policy team and the Council's Public Protection team, which are considered further within the following amenity section below. Through the course of the application, the applicant's agent has confirmed willingness to meet these time restrictions and this is also understood to have been reflected within the issued Licence for the premises (which is a separate process and regime to planning). Such controls can be exercised by way of a planning condition, which is recommended accordingly.

2.32 The Council's Planning Policy section have considered the application proposal and have no objections or concerns, providing that the proposal complies with Local Plan Policy RC2 (primarily in respect to the operating hours, as discussed above). In addition the Council's Economic Growth section were consulted on the application had have raised no objections to the proposal.

2.33 Having regard to the proposed development, taking account of the site being located within the designated Town Centre area, as allocated by HLP Policy RC2, and the comments and consideration received from the Council's Planning Policy and Economic Growth sections, the proposed use is considered to be acceptable in principle, subject to the recommended operating hours condition and subject to the proposal complying with the other criteria of HLP Policy RC2 (and any other relevant HLP policies), as considered within the following material considerations.

AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

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

- Principal elevation (i.e. any elevation containing a habitable room window) to principal elevation - 20 metres.
- Gable elevation (i.e. those containing a blank or non-habitable room window) to principal elevation - 10 metres.

2.35 The SPD also notes that *"The principle elevations of a commercial unit are to be treated the same as the principle elevations of a dwelling i.e. the principle elevation of a dwelling should be located at least 20m from the principle elevation of a commercial unit"*.

2.36 The proposed development is for a change of use with some operational development works, primarily in the form of works to the shop front. The matters are considered below.

Change of Use to bar/nightclub

2.37 The application site is located within the designated Town Centre (as defined by HLP Policy RC2) and consists of a variety of commercial and some residential uses. Residential flats exist above some of the business premises on York Road. Additionally, to the rear of the application site there are residential streets within close proximity, namely those along Johnson Street (west).

2.38 Objections and concerns have been received in relation to the proposed application and the potential impact of the proposal in respect to increased anti-social behaviour and noise emanating from an additional drinking establishment/nightclub in the area. These among other associated matters, are considered below.

2.39 In terms of the site location, the properties within the immediate vicinity include retail shops, betting shops and a dental surgery. The wider area is commercial in nature, within a town centre, where such uses can be expected. It is acknowledged however that the proposed bar/nightclub use has the potential to increase levels of noise and activity in the later evening hours, when the existing retail uses are unlikely to operate and therefore there would be a degree of change taking place, where there is a potential for there to be increased levels of noise and disturbance, particularly to more sensitive uses such as the residential properties to the rear and any nearby upper floor flats.

2.40 Following concerns from the case officer and those raised by HBC Public Protection, the proposed hours of opening were amended by the applicant to 12:00pm-11:30pm, seven days a week. Officers consider it appropriate to limit the hours of operation and a planning condition is recommended accordingly that would limit the opening hours to 7am-11:30pm Monday to Sundays inclusive in line with the requirements of Hartlepool Local Plan Policy RC2. The recommended opening hours are considered appropriate to manage the associated activity and extent of the proposed use and would be in line with the requirements of HLP Policy RC2. This planning condition also generally reflects a condition that is understood to form part of the premises licence which limits the sale of alcohol between midday - 23:15 hours. Subject to this planning condition, which is supported by HBC Public Protection (and has been agreed with the applicant's agent), the hours of opening are considered to be acceptable and would assist in limiting any unacceptable impacts on the amenity of neighbouring land users in terms of noise disturbance.

2.41 A further planning condition is recommended by HBC Public Protection in respect to limiting the hours of deliveries to/from the premises and it is recommended that this be secured by a planning condition.

2.42 In addition, to mitigate any potential noise impacts on the immediate neighbouring residential units (that would primarily appear to be the residential dwellings to the rear of the site), within their consultation response, the Council's Public Protection section have requested that a suitable sound insulation scheme and a detailed acoustic report be submitted. This is to ensure that adequate protection is afforded against the transmission of noise between the premises and nearby neighbouring residential properties (as detailed above). A suitably worded planning condition is recommended accordingly, which would include 'triggers' and timescales for the submission of a noise assessment, and implementation of any

required mitigation measures, taking account of the retrospective nature of the application where the use is understood to have commenced operating.

2.43 With respect to waste management and concerns regarding any associated noise disturbance, there is no provision to store waste within the curtilage of the property as it does not benefit from an external yard area. In response to this, the case officer (and HBC Public Protection) requested that the applicant consider storing the waste internally within the existing building (and only place the waste storage outside on waste collection days). In response, the applicant advised the site does not have capacity to store waste internally at all times and it is detailed on the proposed floor plan that waste bins would be stored outside during operational hours and brought into the unit on an evening when the bar is closed ‘for security reasons’.

2.44 In response to this, and the associated concerns regarding noise and disturbance, HBC Public Protection section have suggested a planning condition relating to emptying of bins containing glass bottles from inside the premises into any external waste bins shall only take place between the hours of 9:00am and 9:00pm on any day.

2.45 Paragraph 55 of the NPPF (2023) refers to the 6 tests which need to be satisfied in order for the LPA to apply a planning condition. It is considered that the condition suggested by HBC Public Protection would generally fail to meet the ‘tests’, namely that such a condition is unlikely to be enforceable or reasonable. Furthermore, officers consider that if there was to become a nuisance or problem arising from waste disposal, that it would be better dealt with under existing nuisance legislation.

2.46 It is noted within the submitted plans there is a solid rear lobby door to the rear elevation of the property (as existing) that would provide access to the bins but would not provide an access for customers and in view of the above considerations, it would not result in an adverse loss of amenity or privacy for neighbouring properties including those to the rear.

2.47 However, the proposals include use of the first floor (where there are windows in the front and rear elevations of the building serving this floor). It is noted that there are terraced residential dwellings to the rear of the host property, as mentioned, namely on Johnson Street which are separated from the rear elevation of no. 117 York Road by the intervening alleyway only. The nearest of these properties directly to the rear/west of the application site (No. 7 Johnson Street) would have a separation distance of approximately 8.3 metres (from its main rear/east elevation containing windows) to the rear/west elevation of the host building. This distance would fall short of the distance required by Policy QP4 and that of the aforementioned SPD.

2.48 As a result, it is considered that the proposed relationship between the first floor rear windows of the application site and the residential dwellings to the rear would have the potential to cause a detrimental impact to the neighbouring occupiers through a loss of privacy in terms of direct overlooking and a perception of overlooking (as well as a perception of activity at a higher level within the application

site when viewed from windows within the rear elevations and yard areas serving the residential properties to the rear such as lights being on and general activity).

