

# PLANNING COMMITTEE

## AGENDA



**Wednesday 18 December 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**

None.

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

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

1. H/2024/0203 South West Extension (page 1)
2. H/2024/0164 40 Clifton Avenue (page 79)

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

- ##### 5.1 Planning appeal at storage land, Tones Workshop, Oxford Road, Hartlepool – *Assistant Director (Neighbourhood Services)*

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

#### 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.

## 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 5 February at 10.00am in the Civic Centre, Hartlepool



<b>No:</b>	1
<b>Number:</b>	H/2024/0203
<b>Applicant:</b>	PERSIMMON HOMES
<b>Agent:</b>	Persimmon Homes (Teesside) Miss Hall Radcliffe Crescent Thornaby Stockton on Tees TS17 6BS
<b>Date valid:</b>	09/08/2024
<b>Development:</b>	Approval of all reserved matters for the erection of 316 dwellings with associated infrastructure pursuant of outline planning permission H/2014/0405 (Full planning application for demolition of buildings, construction of 144 dwellings (C3), construction of accesses to Stockton Road and Brierton Lane, roads, bridge with associated structures and associated earthworks, drainage features, public open space, landscaping, ecological works, electrical sub stations, vehicular circulation, pumping stations and infrastructure. Outline planning application for construction of up to 1,116 dwellings (C3), public house/restaurant (Sui Generis/Use Class E) 500sqm, retail units (Use Class E) 1,999 sqm, primary school (Use Class F.1), medical centre (300sqm), public open space, playing fields (including changing facilities), play spaces, drainage features, landscaping and ecological works, earthworks, electrical sub stations, pumping stations, car parking and vehicle and pedestrian circulation).
<b>Location:</b>	LAND BETWEEN A689 AND BRIERTON LANE SOUTH WEST EXTENSION

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## PURPOSE OF REPORT

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

## BACKGROUND

1.2 The application site forms part of the wider strategic housing allocation HSG4: The South West Extension Strategic Housing Site, within the adopted Hartlepool Local Plan (Adopted 2018).

1.3 On 16 March 2022, a hybrid planning application was approved at Planning Committee, subject to conditions and the necessary Section 106 Legal Agreements, comprising a full planning application for the demolition of buildings, the construction of 144 dwellings (C3), the construction of accesses to Stockton Road and Brierton Lane, bridge with associated structures and associated earthworks, drainage features, public open space, landscaping, ecological works, electric substations, vehicular circulation, pumping stations and infrastructure. An Outline planning application for the construction of up to 1,116 dwellings (C3), public house/restaurant

(Sui Generis/Use Class E) 500sqm, retail units (use Class E) 1,999 sqm, Primary School (Use Class F.1), Medical Centre (300 sqm), Public Open Space, playing fields (including changing facilities), play spaces, drainage features, landscaping and ecological works, earthworks, electrical sub stations, pumping stations, car parking and vehicle and pedestrian circulation (H/2014/0405).

1.4 The associated Section 106 legal agreement(s) will secure developer obligations/contributions for: Affordable Housing (121 dwellings 68 affordable rent and 53 discount market sale) , Primary Education Provision (including provision of a fully serviced and accessible school site, contribution of £3,726,299.50 and off site option), Secondary Education Contribution (£2,434,287.24), Ecological Mitigation obligations (BNG on site), HRA Mitigation obligations (£126,000 & delivery and retention of onsite SANGS), Highways Contributions (£1,200,000 and £30,000), Bus Service Provision, Link Road obligations, Built Sports Contribution (£315,000), Children's Play Facilities obligations (Maintenance of facilities on site and £30,000 contribution), Playing Pitches and Changing Facilities Obligations (including Car Park and Community Use agreement), Local Centre obligations, Training & Employment Charter, Phasing obligations, landscape buffer (western edge screen planting) obligations, SUDS maintenance obligations, maintenance/management of green infrastructure obligations.

1.5 The application under consideration represents the first phase Reserved Matters application pursuant of the abovementioned Outline planning approval.

## **PROPOSAL**

1.6 Approval is sought for reserved matters of planning permission H/2014/0405, for the erection of 316 no. residential dwellings and associated infrastructure, relating to access, appearance, landscaping, layout and scale.

1.7 The proposed site accesses would be taken from a roundabout and road access to the south and west of the application site, which at the time of writing was under construction, approved under the parent Outline permission (H/2014/0405) that will connect the application and wider allocated site to Stockton Road. The scheme comprises a main avenue that runs through the proposed development site from the south extending northwards, east and west, where roads branch off, with some leading to cul-de-sacs. To the south west of the main developed area the site is designated for the Local Centre, which will ultimately serve the development.

1.8 With respect to the scale and appearance of the proposed dwellings, there are 17 house types that include a range of 2, 3, 4 and 5 bedroom properties, the majority of which range from two and two and a half storey dwellings. There are some three storey scaled apartments and dwellings, predominantly located within the south west of the site, adjacent to the future phase for the location of the commercial centre. Some three storey properties are also peppered throughout the estate. Two single storey bungalows are also proposed.

1.9 The proposed scheme would provide extensive landscaping, particularly along the eastern boundary. Planning policy HSG4 South West extension also requires the provision for an extensive green wedge to be provided along the eastern

boundary, which is illustrated through the submission. In addition, the proposed scheme would provide a generous landscaping separation at the eastern edge of the application site. A sub-station and pumping station are also indicated to be located in this area.

1.10 There is a substantial amount of green open space provided on site, primarily to the east of the site and a notable area of open space would be provided amongst the developed area within the north-east corner. Extensive tree and hedge planting would also be provided to the south, adjacent to the A689 Stockton Road. A number of smaller pockets of open space also feature throughout the scheme and the scheme would provide grassed verges adjacent to add to the road network.

1.11 The red line boundary also covers a separate parcel of land at the most south-western part of the site, which would provide space for ecological mitigation for the overall scheme. A public footpath/cycle route is illustrated to run through this area of the application site that would provide a network through the site running north to south.

1.12 The application has been referred to the Planning Committee due to the number of objections received, in line with the Councils scheme of delegation for planning applications.

## **SITE CONTEXT**

1.13 The application site relates to the southernmost portion of the South-West Extension Strategic Housing Site allocation, located to the North of the A689 Stockton Road, within the defined Hartlepool Development limits. The application site is approximately 56 acres in size, and is largely made up from the agricultural fields of Claxton Farm and Lower Claxton Farm, which would be lost as a result of the proposed development. The eastern side of the application site is designated green wedge, which would be retained as part of the proposed scheme and to the east is the watercourse of Greatham Beck, with the existing residential areas of The Fens and Owton Manor beyond.

1.14 To the south of the application site, the A689 Stockton Road runs east/west, providing access to and from the borough from the A19 (west). Beyond the highway to the south is North Close Farm and surrounding agricultural fields. To the south-east is Greatham Village, which includes a designated Conservation Area. To the west are agricultural fields and the highway of Dalton Back Lane, which runs north/south, connecting the A689 Stockton Road to the village of Dalton Piercy (north-west). To the immediate north of the application site is an area of agricultural fields forming future phases of the South-West Extension Strategic Housing Site allocation.

## **PUBLICITY**

1.15 The application has been advertised by way of neighbour letters (183) and four site notices. During the course of the planning application, a further 14 day consultation exercise was carried out, as a result of amended plans. To date, there have been eleven letters of representation received with seven letters of objections,

three letters of no objection and a representation requesting further details. Further to the consultation period, a further set of plans were received that related to tweaks to internal relationships. Given the minor nature of the changes that relate to future occupiers, it is considered that no person was prejudice by the introduction of information, where no additional consultation was carried out..

1.16 The concerns raised from the submitted comments are:

- The proposed development would impact on Greatham Beck, increasing surface water run-off and lead to flooding.
- The proposed development would lead to an increase in noise and disturbance during construction and in the longer term.
- Residents have raised concerns that the proposed development would lead to a loss of green space and the removal of natural habitat.
- The proposed development would negatively impact on the character of the area.
- The proposed development would lead to a loss of privacy.
- The proposed development would lead to increased traffic congestion/highway safety issues on network infrastructure already over capacity.
- Concerns have been received that the proposed development would increase existing anti-social behavioural issues in the area.
- Residents have questioned the need/requirement for housing and associated commercial uses proposed as part of the wider associated Outline planning approval.
- A comment has suggested that there are more suitable brownfield sites to develop.
- A comment has suggested that the proposed development represents the Council's 'grab for council tax' and is a not sustainable approach.
- A comment was received that more public footpaths are required in this more rural area to prevent accidents between pedestrians and vehicular traffic.
- A comment of support has praised the developer's intention to incorporate the local context of the Claxton area within street names and through the use of information boards.
- A comment of support has suggested that as a result of the proposed scheme, the site would benefit from significant Bio-diversity Net Gains.

1.17 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=162291>

1.18 The period for publicity has expired.

## CONSULTATIONS

1.19 The following consultation replies have been received:

**HBC Landscape Architect:** - Sufficient detail has been provided for landscape layout and soft works.

A management plan has been provided that is acceptable with regard to amenity landscape (Defer to ecology regarding ecological management issues).

Boundary details provided (HRT-SWE-PH1-003 and OO4 Rev A) are noted as 'example' enclosure details. These details should be confirmed and construction details provided as part of the RM information.

### Further Comments Received 14 November 2024

Sufficient information has been provided to discharge landscape reserve matters.

**HBC Arboricultural Officer:** - The tree protection measures outlined in the submitted arboricultural documentation do not extend adequately along the eastern boundary, specifically within the construction exclusion zone. There are visible earth mounding works in the northeast corner, which raises concerns that existing trees and woodland in these areas may be left unprotected. Tree protection should be extended to cover these sections, ensuring that machinery operators are fully aware of the constraints and sensitive areas.

Regarding the proposed tree planting scheme, I have noted several issues. Firstly, Malus Rudolph is not suitable as a street tree and should be replaced with other species. Homeowners may perceive a small apple tree as more manageable, making it less likely to be retained compared to a 12-meter high tree. Additionally, Betula species are used throughout the site and are already included in the woodland mix at 20%. The standalone Betula trees near the woodland planting should be replaced with larger canopy species where possible. This would improve biodiversity and avoid a uniform appearance dominated by Betula.

Specific recommendations for the planting sheets are as follows:

Landscape Softworks Sheet 2 of 18: In the open space near plots 67, reduce the number of trees in the centre. Replace the two Sorbus aria trees with a single specimen tree such as Cedrus (Atlas, Lebanon, or Deodara). Additionally, replace the group of 5 and 2 Malus Rudolph near the junction by plots 234 and 235 with taller species to maintain visibility splays.

Landscape Softworks Sheet 11 of 18: In the open space near plots 2 and 3, reduce the three Betula pubescens to one specimen tree, such as a Cedrus (Atlas, Lebanon, or Deodara). Move the tree in front of plots 120 and 121 five meters south and replace it with a larger species, such as Sweet Chestnut.

Landscape Softworks Sheet 12 of 18: Replace the group of two *Betula pubescens* in front of plot 156 with a single specimen tree such as *Ginkgo biloba*.

Landscape Softworks Sheet 15 of 18: Replace the group of two *Betula pubescens* with one specimen tree, such as a *Cedrus* (Atlas, Lebanon, or Deodara). Also, replace the group of two *Betula pendula* with two larger trees of a different species.

Landscape Softworks Sheet 16 of 18: Replace the group of two *Betula pubescens* with one specimen tree, such as a *Cedrus* (Atlas, Lebanon, or Deodara). In the centre of the site, replace the group of two *Betula pendula* with a single specimen tree, such as *Ginkgo biloba*.

Additionally, any tree planting within the gardens of the plots must be completed prior to first occupation. This will ensure that the planting is implemented according to the approved plans and does not get delayed or overlooked. This can be controlled by condition.

#### Further Comments Received 22/11/2024

Previous comments regarding tree protection fencing extending up the eastern boundary still remain to be addressed however the comments regarding the tree planting have all been addressed and in turn have returned what looks to be an interesting, biodiverse and exciting planting scheme.

#### Further Comments Received 26/11/2024

Following the submission of this latest version of the arboricultural information attached also provided for the DOC application I can confirm this addresses the points I was concerned about and therefore have no further outstanding comments for this application.

**HBC Traffic & Transport:** - The following highways considerations are provided of the submitted scheme.

#### Carriageway Widths

The carriageway from the roundabout to the access to the car parks should be a minimum 6.7 metres.

All other carriageway widths should be 5.5 metres, excluding shared surface areas.

Double Yellow lines will be required on main Access Road and carriageway leading to the Local Centre car park to ensure the carriageway is kept clear of parked cars. The restrictions will need a Traffic Regulation Order which will need to be implemented by the HA. The costs of the TRO should be met by the developer.

#### Shared Surface Areas

These areas are proposed to be constructed in Red Tarmac. The Authority has issues maintaining carriageways constructed with red tarmac as it is difficult to get hold of small quantities to repair potholes etc. The HA would require these areas to be constructed in black tarmac. If a nonstandard material is used a commuted sum would be required to cover the costs of future maintenance.



Would need to clarify shared surface width and location of service strip areas as part of the section 38 process.

#### Drive Crossings

It would appear that it is proposed to construct all drive crossings in block paving. There are concerns that this choice of material will prove difficult to maintain. The HA would require these areas to be constructed in black tarmac. If a nonstandard material is used a commuted sum would be required to cover the costs of future maintenance.

#### Raised Crossing Features

It is proposed to construct these features in block paving. There are concerns that this choice of material will prove difficult to maintain. The HA would require these areas to be constructed in black tarmac. If a nonstandard material is used a commuted sum would be required to cover the costs of future maintenance.