2.49 As a result, it is considered necessary for the 2 existing first floor rear windows to be removed and the openings blocked up to remove this potential impact. The applicant's agent provided amended proposed floor plans and proposed elevations to illustrate this change. On this basis, subject to an appropriate worded planning condition (and timescale to implement such works, given the retrospective nature of the application), this is considered to be acceptable on balance and the proposal would therefore not result in an adverse loss of amenity and privacy for neighbouring properties to the rear (or adjoining properties) in terms of loss of overbearing and overlooking (or noise disturbance).

2.50 With regards to the relationship between the application site and neighbouring properties to the front, given the established presence of the application site (and the presence of a busy road in between) as well as the satisfactory intervening separation distance (of approximately 20m), it is considered that the proposals would not result in an unacceptable loss of amenity and privacy for neighbouring properties in terms of overbearing and overlooking.

2.51 The use of this front area (for access and egress), which is more commercial in nature given its frontage onto a busy road within the town centre, is considered to not lead to any significant noise and disturbance issues along York Road given its established nature as a predominantly commercial environment (albeit with upper floor residential uses in some properties). Having regard to these considerations, it is anticipated that the external use of the site would not lead to any significant adverse noise and disturbance including for the adjoining premises. Furthermore, should such issues arise in the future, they would need to be considered through the premises license and any associated nuisance legislation.

Operational Development

2.52 The proposed change of use would involve external alterations to the shop front of the site including a new entrance door that would not project beyond the existing main shop frontage (in effect, in filling the existing recessed entrance way).

2.53 As a result, it is considered that the proposed alterations to the front would not extend beyond the main frontage or footprint of existing property or appreciably reduce the existing satisfactory separation distances and relationships between the application property and surrounding neighbouring properties including those opposite the site along York Road (as described in the above sections). The proposals to the shop front would not be visible from the residential properties to the rear. In the above context, it is considered that the proposals would not result in any adverse impacts on the privacy and amenity surrounding properties (including the adjoining properties of 115 and 119 York Road) in terms of loss of outlook, overbearing and overshadowing or overlooking.

2.54 In addition, the Council's Public Protection section have been consulted and have raised no objections to the proposed alterations and in respect of the impact on surrounding occupiers, subject to a number of planning conditions including a

condition to limit the working hours/deliveries associated the construction phase of the building works, which is recommended accordingly.

2.55 Taking into account the above considerations, having regard to the agreed opening hours, noise mitigation measures and the relationship with the surrounding properties, on balance, it is considered that the proposal would not result in any significant adverse loss of amenity or privacy for neighbouring land users in terms of noise and disturbance, overbearing or overlooking, and the proposals considered to generally accord with policies RC2 and RC17 of the Hartlepool Local Plan (2018) and the provisions of the NPPF (2023), subject to the identified recommended planning conditions.

IMPACT ON CHARACTER AND APPEARANCE OF EXISTING BUILDING AND SURROUNDING AREA

2.56 HLP Policy RC2 states that smaller scale proposals that involve alterations to commercial fronts should be designed in accordance with the Council's Shopfront and Commercial Frontages Design SPD (2014).

2.57 Hartlepool Borough Council's Shop Front and Commercial Frontages Design Guide SPD (2014) provides advice about appropriate shop front designs, as "shop fronts are key elements in town and local centres and their appearance can contribute significantly to visual interest and add vitality to the street scene." The SPD goes on to identify the importance of a successful shop front having three elements at a scale appropriate to the context of the location. Additionally, the Hartlepool Local Plan (2018) under Policy QP4 states that all development is to be designed to a high quality and positively enhances their location and setting. The properties in the terrace in which the site sits within (and York Road as a whole) are predominantly commercial uses which have commercial and retail units at ground floor level, with residential and commercial units above.

2.58 Having regard to the age of the host property and the immediate street scene, traditional design elements would be typically encouraged. This would include the use of stall risers, pilasters and corbels. With respect to consideration of the original proposals for the shop front, the Council's Heritage and Open Spaces Manager was consulted and commented that *"to remove the shopfront and introduce modern materials would not reflect the current materials on the host building, which include timber windows to the upper floors. Given the age of the shop front, with regular maintenance this should be in a reasonable condition and it is of a design that meets the criteria set out in the SPD."*

2.59 In response to these concerns and in line with requirements of aforementioned Shop Front Design Guide SPD, the case officer sought the retention of the shop front as existing. The applicant advised that they needed to make some amendments to the shop front to address other requirements and their amended design involves the retention of the recessed entrance with the installation of a timber entrance door to the front of it that would sit flush with the building frontage (main shop front).

2.60 Whilst it is disappointing that the aesthetics of the existing shop front would be somewhat diluted by the loss of the recessed main shop front (with the proposal in effect infilling the recessed area), having regard for the retention of the existing shop front (on the whole), it is considered that on balance, the proposed shop front changes would generally retain the existing character and appearance and the proposal would broadly satisfy the requirements of HLP Policies QP4, RC2 and the Shop Front and Commercial Frontages Design Guide SPD. Whilst the colour of the proposed entrance door (and adjacent detailing) has not been specified in the proposal, a planning condition is recommended to secure the final colour and materials.

2.61 It is also of note that the application site and surrounding area are not protected heritage asserts (i.e. a listed building or located within a conservation area) and that there is a variety of shop front designs in the street scene including those with flush built frontages. No further comments were received from the HBC Head of Heritage and Open Spaces in respect to the amended plans. Taking the above into account, the proposal is, on balance, considered to be acceptable and would not have any significant impact on the character and appearance of the host building or the surrounding area as to warrant a refusal of the application. The proposals are therefore acceptable in this respect subject to a condition for the final details being agreed with the LPA.

2.62 Any proposed replacement signage to the existing fascia board would need to be considered through a separate planning process (advertisement consent) and an informative on the decision notice could relay any such requirement to the applicant.

2.63 It is also recognised that character is not something that is purely physical and the nature of how a use operates can impact on the character of a site and the wider surrounding area. The application site and the adjoining commercial units that, as detailed within the principle and amenity sections, represent commercial units to serve the immediate local area. The immediate vicinity of the town centre includes retail shops, betting shops, and a dental surgery. The proposed use would introduce a bar/nightclub and replace the existing commercial use within the parade. It is considered that the proposed use would add to the varied mix of uses within the local centre and would not create an undue overconcentration of a particular use or introduce a use that would be entirely out of keeping with activity that can be associated with such a local centre (particularly given that the use will be restricted by the 'permitted' hours for a use within this Town Centre location as opposed to the hours of use commonly associated with a bar/nightclub). Lastly, it is also of some merit that the application site would bring a vacant building back into use.

2.64 Having regard to the above considerations, it is considered that the proposed change of use to a bar/nightclub is considered not to result an adverse impact on the character and appearance of the existing building or the surrounding area and the proposed development is therefore considered acceptable in this respect.