Plots 5 – 8, 24 – 27, 58 – 61, 70 – 72, 75 – 77, 82 – 85, 111 – 114, 128 – 131, 168 – 171, 202 – 205, 206 – 209, 304 – 307

The rear parking bays are provide limited accessibility. It would be necessary to drive the front vehicle out of the way to be able to exit from the rear parking space. Although this not normally an issue the lack of space in the surrounding area would make this difficult. There would also be issues in some parking spaces were doors would open onto boundaries. It would also be difficult to get bins out of rear access points. The parking bays should be a minimum 3 metres wide to accommodate these issues. And the access roads should be a minimum 4.5 metres to allow 2 vehicles to pass.

#### Plots 86 – 108

Where will the bins be collected? If it is within the courtyard area we will require swept path analysis for a bin wagon. .

Access should be minimum 4.5 metres wide.

The overall parking provision is acceptable in this area.

#### Plots 13 – 17

Is this to be a shared surface or private drive, too many properties for a private drive?

#### Plot 47

Position of parking bays would require vehicles to reverse out of the shared drive, ideally should be perpendicular to the drive to allow vehicles to leave in a forward gear.

#### Further Comments Received 26/11/2024

I can confirm that the amended plan now complies with the requirements set out in my previous comments.

It would appear that the developer wishes to continue to use a block paving for the raised crossing features. If this is the case a commuted sum would be required to cover the cost of future maintenance of these features.

Further Comments Received 27/11/2024

Further to my comments of 26/11/2024, I can confirm that the commuted sum for traffic calming measures can be dealt with outside of the planning process, through Section 38 Highways legislation. I understand that Active Travel England have also raised traffic calming measures through their comments and I am happy for these details to be handled between the developer and HBC Traffic & Transport, with any advice of ATE. If you could impose an informative advising the applicant of their responsibility to enter into a Section 38 agreement, this should be sufficient to deal with the matter.

**National Highways:** - Thank you for consulting with us regarding the above planning application. We have reviewed the submitted evidence and would offer comments below. This application forms the first phase of development on the Hartlepool South West Extension, pursuant to the Hybrid application (ref: H/2014/0405). On 25th April 2022, National Highways recommended that the following planning conditions should be attached to any grant of planning permission for Hybrid application H/2014/0405:

- “No part of the development hereby permitted shall be occupied until a detailed Travel Plan, has been approved in writing by the local planning authority (who shall consult with National Highways) and implemented. The Travel Plan shall include proportional measures and arrangements for monitoring, review, amendment and effective enforcement.”
- “Prior to the occupation of the 275th dwelling, the improvements to the A19/A689 junction, as illustrated on the pre-Road Safety Audit drawing (reference: 276864-ARP-ZZ XX-DR-CH-0101), in accordance with the required changes stated in the Stage 1 Road Safety Audit Response Report (reference: 276864-ARP-XX-XXRP-CH-0001 | Rev 2 | 1 April 2022), shall be completed to the satisfaction of the Local Planning Authorities and National Highways”

The above conditions were attached to the grant of planning permission for H/2014/0405 by HBC under conditions 55 (A19/A689 mitigation) and 56 (Travel Plan). Considering the matters that this application relates to and because the scale of development is within that which the application is pursuant to, I enclose National Highways’ formal NHPR response recommending no objection.

We would, however, note that there remains a need to discharge conditions 55 (A19/A689 mitigation) and 56 (Travel Plan) of planning approval H/2014/0405.

Referring to the consultation on a planning application received 4 September 2024 referenced above, in the vicinity of the A19 that forms part of the Strategic Road Network, notice is hereby given that National Highways’ formal recommendation is that we: a) offer no objection (see reasons at Annex A)

Annex A National Highways' assessment of the proposed development National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current 1 Where relevant, further information will be provided within Annex A. National Highways Planning Response (NHPR 24-02) February 2024 activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Standing advice to the local planning authority The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 74 and 109 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up. Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions. These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

#### Further Comments Received 19/11/2024

Thank you for re-consulting with us regarding the above planning application. Further to our response dated 18 September 2024, we have reviewed the updated evidence and confirm that our previous position remains unchanged and is as follows. This application forms the first phase of development on the Hartlepool South West Extension, pursuant to the Hybrid application (ref: H/2014/0405). On 25th April 2022, National Highways recommended that the following planning conditions should be attached to any grant of planning permission for Hybrid application H/2014/0405:

- “No part of the development hereby permitted shall be occupied until a detailed Travel Plan, has been approved in writing by the local planning authority (who shall consult with National Highways) and implemented. The Travel Plan shall include proportional measures and arrangements for monitoring, review, amendment and effective enforcement.”
- “Prior to the occupation of the 275th dwelling, the improvements to the A19/A689 junction, as illustrated on the pre-Road Safety Audit drawing (reference: 276864-ARP-ZZ-XX-DR-CH-0101), in accordance with the required changes stated in the Stage 1 Road Safety Audit Response Report (reference: 276864-ARP XX-XXRP-CH-0001 | Rev 2 | 1 April 2022), shall be completed to the satisfaction of the Local Planning Authorities and National Highways”.

The above conditions were attached to the grant of planning permission for H/2014/0405 by HBC under conditions 55 (A19/A689 mitigation) and 56 (Travel Plan). Considering the matters that this application relates to and because the scale of development is within that which the application is pursuant to, I attach National Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ National Highways Limited registered in England and Wales number 09346363 Highways'

formal NHPR response reiterating our recommendation of no objection. We would, however, note that there remains a need to discharge conditions 55 (A19/A689 mitigation) and 56 (Travel Plan) of planning approval H/2014/0405.

#### Further Comments Received 02/12/2024

Further to the recently updated comments received from Active Travel England, I can confirm that I am happy for conditions to be imposed with respect to the use of Modal Filters to prevent vehicles entering the pedestrian/cycle routes and a condition requiring further details of cycle storage. Whilst it is accepted that they would be required for the apartment areas, this is not a requirement within Highways Guidance for individual houses and therefore this should be omitted from the recommended condition.

With respect to the surfacing materials, as detailed within the previous Highways response, this matter can be dealt with separately through the Section 38 Highways legislation and where any surfaces differ to what Highways would normally permit, the applicant would be required to pay a commuted sum.

**Active Travel England:** - Notice is hereby given that Active Travel England's formal recommendation is as follows:

c. Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response.

#### 1.0 Background

Active Travel England (ATE) welcomes the opportunity to comment on this reserved matters application for the first phase of development of the Hartlepool South West Extension (HSWE) involving the erection of 316 No. dwellings and associated infrastructure on land north of the A689, Hartlepool. Planning consent for the hybrid scheme (Ref: H/2014/0405) was granted in early 2024 and therefore the principle of residential development is already established.

As part of this application ATE has reviewed the design approach to the internal layout, footpaths and supporting documents. It is noted that Condition 3 of the hybrid permission (Ref: H/2014/0405) requires details of the internal pedestrian and highway layout to be approved and Condition 4 requires details submitted at the reserved matters stage to be in general conformity with Dwg No:HRT-SWE-MAS-001revG (Master Plan) and Dwg No: JBA 20275 Rev B (Illustrative Landscape Strategy Plan).

This is ATE's first involvement in the application site.

#### 2.0 Summary

In considering the application against the criteria set out in its planning assessment toolkit, national planning policy and active travel design guidance, ATE is not satisfied that "appropriate opportunities to promote sustainable transport modes can be – or have been – taken up" in accordance with the National Planning Policy Framework (NPPF), paragraph 114. It is therefore recommended that a decision be deferred until details of the following have been reviewed / provided;

Confirmation of proposed design speed for the Primary and Secondary Estate roads  
Details of traffic calming measures

Information relating to crossings and side road treatments

Review of proposal for 3no. Carriageway crossings over the north-south green spine which includes the pedestrian / cycleway route.

Review of / justification for lack of formal play area.

Information relating to cycle parking to include provision for the apartment buildings

Clarification that non-motorised routes within the public open space would have a fully bound surface to ensure routes are accessible and maintainable.

Lighting information

### 3.0 Areas of Concern

#### Design Speed

Although ATE note that that the spine road will have a 30mph speed limit, it is not clear from the application what the speed of the Primary Estate Road is intended to be. ATE recommends that all roads within the red line of the application site, including the Primary Estate Road, are designed to keep speeds at or below 20mph in accordance with Manual for Streets (Section 1.6.1) to encourage walking, wheeling, and cycling.

#### Traffic Calming

The Primary /Secondary Estate Roads are relatively long and monotonous therefore a scheme of traffic calming is required to help ensure the speed limit is self-enforcing. Guidance within Manual for Streets (para 7.4.2) states that “evidence from traffic-calming schemes suggests that speed-controlling features are required at intervals of no more than 70m in order to achieve speeds of 20mph or less”. Best practice is not simply to rely on speed humps and rumble strips but to design in features such as protected parking bays, planting, reduced radii and raised treatments of side roads and changes to horizontal alignment that provide a pleasant street scene that prioritises pedestrians and cyclists.

A review of whether several of the cul-de-sacs could be constructed as shared surfaces to reinforce the pedestrian priority hierarchy, should also be undertaken.

#### Crossings

ATE cannot find details within the submission relating to any proposed crossing points. Crossings will need to be provided, the number of which should be informed by an assessment of daily traffic flows. These crossings should be designed with reference to tables 10.1 and 10.2 of LTN1/20 and be provided at regular intervals and on desire lines. It is also necessary to have a greater understanding of crossing point specification to ensure compliance with the requirements set out in Inclusive Mobility 4.10 - 4.11. To reduce speeds and improve safety, crossings could be placed on raised tables to help achieve speeds of 20mph or less.

#### Side Road Treatments

It is unclear from the submitted drawings how the side roads are being treated. In order to provide priority for pedestrians and cyclists it is recommended that all side roads are designed to provide level crossings along the cycleways and footways as shown in figure 10.13 of LTN1/20.

Pedestrian / cycle route within green spine

The drawings propose 3no. carriageway crossings over the north-south green spine which includes the pedestrian / cycleway route. ATE recommend that the two southernmost routes over the green spine incorporate mode filtering to allow walking/cycling only. If vehicular access over the northern most section of the green spine is deemed necessary, as a minimum, a controlled crossing should be provided.

Surfacing of footpaths

From the information submitted it is not clear what material will be used for the footpaths within the public open space areas. ATE would suggest a surfacing material that is hardbound to provide stability for those with mobility impairments. If for character reasons a gravel path is desired by the LPA then ATE would advise that a self-binding gravel be used or a binding resin be applied.

Placemaking

Although the Landscape Proposals Plan details that play provision will be provided alongside buffer planting within the north-south green spine, the scheme would appear to lack a formal play area, which for a site of 316 dwellings is considered a key amenity and conflicts with paragraph 83 of the National Design guide which advises that “in well-designed places, people should not need to rely on the car for everyday journeys”.

Whilst acknowledging that Condition 51 of the hybrid permission requires the submission of a lighting design strategy for biodiversity, ATE requests information be provided in relation to suitable pedestrian level lighting of the traffic free routes. Such lighting, designed to also address ecological considerations, is required to ensure these routes are attractive to all users at all times of the day and year, in accordance with LTN1/20 and the NPPF.

Further details of the design and layout of the development should include the location and type of wayfinding signage, measures to prevent inconsiderate parking, and seating, which should be provided at regular intervals, including along off-street leisure routes. It is essential that all relevant infrastructure within the development conforms to LTN1/20 and adheres to the principles of the National Model Design Code.

Policy/Guidance references:

*NPPF: 96a (promoting social interaction), 110 (provide infrastructure such as cycle parking), 116a&c (giving priority first to pedestrian and cycle movements) NMDC, Part 2 – Guidance Notes: Section M.1.i – The Street Network LTN 1/20: Section 4.2 – Core design principles, Section 10.5 – Priority Junctions Inclusive Mobility: 4.5 – Seating, 4.11 – Dropped kerbs and raised crossings NMDC, Part 1: 59 Movement – i) Connected Places, (ii) Active Travel  
Cycle Parking and trip-end facilities*

On the basis that there does not appear to be any up-to-date local standards, the scheme should be compliant with Section 11 of LTN1/20 which recommends a minimum of 1 cycle parking place per bedroom for all new residential developments. The submission states that “cycle parking opportunities are made available to residents whether through provision of garages or sheds where appropriate”.

Garages and sheds are suitable for cycle storage, but these must be externally accessible from the front of the property and ATE advises that racks or hooks for cycles can also improve overall convenience in this regard.

Covered and secure communal cycle parking (1 space per bedroom) should also be provided for the apartment buildings. Please provide details of the cycle parking for the apartments and the dwellings without garages and confirm that access to all cycle parking can be achieved without bringing the cycle through the house.

Policy/Guidance references:

NPPF 110 provide supporting infrastructure such as cycle parking LTN 1/20: Chapter 11 – Cycle parking and other equipment Active Design Principles 7 and 8

Travel Plan

ATE note that a Travel Plan (Revision A – January 2015) was submitted with the outline with Condition 56 of the permission requiring the submission of a detailed Travel Plan. The target within the 2015 Travel Plan is to reduce the percentage of vehicle driver trips by 12% over the 5 year TP period from 79% to 67% with a 3% uptake in walking trips, 3% uptake in cycling trips and 4% uptake in trips by public transport.

ATE is unclear whether an application to discharge Condition 56 has been submitted / approved but considers that the target within the 2015 Travel Plan to be unambitious and should be revised to better reflect the Government objectives for half of all trips within towns and cities to be walked, wheeled or cycled by 2030.

4.0 Next Steps

These recommendations should be forwarded to the applicant and highway authority. ATE would be content to review further information to help address the identified issues with a view to providing a further response and recommended wording for planning conditions.

Further Comments Received 29/12/2024

Notice is hereby given that Active Travel England's formal recommendation is as follows:

No Objection: ATE has undertaken a detailed assessment of this application and is content with the submission.

No Objection subject to conditions: ATE raises no objection to the application, subject to the agreement and implementation of planning conditions and/or obligations as set out in this response.