OTHER PLANNING MATTERS

Highway Safety and Car Parking

2.65 The Council's Traffic and Transport section have been consulted in respect of the proposal and have raised no concerns. The proposal is therefore considered to be acceptable in this respect.

Waste Storage

2.66 As noted above, the applicant intends to utilise waste storage within the alleyway and therefore it would be sited outside of the application site curtilage. Ordinarily, it is expected that waste storage would be provided within the curtilage of a site (usually in an enclosed yard) however the application site has no rear yard and the applicant has indicated that there is no provision to store the waste internally at all times. It was noted on site by the case officer that there were other waste bins in the alleyway that appear to serve other commercial units, although it is acknowledged the proposed use is likely to differ from the existing uses.

2.67 A number of HBC departments were consulted on the proposed waste arrangements including Waste Services, Public Protection, Commercial Services, Environmental Services, and Traffic and Transport.

2.68 HBC Waste Services did raise initial concerns regarding the lack of storage available in the footprint of the building however have since confirmed no objections to the proposals from a waste collection and management perspective.

2.69 HBC Commercial Services have no objections to the bins being stored in the back alley, noting that this is common practice for many food businesses. They have advised that all bins should be kept in such a condition that they do not constitute a public health nuisance and such advice can be relayed to the applicant by way of an informative.

2.70 Whilst some concerns were raised in respect to the potential anti-social behaviour as a result of waste bins being stored in the alleyway, no formal objections were raised by HBC Community Safety who clarified that it is the policy of the Civil Enforcement Team to allow the businesses to leave their trade waste bins permanently out in their rear alley as long as they are secured. Again, an informative relaying this advice to the applicant is recommended. No objections were received from Cleveland Police in this respect.

2.71 No objections (or comments) have been received to the proposals from HBC Traffic and Transport in respect to the waste storage proposals providing they are not causing an obstruction and blocking vehicular access (as above, it is recommended that an informative be secured to remind the applicant of the requirement to ensure that the waste is secured and to prevent it from obstructing the vehicle access/alleyway). As noted above, HBC Public Protection raised no objection in principle to the waste storage proposals but requested a planning condition to limit the hours of waste disposal to the bins in the alleyway (which is not recommended in this instance for the reasons set out in the report above).

2.72 In view of the above, it is considered that the waste storage proposals would not warrant a refusal of the application in this instance. Should issues arise in the future regarding matters of access, anti-social behaviour or noise related issues, these would need to be considered through relevant (and separate) legislation.

Crime and Fear and Crime

2.73 Section 17 of the Crime & Disorder Act (1998) requires the planning system to give consideration to implications for crime and anti-social behaviour.

2.74 It is noted that during the public consultation exercise, comments received detail that anti-social behaviour exists in the area and concerns are raised that this would increase as a result of the proposed development. Comments have been received from Cleveland Police who have raised no objections to the proposed development and have advised that the applicant should consider integrating secure by design principles into the proposed. Such information can be relayed to the applicant by way of informative and this is recommended accordingly. In addition, the Council's Community Safety & Engagement team were also consulted, and have confirmed no objections in respect of the proposal.

2.75 Having regard to these considerations, including the comments and considerations of Cleveland Police, the proposed development is considered to be acceptable in respect to crime and safety related matters.

CONCLUSION

2.76 The application proposes a change of use from a shop to a nightclub/bar, a use that is considered to be acceptable in principle in this town centre location. It is further considered there would not be significant negative impact on neighbour amenity, highway safety, waste management or the character and appearance of the existing building as a result of the proposed development and the proposal is, on balance, considered to be acceptable in respect to all material planning considerations. As such the officer recommendation is to approve the application subject to the recommended and conditions below.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.77 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

2.78 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.

2.79 There are no Section 17 implications.

REASON FOR DECISION

2.80 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 planning conditions below:

1. The development hereby permitted shall be carried out in accordance with the plans and details Location Plan (scale 1:1250) and 1180/P/8 (Proposed Block Plan), received by the Local Planning Authority on 20th May 2024; Drawing number 1180/P/6 (Proposed Elevations) received by the Local Planning Authority 19th September 2024; and Drawing number 1180/P/5 (Proposed Floor Plans) received by the Local Planning Authority 1st October 2024.
For the avoidance of doubt.
2. Prior to the above ground construction of the shop front works hereby approved, details of all external proposed finishing materials (relating to the shop front alterations as detailed on the approved plans contained within condition 1) shall be first submitted to and agreed 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 and to ensure a satisfactory form of development.
3. Within 1 month from the date of the decision notice hereby approved, a scheme demonstrating appropriate noise insulation between the application site and nearby residential properties shall be submitted in writing to the Local Planning Authority. The scheme shall include a detailed acoustic report (that looks at both noise and vibration) prepared by a qualified professional and provide details of noise mitigation measures where required. Thereafter, the agreed scheme (and any required noise mitigation measures) shall be implemented in full within 1 month of the written agreement of the Local Planning Authority and thereafter retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. Within 1 month from the date of the decision notice hereby approved, the existing 2no. first floor rear windows (both serving a 'store' and as shown on Existing Floor Plans 1180/P/1 received by the Local Planning Authority 9th May 2024) shall be removed and the openings blocked up with materials to match those of the existing building and in accordance with the agreed details as shown on Dwg. No. 1180/P/5 (Proposed Floor Plans, received by the Local Planning Authority 1st October 2024) and thereafter shall be retained as such thereafter for the lifetime of the development hereby approved.
In the interests of the amenities of the occupants of the neighbouring properties.
5. The bar/nightclub use hereby approved shall only be open for customers between the following hours: 0700 - 2330 Mondays to Sundays inclusive.
In the interests of the amenities of the occupants of neighbouring properties and in accordance with Policy RC2 of the Local Plan.