1.0 Background

Active Travel England (ATE) welcomes the opportunity to comment on this re-consultation for a reserved matters application for the first phase of development of the Hartlepool Southwest Extension (HSWE) involving the erection of 316 No. dwellings and associated infrastructure on land north of the A689, Hartlepool. ATE previously submitted a response dated which recommended deferral of the application with the further information requested summarised as follows;

- Confirmation of proposed design speed for the Primary and Secondary Estate roads

- Details of traffic calming measures

- Information relating to crossings and side road treatments

- Review of proposal for 3no. carriageway crossings over the north-south green spine

which includes the pedestrian / cycleway route.

- Review of / justification for lack of formal play area.

- Information relating to cycle parking to include provision for the apartment buildings

- Clarification that non-motorised routes within the public open space would have a fully bound surface to ensure routes are accessible and maintainable.

A revised planning layout (ref: HRT-SWE-PH1-001 Rev AM) has been submitted.

ATE is not aware of any additional or amended information formally submitted which responds to ATEs comments.

## 2.0 Summary / Recommended Conditions

ATE were not a statutory consultee when the previous hybrid application was considered and acknowledge that the scope for which it is able to influence active travel strategies for this Reserved Matters application to align with the Government's target for half of trips in towns and cities to be made by active modes by 2030, is less than the potential offered by our involvement at outline stage. Notwithstanding this, ATE is disappointed that changes that would be expected of any layout in the interests of meeting modern design requirements, for example Manual for Streets and LTN 1/20, have not been made which is unfortunate for future occupiers of the site, given that the site is yet to be constructed and likely to be built over a number of years to come.

To address the lack of information provided, ATE recommend the following planning conditions. On the basis of these conditions being applied to any forthcoming decision and to traffic calming measures being secured through Section 38 Highways legislation, ATE raise no objections to the application.

Crossings / Side Road Treatments / Modal Filter

### Crossings / Side Road Treatments / Modal Filter

Notwithstanding the approved drawings, prior to the commencement of construction of the development, fully detailed drawings of the items listed below shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details;

(i) A modal filter to prevent vehicular traffic over at least one of the crossing points over the north-south green spine which includes the pedestrian / cycleway route.

(ii) Details of crossings over the north-south green spine and on pedestrian desire lines in the wider development. Note: Crossings should be designed with reference to tables 10.1 and 10.2 of LTN1/20 and be provided at regular intervals and on desire lines. Crossing point specification should also comply with the requirements set out in Inclusive Mobility 4.10 - 4.11.

(iii) Side road treatments. Note: All side roads should be designed to provide level crossings along the cycleways and footways as shown in figure 10.13 of LTN1/20.



Reason: To ensure a high standard of design of active travel infrastructure, reflecting current national guidance, is secured to prioritise pedestrians and cycle movements and address the needs of people with disabilities in accordance with paragraphs 114, 116 and 138 of the National Planning Policy Framework (December 2023).

#### Cycle parking

Prior to the development commencing above foundation level, details of the cycle provision for the apartment buildings and homes without garages, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall accord with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum unless local cycle parking standards are greater. The development or any phase of the development, whichever is the sooner, shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.

Reason: To promote the use of cycles and comply with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum.

#### Surfacing

Notwithstanding the submitted plans, all pedestrian / cycle paths within the development site shall have a hard bound surface, details /specification of which shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing above foundation level. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high standard of design of active travel infrastructure, reflecting current national guidance, is secured to prioritise pedestrians and cycle movements and address the needs of people with disabilities in accordance with guidance contained within “Inclusive Mobility” and paragraphs 114 and 116 of the National Planning Policy Framework (December 2023).

Further context for this recommendation is set out below.

### 3.0 Key Issues

#### Speed Limit / Traffic Calming

ATE understand from correspondence from the applicant outside of the formal planning process that the speed limit within the development will be 20mph. Whilst this is welcomed, to ensure this speed limit is self-enforcing, particularly in the context of the Primary /Secondary Estate Roads being relatively long and monotonous, a scheme of traffic calming is required.

ATE note the comments from the Traffic & Road Safety Team Leader at HBC who confirms that the commuted sum for traffic calming measures can be dealt with outside of the planning process through Section 38 Highways legislation. It is understood that an informative will be applied to any forthcoming decision. ATE are supportive of this approach.

#### Details of crossings and side road treatments

No details of crossings or side road treatments can be found in the revised plans and no *formal* response has been provided as to why modal filtering cannot be incorporated over at least 2no. of the 3no. carriageway crossings over the north-south green spine which includes the pedestrian / cycleway route. Whilst the applicant argues that the incorporation of modal filtering would directly conflict with

the details within the masterplan for the wider development and would not be feasible in light of providing vehicular access to the local centre (for deliveries / parking) and for access to the residential development parcels, ATE do not agree and consider as a minimum, modal filtering should be included over the central carriageway which passes over the green spine.

In the absence of details being provided in respect of crossings and side road treatments, a condition is recommended. This condition includes a requirement in respect of modal filtering over the green spine route.

#### Play area

ATE note the comments from the applicant that the lack of a formal play area to serve this phase of 316 dwellings is in accordance with the approved masterplan for the wider development and that a play area is proposed within Phase 2.

#### Cycle parking

ATE note that cycle parking is provided for the apartments. To ensure the stores are covered, secure and of a sufficient size to accommodate the number of cycles recommended by LTN1/20, a condition is recommended.

#### Surfacing

ATE can find no clarification of the material to be used for the footpaths within the public open space areas. A condition is therefore recommended.

**HBC Countryside Access Officer:** - There is no mention as to the temporary and permanent changes to the public rights of way that run through or are affected by this application. Also no time table of when any temporary or permanent changes might take place.

More detail is required before I can sign off any agreement on the start of the processes for change.

#### Further Comments Received 25/11/2024

Further to the opportunity to comment on this application and the response from Persimmon.

When considering the procedure for a public path diversion order, as in the case of the SW Extension (SWE) and Public Footpath No.4, Claxton Parish, made under the Town & Country Planning Act 1990, s257, there are 'requirements that have to be looked at so that the diversion route is as 'satisfactory and as enjoyable' as the existing route, to be diverted.

In this case it is not an easy situation for the diversion route, as it is always going to be a longer route than the route now in existence, as you have to take into account the design and location of the housing development. Finding as satisfactory and as enjoyable a route is rarely easy.

With this in mind, it is recognised that to achieve the shortest permanent diversion route, it means that some of the route will inevitably have to route along future adopted highway and so not form part of the actual diverted public footpath, as registered on the Definitive Map and Statement.

This is the case for the SWE. It is not ideal but it does mean that walkers will be routed along the shortest length of path.

There was an option to consider a slightly longer route, utilising an area of open space, located in the south west corner of the site, but unfortunately this was denied as the open space is to be an area of ecology mitigation. A route through this area, in normal circumstances (if not an ecology mitigation area), would have provided less route located on adopted highway and more route away from being next to vehicular traffic.

Taking all of this into account, it is accepted that the suggested route is the one that will be the best compromise available.

**Cleveland Police:** - Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention through Environmental Design

(CPTED). I would like to make you aware that Cleveland Police operate the “Secured By Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2024 Guide at [www.securedbydesign.com](http://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”.
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

### Lighting

All aspects of the proposals roadways, paths and parking areas to be lit to BS5489:2020 standards with a uniformity as close to 40% as possible, but 25% minimum. This is for adopted AND non adopted areas.