6. No deliveries shall be taken or despatched for the premises outside of the following hours 0900 to 2000 Monday to Sunday (including Public/Bank Holidays).
In the interests of the amenities of the occupants of neighbouring properties.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the premises shall only be used as a bar/nightclub (Use Class 'Sui Generis' as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and for no other purpose or use.
To enable the Local Planning Authority to exercise control in the interests of a satisfactory form of development in accordance with Policy RC2 of the Hartlepool Local Plan (2018).
8. The bar/nightclub use hereby approved does not include or relate to the second floor of the building as detailed on Dwg. No. 1180/P/5 (Proposed Floor Plans) received by the Local Planning Authority 1st October 2024.
For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development.
9. No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm 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.
In the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

2.81 Background papers can be viewed by the 'attachments' on the following public access page:
https://edrms2.hartlepool.gov.uk/PublicAccess_Live/SearchResult/RunThirdPartySearch?FileSystemId=PL&FOLDER1_REF=H/2024/0053

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

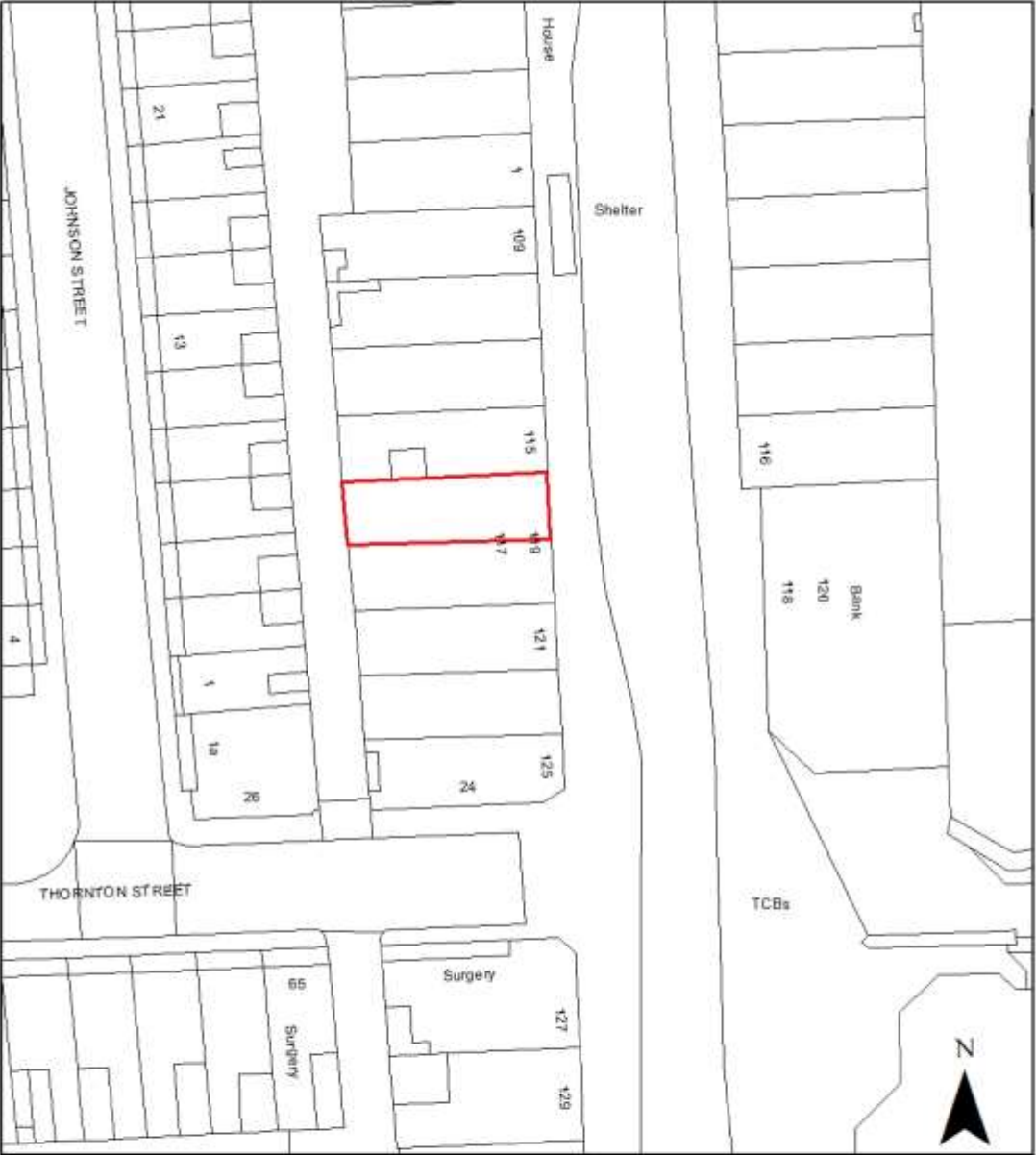
CONTACT OFFICER

2.83 Kieran Bostock
 Assistant Director (Neighbourhood Services)
 Level 3
 Civic Centre
 Hartlepool
 TS24 8AY
 Tel: (01429) 284291
 E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR

2.84 Emily Palmer
 Planning Officer
 Level 1
 Civic Centre
 Hartlepool
 TS24 8AY
 Tel: 01429806908
 E-mail: Emily.Palmer@hartlepool.gov.uk

117 York Road, Hartlepool



© Crown Copyright. All rights reserved AC0000849987 (2024).

THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRAWN JB	DATE 29.07.2024
	SCALE 1:500	
	DRG.NO H/2024/0053	REV

POLICY NOTE

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

HARTLEPOOL LOCAL PLAN 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) 2023

[https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NP
PF_December_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf)

ILLUSTRATIVE EXAMPLES OF MATERIAL PLANNING CONSIDERATIONS

Material Planning Considerations	Non Material Considerations
<i>Can be taken into account in making a planning decision</i>	<i>To be ignored when making a decision on a planning application.</i>
<ul style="list-style-type: none"> Local and National planning policy 	<ul style="list-style-type: none"> Political opinion or moral issues
<ul style="list-style-type: none"> Visual impact 	<ul style="list-style-type: none"> Impact on property value
<ul style="list-style-type: none"> Loss of privacy 	<ul style="list-style-type: none"> Hypothetical alternative proposals/sites
<ul style="list-style-type: none"> Loss of daylight / sunlight 	<ul style="list-style-type: none"> Building Regs (fire safety, etc.)
<ul style="list-style-type: none"> Noise, dust, smells, vibrations 	<ul style="list-style-type: none"> Land ownership / restrictive covenants
<ul style="list-style-type: none"> Pollution and contaminated land 	<ul style="list-style-type: none"> Private access disputes
<ul style="list-style-type: none"> Highway safety, access, traffic and parking 	<ul style="list-style-type: none"> Land ownership / restrictive covenants
<ul style="list-style-type: none"> Flood risk (coastal and fluvial) 	<ul style="list-style-type: none"> Private issues between neighbours
<ul style="list-style-type: none"> Health and Safety 	<ul style="list-style-type: none"> Applicants personal circumstances (unless exceptional case)
<ul style="list-style-type: none"> Heritage and Archaeology 	<ul style="list-style-type: none"> Loss of trade / business competition (unless exceptional case)
<ul style="list-style-type: none"> Biodiversity and Geodiversity 	<ul style="list-style-type: none"> Applicants personal circumstances (unless exceptional case)
<ul style="list-style-type: none"> Crime and the fear of crime 	
<ul style="list-style-type: none"> Planning history or previous decisions made 	

(NB: These lists are not exhaustive and there may be cases where exceptional circumstances require a different approach)

PLANNING COMMITTEE**6th November 2024****Report of:** Assistant Director – Neighbourhood Services

Subject: PLANNING APPEAL AT 54 GRANGE ROAD,
HARTLEPOOL, TS26 8JF
APPEAL REF: APP/H0724/D/24/3352563.
Householder planning application for replacement of
existing black UPVC casement windows with new black
UPVC sliding sash windows to front bay window and
new footpath and paved garden to front' (H/2024/0070).

1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against the Council's decision to refuse a householder planning application for 'Replacement of existing black UPVC casement windows with new black UPVC sliding sash windows to front bay window and new footpath and paved garden to front' (H/2024/0070). The appellant has also applied for costs (through an appeal for costs).
- 1.2 The planning application was refused under delegated powers on 2nd August 2024 for the following reason:

In the opinion of the Local Planning Authority, it is considered that the proposed replacement windows would cause less than substantial harm to the designated heritage asset (Grange Conservation Area) by virtue of the their design, detailing and use of materials. It is further considered that there is insufficient information to indicate that this harm would be outweighed by any public benefits of the development. The proposal is therefore contrary to policies HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 203, 205, 206 208, 212, and 215 of the National Planning Policy Framework (2023).

- 1.3 A copy of the officer's delegated report is appended at **Appendix 1**.

2. RECOMMENDATIONS

- 2.1 That Members note this report.

3. CONTACT OFFICER

- 3.1 Kieran Bostock

Assistant Director – Neighbourhood Services
Level 4
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 284291
E-mail: Kieran.Bostock@hartlepool.gov.uk

4.0 AUTHOR

4.1 Lee Kilcran
Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel (01429) 523246
E-mail: stephanie.bell@hartlepool.gov.uk

Appendix 1 – Officer Report

DELEGATED REPORT

Application No H/2024/0070

Proposal Replacement of existing black UPVC casement windows with new black UPVC sliding sash windows to front bay window and new footpath and paved garden to front

Location 54 GRANGE ROAD HARTLEPOOL

PS Code: 21

DELEGATION ISSUES	Neighbour letters:	02/07/2024
1) Publicity Expiry	Site notice:	04/07/2024
	Advert:	10/07/2024
	Weekly list:	01/07/2024
	Expiry date:	02/08/2024
	Extended date:	
2) Publicity/Consultations		
PUBLICITY		
The application was advertised by way of seven neighbour notification letters.		
CONSULTS		
The following consultation responses were received.		
<p>HBC Heritage & Open Spaces: The application site is located in the Grange Conservation Area, which is recognised as 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.</p> <p>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. 212, 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. 196 & 203, NPPF).</p> <p>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</p>		

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 Grange Conservation Area 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 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. A small row of commercial properties on Victoria Road links this residential area to the main town centre.

The proposal is works to the ground floor bay window to insert uPVC sash windows and the creation of a paved area and footpath to the front garden.

Timber windows contribute the character of the conservation area. In particular the Grange Conservation Area Character Appraisal states; 'windows are key features in the architecture of the area used to enliven elevations.' It goes on to note that, 'Bay windows are a prominent feature within the area, enlivening elevations and highlighting windows as features.' Further to this it states, 'Traditional Victorian, windows are double-hung vertical sliding timber sashes, and this type of window dominates the area. Glazing bar subdivisions are not common...Indeed, the high number of ground floor bay windows that have fixed central windows comprising one large pane of glass may stem from developers wishing to impress potential buyers with the latest fashion.'

In relation to replacement windows it states that, 'Many original or early replacement timber windows survive, but there are also many intrusive late twentieth century replacements. Historic timber windows are vital to the area's detailed character and appearance as the architecture relies greatly on expertly designed and crafted joinery features, either as part of an accurate architecture style or simply as a display of the attention to detail and quality which typifies the architectural history of the area.'

The windows current installed within the bay do not appear to be original. As noted above bay windows within this area usually have a large fixed pane central window, with sliding sashed to either side. Given this arrangement the proposal to install a sash window to the central window of the bay is considered inappropriate. With regard to the windows at the side of the bay, whilst restoring sash windows would reflect the traditional arrangement, UPVC differs significantly from timber windows, at the outset when it is installed and over time. UPVC as a material has a smoother more regular surface finish and colour, and the ageing process differs significantly between UPVC and painted timber. The former retains its regularity of form, colour and reflectivity with little change. Newly painted timber is likely to go through a wider range of change and appearance. A timber window has tenoned corner joints and the panes of glass are held by putty. The glazing beads and mitred corner joints found in UPVC windows are unlike the putty beads and tenoned corner joints of a timber window. Whilst these windows will attempt to replicate some of these elements they will still differ in appearance on close examination and therefore it is

considered that they will cause less than substantial harm to the significance of the conservation area.

With regard to the paved area to the front of the property. In relation to gardens the appraisal notes, 'Front gardens make a very strong contribution to the character and appearance of the conservation area due to their number, their visibility, and because, despite changes in detail, they are generally intact in high numbers. They help define its thick, green character and are fundamental to its leafy, mature appeal as an historic residential neighbourhood.' It goes on further and states that, 'Gardens which have lost their green appearance through conversion to hard standing are very intrusive, harming oblique views along the streets and also the setting of the house. This is particularly evidenced along Grange Road where the smaller front gardens have been hard surfaced, and on Victoria Road where some front gardens have been put over to parking. This is a significant intrusion on the setting of the house and harms the overall appearance of the street scene through loss of greenness, loss of front boundary walls, and the visual intrusion of parked cars in gardens.'

Whilst it is accepted that this garden already has elements of hard landscaping the loss of existing planting and in particular the removal of the planting to the boundary wall will have an impact on the character of this part of the conservation area. The introduction of a tiled path to the doorway is supported, and there would be no objections to the removal of the proposed apple tree, however it is suggested that consideration should be given to retaining existing planting where possible to retain the continuity of the existing planting in the streetscene and reflect those verdant gardens described within the appraisal.

It is considered that the works to the front bay window would cause less than substantial harm to the significance of the designated heritage asset. No information is provided to suggest that this harm would be outweighed by the public benefits of the proposal.

Hartlepool Civic Society: The change from casement to sliding sash windows is welcomed. However, the use of wood as a material is important to the historic character and would therefore be preferable. The choice of the colour black is traditionally questionable and not so easy to change when using uPVC.

The heritage statement includes the statement "although uPVC, the long term appearance of these windows is of a higher standard than wooden units, which not only cost significantly more but require much more maintenance." The wide ranging conclusion that the appearance, cost and maintenance of uPVC is of a higher standard than wood is an unsubstantiated statement which at the very least needs to be backed up with evidence. All material have their pros and cons and uPVC is no exception.

The retention of the existing hedge is desirable as this will retain an element of the strong contribution to the character and appearance of the Conservation area made by the front gardens, bringing a little greenery into the urban setting and improving the street scene.