### Parking

I have concerns around the amount of rear parking proposals, such as behind plots 5-8. These are replicated across the development and is not something I nor SBD recommend.

Should they remain then I strongly recommend they are gated and secured for resident's access only.

There are a number of access routes from eastern boundary where garages and parking are again tucked behind properties, i.e. those at plots 115, 124, 125 & 135. Consideration should be given to dual aspect properties at least opposing corners to maximise surveillance.

### Permeability

I would recommend reducing the informal path links into the development from the eastern side. Other than that the proposed design of non-leaky cul-de-sac within the heart of the development is a positive design feature.

### Boundary Treatments

The proposed boundary treatments are generally good with only a couple of recommended considerations. Those 1800mm proposed onto public realm to be 2000mm, although those onto open space could be raised to 2200mm. All side boundaries protecting rear access should be as close to front elevation as possible.

### Ginnel Access

Access point allowing access to more than one rear garden should be avoided where possible, where they are required then a locking gate is recommended at entrance to ginnel as well as each individual garden.

### General Layout

The proposal to have the majority of dwellings facing onto the open green space and incorporating it into the active street scene is totally recommended, and generally having back to back gardens also reduces vulnerability and is also recommended.

### Further Comments Received 18 November 2024

In addition to the above, and following a pre planning engagement I would also add the following comments.

All doors and windows are recommended to be tested and certified PAS24:2020/2016 standards (or equivalent). This includes garage doors.

Dusk til dawn lights are recommended to each elevation with an external door-set. This also includes garage doors.

ALL roadways and pathways, adopted or otherwise, are recommended to be to BS5489:2020 standards with a uniformity preferably to Secured By Design recommended one of 40%, as a minimum 25%.

I have concerns around the amount of rear parking proposals, even though I believe some have been removed, such as behind plots 5-8. These are replicated across the development and is not something I nor SBD recommend. Should they remain then I strongly recommend they are gated and secured for residents' access only.

Likewise, the proposed parking area servicing Plots 86-108, including the apartments, is basically a rear parking courtyard and is strongly recommended also to be securely gated for residents' access only. Again this is not something that is recommended by SBD.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated, I would recommend that in this instance permeability be reduced. There are several link roads that are provided by little or no surveillance, just side boundary treatments, parking areas and garages. I would recommend reducing the informal path links into the development from the eastern side. Other than that the proposed design of non-leaky cul-de-sac within the heart of the development is a positive design feature.

Proposed boundary treatments as outlined are generally good with only recommendation to be slightly altered. All proposed 1.8m high treatments onto public realm are recommended to be raised to 2.0m in height. Those to rear/rear side of Plots backing onto open space recommended to be increased to 2.2m. Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.

Access point allowing access to more than one rear garden should be avoided where possible, where they are absolutely necessary then a locking gate is recommended at entrance to ginnel as well as each individual garden.

There are a number of access routes from eastern boundary where garages and parking are again tucked behind properties, ie those at plots 115, 124, 125 & 135. Consideration should be given to dual aspect properties at least opposing corners to maximise surveillance.

The proposal to have the majority of dwellings facing onto the open green space and incorporating it into the active street scene is totally recommended, and generally having back to back gardens also reduces vulnerability and is also recommended.

**HBC Ecology: -**

- Query over whether a CEMP needs to be submitted.
- LEMP supported.
- Stated compliance with previously approved Ecology reports supported.
- Previously approved Informatives remain relevant.

The Officer's Report for the hybrid application H/2014/0405 was prepared for the 16 March 2022 Planning Committee. The Legal Agreement is dated 20 June 2024.

The Ecology information referred to in the submitted Planning Statement (June 2024), shown below, is not on the HBC planning portal. It refers to further Ecology surveys

and assessments potentially triggered by condition 47 of the H/2014/0405 planning approval (Appendix 1). However, according to condition 47, the time frame is 18 months, which would trigger this requirement on 16 September 2024. The Ecology Section therefore understands that this particular further information is not needed.

The statement that the Reserved Matters application will be compliant with the approved Ecology reports is accepted and it is recommended that the LPA ensure this is the case.

Further Ecology conditions from the H/2014/0405 planning approval include conditions 48 and 49 (Appendix 1). These are assessed below.

Detail of house construction phasing has been submitted (this application is phase 1) (Appendix 2).

<p>Excerpt from Planning Statement - Ecology.</p> <p><b>Ecology</b></p> <p>6.13 Included with the Hybrid planning approval (ref: H/2014/0405) were various ecology reports that the application site will be pursuant to, including SANGS Plans and Biodiversity Net Gain Reports. The submitted documentation demonstrated the proposed development would not result in significant ecological harm. This Reserved Matters application will be compliant with the approved ecology reports.</p> <p>6.14 Accompanying the submission of this Reserved Matters application are Ecological Survey Assessments and Mitigation Reports, which provide details regarding the Biodiversity, Bats, Great Crested Newts and Nesting Birds located on Phase 1 of the HSWE.</p>
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H/2014/0405 condition 48 is for a Construction Environmental Management Plan (CEMP) to be submitted.

There is no CEMP on the planning portal for this application and clarification is sought as to whether this has already been discharged as a condition. If not, a CEMP should be submitted.

H/2014/0405 condition 49 is for a Landscape and Ecological Management Plan (LEMP) to be submitted.

A Landscape Ecological Management Plan (Fairhurst; December 2023) has been submitted for this application and is supported.

### Informatives

The following informatives from the original planning approval apply:

<p>4. Bats. The proposed works will potentially affect bats. An appropriate licence from Natural England will be required for any works that may affect bats and their roosts. Bats are highly mobile species and individual bats can turn up in any building or any tree which has suitable holes or crevices. All species of bat in the UK are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection, whether bats are present or not. Should bats or signs of bats (such as droppings, dead bats etc) be discovered in any buildings and/or trees to be removed, demolished or altered, work should stop immediately and advice sought</p>
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from Natural England. Failure to do this may result in the law being broken. The Natural England Bat helpline number is: 0845 1300 228.

5. Great Crested Newts. The proposed works will potentially affect Great Crested Newts. An appropriate licence from Natural England will be required for any works that may affect Great Crested Newts. Great Crested Newts are mobile species and individuals can turn up in any building or land which is suitable. Great Crested Newts are protected by both UK and European legislation. Should Great Crested Newts or signs of Great Crested Newts be discovered in any buildings and/or on land to be affected by the development, work should stop immediately and advice sought from Natural England. Failure to do this may result in the law being broken.

8. Nesting Birds. Nesting Birds are protected from disturbance under the provisions of the Wildlife & Countryside Act 1981. It is an offence to intentionally kill or injure a wild bird or intentionally or recklessly disturb any wild bird listed while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. You are advised therefore to take appropriate measures to avoid disturbance to nesting birds when implementing the development.

#### Appendix 1.

Condition 47 wording from H/2024/0405 decision notice.