HBC Arboricultural Officer: The small apple tree that is proposed to be removed has a stem diameter less than 75mm and therefore is exempt from any protection that would have been in place due to the conservation area under section 211 of the Town and Country Planning Act 1990. Due to the size of the tree there is also no need for arboricultural documentation to support the application as trees of this size would not be included within a BS5837 Tree Survey. It is a shame that the apple tree and hedge are proposed to remove as they contribute to the natural and green look of the local area.

HBC Archaeology: Thank you for the consultation on this application. I have checked the HER and there are no archaeological concerns regarding the proposed development.

HBC Building Control: A Building Regulation application will be required for 'Replacement of existing black UPVC casement windows with new black UPVC sliding sash windows to front bay window and new footpath and paved garden to front.

3) Neighbour letters needed	N
------------------------------------	---

4) Parish letter needed	N
--------------------------------	---

5) Policy

National Planning Policy Framework (NPPF)(2023)

In December 2023 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and September 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a 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 008: Objectives 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 131: Creating high quality, beautiful, and sustainable buildings and places;

PARA 135: Decisions ensuring good design;
 PARA 139: Refusing applications on design grounds.
 PARA 196: Conserving the historic environment.
 PARA 203: Decisions affecting heritage assets.
 PARA 205: Decisions affecting heritage assets.
 PARA 206: Decisions affecting heritage assets.
 PARA 208: Decisions affecting heritage assets.
 PARA 212: Decisions affecting heritage assets.
 PARA 213: Decisions affecting heritage assets.

Hartlepool Local Plan 2018

SUS1 : The Presumption in Favour of Sustainable Development;
 QP4 : Layout and Design of Development;
 QP6 : Technical Matters
 HSG11: Extensions and alterations to Existing Dwellings.
 HE1 : Heritage Assets
 HE3 : Conservation Areas

6) Planning Consideration

RELEVANT PLANNING HISTORY

Planning permissions was previously granted for the replacement of uPVC windows with 'traditional style sliding wooden windows' (ref. H/2009/0342). The Officer Report acknowledged that *'The proposed works should enhance the property and not detract from the style of the properties within the Conservation Area.'*

SITE AND SURROUNDINGS

54 Grange Road is a south-facing, two storey, terraced dwelling within the Grange Conservation Area. It benefits from a small front garden and a yard to the rear. The host dwelling is adjoined to the east by No. 52 and to the west by No. 56. Grange Road is adjacent to the front (beyond which lies north-facing dwellings on Grange Road), whilst an alley is adjacent to the rear (beyond which lies north-facing dwellings on Milton Road).

The host dwelling is a Victorian era dwelling. Its façade is constructed from pale bricks, known as Pease bricks, and incorporates a number of notable, original, architectural features, including a ground floor bay window, a dual-pitched dormer window with decorative, timber eaves detailing, arched window and door openings, a decorative red brick course, decorative corbels, and a timber panelled front door.

Sliding sash windows were observed at first floor level and in the dormer. The ground floor bay window was observed to incorporate uPVC casement windows. All windows and doors in the front elevation are finished in black.

The front garden is enclosed by a low, red brick wall with brick pillars and black metal railings. The black railings were largely obscured by a flowering Hebe hedge

at the time of a site visit. The front garden is otherwise paved with faux-sandstone pavers, except for a centrally located dwarf apple tree.

The host dwelling forms part of a terrace which, notwithstanding some modern alterations such as replacement boundary treatments and uPVC windows and doors, retains a largely coherent architectural character. The host dwelling and the wider terrace front onto a prominent thoroughfare within the Grange Conservation Area

PROPOSAL

The application proposes to replace the existing black UPVC, casement windows within the ground floor bay window with new black UPVC, sliding sash windows. It also proposes a new tiled footpath and re-paved front garden.

The proposed windows would be black uPVC framed, double glazed windows. The central window would be fixed, whilst the angled bay windows would feature top sliding sashes. All would have the appearance of sliding sash windows and would feature decorative horns as observed on original, single pane, timber framed windows within the wider terrace.

The existing paving within the front garden would be removed, as would the flowering Hebe hedge and dwarf apple tree. A black and white, quarry tiled path with red, concrete rope edging would be constructed between the front gate and the main entrance to the dwelling, with the rest of the garden being paved with grey, composite stone slabs. Some modest borders would be retained adjacent to the boundary wall for new planting. No planting details have been provided.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations with respect to this application are the impact on the character and appearance of the host dwelling and surrounding conservation area; the impact on the amenity and privacy of neighbouring dwellings; and the impact on trees and hedges.

IMPACT ON CHARACTER AND APPEARANCE OF EXISTING DWELLING AND SURROUNDING CONSERVATION AREA

Policies QP4 (Layout and Design of Development) and HSG11 (Extensions and alterations to Existing Dwellings) of the Hartlepool Local Plan (2018) require, amongst other provisions, that proposals should be of an appropriate size, design and appearance in keeping with/sympathetic to the host property and the character of the surrounding 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 NPPF Paragraph 212 goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area. 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 (Paragraphs 196 & 203).

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

Proposed Replacement Windows

The applicant proposes to install Upvc windows within the ground floor bay. It is acknowledged that the proposed windows, with their sliding sash appearance and decorative horns, are in some respects more sympathetic to the character and appearance of the host dwelling and the surrounding conservation area than the existing, uPVC, casement windows (for which there is no known planning approval).

Notwithstanding this, the host dwelling is sited in a prominent location within the Grange Conservation Area, which is characterised by large Victorian properties that are not uniform in design, but which share common characteristics such as the large bay windows, timber windows, panelled doors, and slate roofs. In particular, historic timber windows are considered vital to the Conservation Area's detailed character and appearance as the architecture relies greatly on expertly designed and crafted joinery features.

The Grange Conservation Area Character Appraisal notes that *'Bay windows are a prominent feature within the area, enlivening elevations and highlighting windows as features'* and that *'Traditional Victorian, windows are double-hung vertical sliding timber sashes, and this type of window dominates the area. Glazing bar subdivisions are not common...Indeed, the high number of ground floor bay windows that have fixed central windows comprising one large pane of glass may stem from developers wishing to impress potential buyers with the latest fashion.'*

In this context, the Council's Head of Heritage and Open Spaces commented that the use of uPVC windows frames are inappropriate within the Grange Conservation Area, citing significant differences in the characteristics of uPVC frames and timber frames including:

- uPVC has a smoother more regular surface finish and colour;
- the ageing process differs significantly between UPVC and painted timber. Whilst uPVC retains its regularity of form, colour and reflectivity with little change, newly painted timber is likely to go through a wider range of change in its appearance.
- A timber window has tenoned corner joints and the panes of glass are held by putty. The glazing beads and mitred corner joints found in UPVC windows are unlike the putty beads and tenoned corner joints of a timber window.