47. In the event that an application for approval of reserved matters for any phase of development is submitted after the expiration of 18 months from the date of this planning permission, survey information pertaining to roosting bats, nesting birds and badger shall be reviewed and where necessary updated. This review shall be made in view of any significant changes to the habitats present, but this does not imply any requirement to re-evaluate the habitat baseline used to calculate biodiversity net gain. The findings of the review, and any updated survey data, shall be used to inform the subsequent CEMP and LEMP (pursuant to conditions 48 and 49 respectively) and submitted with the reserved matters application. In the interests of the ecology of the area.

Condition 48 wording from H/2024/0405 decision notice.

48. No development shall take place (including demolition, ground works, vegetation clearance) within any phase of development until a construction environmental management plan (CEMP: Biodiversity) for the phase within which development is to be commenced has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following. a) Risk assessment of potentially damaging construction activities, informed by up-to-date ecological survey. b) Identification of "biodiversity protection zones", including Greatham Beck LWS and Greatham Beck LNR and a 10 m buffer around all watercourses. c) Use of protective fences, exclusion barriers and warning signs. d) Practical measures (including but not limited to pre-works checking survey, sensitive working practices, and timing of works) to avoid or reduce impacts during construction, including measures relating to terrestrial mammals (badgers, hedgehogs), roosting and foraging bats, great crested newts and other amphibians, nesting birds and trees to be retained. e) The role and

responsibilities on site of an ecological clerk of works (ECoW), including the times during construction when this person need to be present on site to oversee works. f) Responsible persons and lines of communication. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. In the interests of the Ecology of the area.

Condition 49 wording from H/2024/0405 decision notice.

49. The application for the approval of reserved matters for each phase of development shall include a landscape and ecological management plan (LEMP), the detail of which shall be in general conformity with the Illustrative Landscape Strategy (JBA 20/275 Rev B) submitted to the Local Planning Authority 05/07/2021). The content of the LEMP shall include the following. a) Description and evaluation of features to be managed, including retained habitats and habitats to be created. b) Broad aims of management, to include a contribution to the Biodiversity Net Gain of the wider site, mitigation and/or enhancement for farmland birds, great crested newts (where appropriate), roosting and foraging bats and urban associated birds. c) Specific actionable objectives of management to achieve above aims, to include target ecological condition with reference to the most recent calculation of BNG and species specific measures. d) Appropriate management options for achieving aims and objectives relating to vegetated habitats. e) Prescribed arrangements for the management of the phase for the lifetime of the development which arrangements shall include the review of management practices and requirements at 5 year intervals. f) Details of an annual work plan and of the body or organisation responsible for implementation of the plan. g) Ongoing monitoring and remedial measures. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. In the interests of the Ecology of the area.



## Appendix 2.

## Excerpt from Planning Statement – plan showing phase 1.

3.5 Figure 3.2 displays HRT-SWE-MAS-003, the Phasing Plan associated with the Hybrid planning application. This Phasing Plan illustrates the intended phases of development of the HSWE. Phases of development are to begin from the southern area and develop northwards. The application site will be the first phase of development, as highlighted in Green on Figure 3.2.



Figure 3.2 – HRT-SWE-MAS-003 – Phasing Plan

End

Further Comments Received 21/11/2024

Regarding the newly submitted information, the Ecology Section has no comments on changes to the layout of the site or to the design of dwellings, and I am satisfied that the HBC Landscape Architect has assessed and commented on the landscaping changes.

Comments on the previous Ecology response, dated 11/09/2024, remain valid.

Further Comments Received 27/11/2024

Regarding the newly submitted information, the Ecology Section has no comments on changes to the layout of the site or to the design of dwellings, and I am satisfied that the HBC Landscape Architect has assessed and commented on the landscaping changes.

I am satisfied that the CEMP (queried in my response dated 11/09/2024) is not connected to this Reserved Matters application, as it relates to the 'parent' Outline planning permission as a discharge of condition. I am satisfied that the CEMP issue has been clarified and is not a concern for H/2024/0203.

Further comments received 06/12/2024

The 'mother' application for this scheme is the Outline application H/2014/0405, for which Habitats Regulations Assessment (HRA) was undertaken.

I have checked the HRAs for that approval (completed by Hartlepool BC as the competent authority) which Natural England (NE) have reviewed. NE agrees that all adverse impacts on designated nature conservation sites have been screened out or mitigated.

The HRAs cover the current application and do not need reviewing or re-consulting on.

**Natural England:** - Natural England has no comments to make on this Reserved Matters application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision-making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development. We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>.

**HBC Engineering Consultancy:** - Approval of all reserved matters for the erection of 316 dwellings with associated infrastructure pursuant of outline planning permission H/2014/0405 (Full planning application for demolition of buildings, construction of 144 dwellings (C3), construction of accesses to Stockton Road and Brierton Lane, roads, bridge with associated structures and associated earthworks, drainage features, public open space, landscaping, ecological works, electrical sub stations, vehicular circulation, pumping stations and infrastructure. Outline planning application for construction of up to 1,116 dwellings (C3), public house/restaurant (Sui Generis/Use Class E) 500sqm, retail units (Use Class E) 1,999 sqm, primary school (Use Class F.1), medical centre (300sqm), public open space, playing fields (including changing facilities), play spaces, drainage features, landscaping and ecological works, earthworks, electrical sub stations, pumping stations, car parking and vehicle and pedestrian circulation).

Our review has been undertaken against the four-flood risk and drainage conditions attached to application H/2014/0405 as defined in the Decision Notice.

#### Conclusions/Observations

We understand that the area of development for the 316 properties is referred to as Area 4 within the overarching Flood Risk Assessment and Area 4A within the drainage strategy (Appendix H of the FRA).

Condition 11. Notwithstanding the submitted information, no development on any phase shall take place until a detailed design and associated management and maintenance plan of surface water drainage for that phase 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. 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 MGR-JBA-XX-XX-TN-C-0085-S3-P01-H20240203\_SuDS\_Assessment 2 sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

Condition 11 should not be discharged until the following comments have been addressed:

- No site-specific drainage modelling has been provided for review, this should take account of appropriate allowances for climate change uplift (45%), development creep and runoff coefficients in accordance with Tees Valley guidance and best practice. We note that these may increase the attenuation requirements and land take. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning.

- Further information regarding the proposed pond is required, including:

1. Confirmation of appropriate freeboard levels and half-drain times.
2. An exceedance flow plan for the proposed SuDS Pond. What are the overflow arrangements for the pond, and do they affect the neighbouring A698?
3. Comparing the FRA drainage strategy to the engineering layout overall, the outlet from the SuDS Pond has changed from a swale feature to surface water sewer. The inlet from the proposed SuDS Pond is at 10.525mAOD and the outlet to Greatham Beck is at 6.203mAOD which gives a fall of approximately 4m. We therefore do not anticipate any groundwater issues or surcharging of the outfall.

- It is understood that Persimmon Homes Teesside and their nominated management company will be responsible for the maintenance of the SuDS features from completion of construction to the point of adoption. From thereafter, Northumbrian Water Limited (NWL) will be responsible for the maintenance regime. The management company will continue to manage the non-adopted features in line with the schedule beyond NWL adoption. This appears reasonable.