With respect to the proposed works, the Head of Heritage and Open Spaces has commented that the design of the central bay is considered inappropriate due to the

prominence of large, fixed pane, central bay windows within the Grange Conservation Area.

On this basis, the Head of Heritage and Open Spaces considers that the proposed works would cause less than substantial harm to the significance of the designated heritage asset. It is also noted that Hartlepool Civic Society has raised similar concerns.

Reflecting on the materials conflict both at the application site and within the wider conservation area, It is considered that the presence of both timber windows and uPVC windows only serves to emphasise these identified key differences.

Whilst it is acknowledged that the applicant has attempted to replicate some historical design elements, Local Plan Policy HE1, states that the Local Planning Authority will seek to *'preserve, protect and positively enhance all heritage assets'* in a manner which is appropriate to their significance, and the proposed works should *'be of high quality design which has a positive impact on the heritage asset'*. Timber windows are important to the character of the Grange Conservation Area and the replacement of uPVC windows are considered not to meet this standard for positive enhancement.

Given that the Local Planning Authority considers timber materials to be a key feature of the Grange Conservation Area, it is considered that timber window frames would be the appropriate solution in this instance. This is demonstrated by the officer report for previous planning approval at the site (ref. H/2009/0342 for the replacement of uPVC windows with *'traditional style sliding wooden windows'*), which stated that *'The proposed works should enhance the property and not detract from the style of the properties within the Conservation Area.'* It is considered that the current proposal would be contrary to this approach and the Local Planning Authority maintains that the proposed works should enhance the significance of the area through the use of materials in line with current policies HE1 and HE3 of the Hartlepool Local Plan.

Taking all factors into consideration (particularly the proposed use of uPVC material frames and the proposed design of the central bay), it is therefore considered that the proposed windows would fail to conserve and enhance the character of the Grange Conservation Area, and that this would result in less than significant harm to the character of the Grange Conservation Area. No evidence has been provided which demonstrates that this impact would be outweighed by public benefits.

It is noted that NPPF Paragraph 164 requires Local Planning Authorities to give significant weight to improvements to existing buildings to support energy efficiency, which would potentially include replacement windows. However, it also cautions that where the proposals would affect conservation areas, other relevant policies within the Framework still apply (namely the heritage policies at Chapter 16 of the NPPF). NPPF Paragraph 164 is not therefore considered to alter the consideration of the application in relation to the harm to a heritage asset that has been identified (which is the case with this application).

In summary, whilst it is acknowledged that the proposed scheme would attempt to replicate some historical design features, It is considered that the proposed windows

would cause less than substantial harm to, and would therefore have an unacceptable impact on the character and appearance of, the Grange Conservation Area, contrary to policies HE1 and HE3 and the relevant paragraphs of the NPPF. This impact is considered to warrant a refusal of the planning application.

Proposed Tiles Path, Hardstanding, and Removal of Shrubs

The application proposes a new tiled footpath and re-paved front garden. An existing dwarf apple tree and some flowering Hebe shrubs would also be removed.

The dwarf apple tree and Hebe shrubs are considered to make a positive contribution to the character of the host dwelling and surrounding area. Their removal would not therefore be welcomed.

Hard standing to the front of properties within the Grange Conservation Area is subject to an Article 4 declaration, and does therefore require planning permission. This is reflective of the Grange Conservation Area character appraisal, which notes that *'Gardens which have lost their green appearance through conversion to hard standing are very intrusive, harming oblique views along the streets and also the setting of the house. This is particularly evidence along Grange Road where the smaller front gardens have been hard surfaced, and on Victoria Road where some front gardens have been put over to parking. This is a significant intrusion on the setting of the house and harms the overall appearance of the street scene through loss of greenness, loss of front boundary walls, and the visual intrusion of parked cars in gardens.'*

The HBC Head of Heritage and Open Spaces commented that:

'Whilst it is accepted that this garden already has elements of hard landscaping the loss of existing planting and in particular the removal of the planting to the boundary wall will have an impact on the character of this part of the conservation area. The introduction of a tiled path to the doorway is supported, and there would be no objections to the removal of the proposed apple tree, however it is suggested that consideration should be given to retaining existing planting where possible to retain the continuity of the existing planting in the streetscene and reflect those verdant gardens described within the appraisal.'

It is noted that Hartlepool Civic Society raised similar concerns.

On this basis, it is considered that the proposed tiled path and replacement hardstanding would not have an unacceptable impact on the character and appearance of the host dwelling, nor that of the surrounding Conservation Area, sufficient to warrant a refusal of the planning application in their own right. In particular, it is considered that the tiled path would to some degree assist in conserving and enhancing the character of the Grange Conservation Area, whilst the proposed replacement paving would not cause harm in its own right.

The proposed removal of existing shrubs in the front garden would not be welcomed and the planning officer requested that the applicant consider retaining the shrubs

(with no response being received). Notwithstanding this, the HBC Arboricultural Officer has confirmed that in this instance, this aspect of the proposal falls outside of the Local Planning Authority's control. It is therefore considered that the removal of the existing shrubs would not warrant a refusal of the planning application.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

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

- Principal elevation (habitable room window) to principal elevation (habitable room window) - 20 metres.
- Gable (blank or non-habitable room window) to principal elevation (habitable room window) - 10 metres.

The above requirements are reiterated in the Council's Residential Design SPD (2019).

In this instance, the proposed works comprise the replacement of existing ground floor windows, the replacement of existing hardstanding, and the removal of an existing dwarf apple tree and flowering Hebe shrubs. All of these works would take place at ground floor level and to the front of the host dwelling, meaning that properties to the rear of the host dwelling on Milton Road would be unaffected.

Regarding properties to the south, east, and west on Grange Road, it is considered that the proposed works, owing to their scale and nature, would not have an unacceptable impact on any neighbouring dwelling through overbearing, overshadowing, or loss of outlook.

Similarly, it is considered that the replacement of existing windows would not result in a material change to the potential for overlooking or the potential for overlooking.

The removal of the existing dwarf apple tree and Hebe shrubs may have a degree of impact on some dwellings by reducing the amount of screening to the south and east of the bay window. Nonetheless, it is acknowledged that this aspect of the proposal would not require planning permission in its own right, and that the Local Planning Authority is therefore unable to exercise any control over this impact. In any case, there are other mitigating factors to consider, such as the oblique nature of views east towards No. 52, and the separation distances from Nos. 44 and 46 to the south (approximately 23 metres, on the opposite side of the public highway).

On this basis, it is considered that the proposed works would not have an unacceptable impact on any neighbouring properties through overlooking or the perception of overlooking.

Overall, it is therefore considered that the proposed works would not have an unacceptable impact on the amenity and privacy of any neighbouring dwellings sufficient to warrant a refusal of the application.

IMPACT ON TREES AND HEDGES

The proposal includes the removal of the existing dwarf apple tree and Hebe shrubs to the front of the host dwelling.

Nonetheless, the HBC Arboricultural Officer has confirmed that in this instance, this aspect of the proposal falls outwith the Local Planning Authority's control.

OTHER MATERIAL PLANNING MATTERS

HBC Archaeology was consulted about the proposed development, and did not raise any concerns.

CONCLUSION

Having regard to the above considerations, it is considered that the proposed development (specifically, the proposed replacement windows) would result in less than significant harm to the character of the Grange Conservation Area. No evidence has been provided which demonstrates that this impact would be outweighed by public benefits. It is therefore considered that the proposed windows would have an unacceptable impact on the character and appearance of the Grange Conservation Area contrary to policies HE1 and HE3 and the relevant paragraphs of the NPPF. The proposal therefore warrants a refusal of the application on these grounds.

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 (as per report)

10) Any Declared Register of Interest

No

11) Chair's Consultation Necessary Y

12) Recommendation

REFUSE, for the following reasons.

REASONS

1. In the opinion of the Local Planning Authority, it is considered that the proposed replacement windows would cause less than substantial harm to the designated heritage asset (Grange Conservation Area) by virtue of the their design, detailing and use of materials. It is further considered that there is insufficient information to indicate that this harm would be outweighed by any public benefits of the development. The proposal is therefore contrary to policies HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 203, 205, 206 208, 212, and 215 of the National Planning Policy Framework (2023).

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 (including through the LPA's pre-application advice service) 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 not possible to address key constraints in this instance (impact on the Grange Conservation Area).

2.0 Building Regulations

The Council's Building Control section has confirmed that an application would have been required for this proposal.

For further advice please contact Carolyn Jackson (HBC Building Control Technician) on 01429 523289 or e-mail Carolyn.Jackson@Hartlepool.gov.uk

Author of Report: Lee Kilcran

Signed: L Kilcran

Dated: 30/07/2024

Signed: K. Campbell

Dated: 02/08/2024

Senior Planning Officer

Signed: Cllr. Tom Feeney

Dated: 01/08/2024

Chair of the Planning Committee

PLANNING COMMITTEE

6th November 2024



Report of: Assistant Director – Neighbourhood Services

Subject: DEVELOPMENT MANAGEMENT PERFORMANCE
– THIRD & FOURTH QUARTER 2023-24.

1. PURPOSE OF REPORT

1.1 This report is for information.

2. PURPOSE OF REPORT

2.1 To update the Planning Committee on performance of the Development Management service for the third and fourth quarter of 2023/2024.

3. BACKGROUND

3.1 The Development Management service focuses on determining planning applications. The service encourages the use of an advisory service (One Stop Shop) to enable proposals to be considered informally before applications are submitted, helping to improve the quality of development where appropriate. The section is also responsible for monitoring development and, where necessary, implementing enforcement action against unauthorised development.

3.2 The Government's current statutory determination periods for planning applications are 8 weeks for non-major development, 10 weeks for technical details consent, 10 weeks for development relating to major public service infrastructure projects (excluding EIA development) involving schools, hospitals and criminal justice accommodation, 13 weeks for major development and 16 weeks for EIA (Environmental Impact Assessment) development.

3.3 The Government sets stringent standards for performance, if these are not met then an authority can come under special measures which would mean that an applicant could apply to the Planning Inspectorate to determine an application rather than the planning authority. The Government's performance criteria for special measures designation have not been updated but were previously, 60% of major and 70% of non-major applications determined within the statutory periods (or within an agreed extension of time). In terms of quality of decision making the criteria were less than 10% of an authorities total decisions are overturned on appeal.

4. PERFORMANCE

Speed of decision making

- 4.1 For the third quarter of 2023/24 the service recorded that 100% of major applications (district matters) were determined within the statutory periods (or within an agreed extension of time). For non-major ('minor' or 'other') applications 100% of applications were determined within the statutory periods (or within an agreed extension of time). For county matters (mineral and waste) no applications were determined.
- 4.2 For the fourth quarter of 2023/24 the service recorded that 100% of major applications (district matters) were determined within the statutory periods (or within an agreed extension of time). For non-major ('minor' or 'other') applications 100% of applications were determined within the statutory periods (or within an agreed extension of time). For county matters (mineral and waste) no applications were determined in quarter 4.
- 4.3 In all cases, the service is far exceeding the (previous) government performance criteria. Further in quarter 3 & 4 some 91% of applications were approved.
- 4.4 In terms of determining applications within the statutory time periods without extensions of time. The government's performance tables, record that for the two year period ending in March 2024 (the end of quarter 4) the service determined some 33% of major applications (district matters) within 13 weeks far exceeding the north east average (20.47%) and the national average (19%). In terms of major applications (county matters-minerals & waste) some 66% of applications were determined within 13 weeks far exceeding the north east average (14.28%) and the national average (21.26%). Finally in terms of non-major applications some 51.4% were determined in less than 8 weeks again exceeding the north east average (48.27%) and the national average of (49.21%). This is notwithstanding the fact that, amongst other things which can effect performance, the period covers the time when decisions on in-scope applications were delayed due to the Nitrate pollution issue which was ultimately largely resolved through the diligent work of officers.

Quality of decision making

- 4.4 For the third and fourth quarters of 2023/24, five out of six appeals (83%) were dismissed, again the performance far exceeds the (previous) government performance criteria.

5. OTHER MATTERS

- 5.1 In August 2024 Planning magazine, (one of the main "trade" magazine's for Planning) analysed the performance data of Local Planning Authorities using government statistics, on four criteria: speed of decision-making for major

and for non-major applications, and quality of decision-making, again for majors and non-majors.

- 5.2 Performance on speed was judged by the proportion of applications in a two-year period that are decided within statutory time limits, while performance on decision quality is judged by the proportion of an authority's decisions that are overturned on appeal – with authorities set targets for both under the government's performance regime.
- 5.3 Planning placed each authority in one of six performance bands: platinum, gold, silver, bronze, satisfactory and failing. Platinum being the highest rating. They identified only 12 authorities in the country as having a platinum service (the highest ranking). Hartlepool were one of them.

6. RECOMMENDATION

- 6.1 That members note the report.

7. CONTACT OFFICER

- 7.1 Kieran Bostock
Assistant Director – Neighbourhood Services
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 284291
E-mail: Kieran.Bostock@hartlepool.gov.uk

8. AUTHOR

- 8.1 Jim Ferguson
Planning and Development Manager
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 523274
E-mail: Jim.Ferguson@hartlepool.gov.uk