- The Simple Index Approach published by CIRIA should be used to assess the suitability of the proposed SuDS feature to manage water quality on the site.

Condition 12. No development shall commence until a scheme for the provision of flood shelving at Greatham Beck in accordance with the drawing "Greatham Beck Proposed Flood Shelf" (Dwng No :N13215-920 Rev P1) received at the Local Planning Authority on 18th May 2015, including a timetable for its provision, has been submitted to and approved in writing by the Local Planning Authority. The flood shelving shall thereafter be provided in accordance with the agreed timetable and details. In order to ensure that Flood Risk is adequately managed.

Condition 12 should not be discharged until the following comments have been addressed:

- Plans detailing the Greatham Beck Proposed Flood Shelving have been provided but this does not include a timetable for its provision.
- Environment Agency acceptance is required to discharge Condition 12.

Condition 53. The development shall be carried out in accordance with the submitted flood risk assessment (ref Flood Risk Assessment and Drainage Strategy, dated November 2020, by Hill Cannon Consulting) and the following mitigation measures it details:

- The proposed mixed-use development shall be built entirely within Flood Zone 1
- The underside of the bridge supporting deck level shall be set to a minimum of 12.70m AOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. To reduce the risk of flooding to the proposed

development and future occupants and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with paragraph 167 of the NPPF. Discharge of Condition 53 is dependent on the final detailed surface water strategy as required by Condition 11.

- Ordinarily we would look for source control SuDS within development parcels to better distribute attenuation features and reduce reliance on a single large basin at the bottom end of the site. However, the single large attenuation basin appears to have outline approval.

Condition 54. The development hereby permitted shall not be commenced until such time as a Surface Water Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved. The plan should include, but not limited to, the following:

- Treatment and removal of suspended solids from surface water run-off during construction works;
- Approach to ensure no sewage pollution or misconnections;
- Approach to ensure water mains are not damaged during construction works;
- Management of fuel and chemical spills during construction and operation, including the process in place to ensure the environment is not detrimentally impacted in the event of a spill.

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 the National Planning Policy Framework.

No information has been submitted to address this point; therefore, Condition 54 cannot be discharged.

#### Documents and Information Supplied to assess Application

Document Name	Date
1 Engineering Layout Sheet 1 (Revision P4)	30/11/2022
2 Engineering Layout Sheet 2 (Revision P4)	30/11/2022
3 Engineering Layout Sheet 3 (Revision P4)	30/11/2022
4 Engineering Layout Sheet 4 (Revision P4)	30/11/2022
5 Engineering Layout Sheet 5 (Revision P1)	30/11/2022
6 Engineering Layout Overall (Revision P4)	30/11/2022
7 Greatham Beck Proposed Flood Shelving (Revision P1)	Dec 2021
8 Flood Risk Assessment and Drainage Strategy (First Issue)	27/11/2020
9 Planning Layout (Revision AJ)	25/05/2024
10 Typical SuDS Sections (Revision P2)	01/12/2022
11 SuDS Maintenance & Management Schedule (First Issue)	22/12/2023
12 Decision Notice (Application H/2014/0405)	21/06/2024

## Subsequent Reporting

The following sections of the report summarise the suitability of the supplied information in order to recommend either further investigation or approval of the SuDS proposals in accordance with Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards.

This review is based on data available on the planning portal on 16/10/2024.

Compliance summary with Tees Valley Developer's checklist

## Outline Planning Application

Required Details	LPA Comments	Acceptable YES / NO
<b>Detailed Site-Specific Flood Risk Assessment: Guidance</b> ( <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section">https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section</a> )		YES
<b>Conceptual Drainage Strategy/Statement</b>	Refer to summary comments.	NO
<b>Impermeable Areas Estimate</b>		YES
<b>Confirmed discharge location/s and its condition</b>		YES
<b>Discharge rate</b>		YES
<b>Drainage sub-catchments</b>		YES
<b>Storage Volume Estimate</b>		YES
<b>Storage locations</b>	Pond received outline approval.	YES
<b>Flow Controls</b>		YES
<b>Ecology and water quality implications, e.g. treatment train</b>	Refer to summary comments.	NO
<b>Public Health and safety consideration</b>		YES
<b>Identification of adoption responsibilities</b>		YES
<b>Maintenance and access arrangements</b>		YES

## Full Planning Application

All of the above under Outline Planning application, plus;

Required Details	LPA Comments	Acceptable YES / NO
<b>Detailed Site-Specific Flood Risk Assessment: Guidance</b> ( <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section">https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section</a> )		YES
<b>Detailed Drainage Strategy</b>	Refer to summary comments.	NO
<b>Detailed Design</b>	Refer to summary comments.	NO
<b>Flow calculations (.mdx files where possible) print outs</b>	Refer to summary comments.	NO
<b>Details of inlets, outlets and flows controls</b>	Refer to summary comments.	NO
<b>Construction details</b>		YES
<b>Phasing of development including construction management plan</b>	Not submitted.	NO
<b>SuDS Design Statement</b>	Not submitted.	NO
<b>Cross sections including design levels</b>	No drainage modelling has been provided for review.	NO
<b>Operation and Maintenance Plan</b>	See comments	NO
<b>Health and safety risk assessment</b>	Not submitted.	NO
<b>Full Structural, Hydraulic &amp; Ground Investigations, if appropriate.</b>	Not submitted.	NO

### Contamination

The proposed development is of high risk given its residential nature and the presence of private gardens. Previous advice given to HBC concerning H/2014/0405 was as follows:

"The Lithos Geoenvironmental Appraisal report (2021) goes part way against addressing conditions 8.1 and 8.2. However, the report notes that ground gas monitoring is ongoing and that a final risk assessment will be undertaken, and that post-demolition ground investigation (and subsequent risk assessment and remediation if needed) in what is noted as "Area B" (farmyard areas), with particular reference to above ground fuel storage tanks. Until the gas risk assessment is completed with necessary recommendations and the further GI is completed and assessed we would not consider the conditions to be met."

No updated information relating to the above appear to have been uploaded as part of application H/2024/0203 and therefore this advice still stands: We would not consider Conditions 8.1 and 8.2 to be met and that an updated geoenvironmental risk assessment following the additional investigations and completion of gas monitoring should be produced in accordance with the Land Contamination Risk Management procedures. Should this report note residual risks then production and implementation of a Remediation Scheme will be required as per Conditions 8.2 and 8.3.

**Environmental Agency Planning & Authorisations:** - Thank you for consulting us on the above application, which we received on 4 September 2024.



Environment Agency position

We have no objection to this reserved matters application as submitted. The reserved matters application does not alter our previous comments in our letter dated 3 August 2021 to reference: H/2014/0405.

Decision notice - Information for LPA

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Further Comments Received 13/11/2024

Thank you for re-consulting us on the above application following the submission of additional information, which we received on 12 November 2024. The submitted information does not change our previous response dated 6 September 2024, which has been repeated below.

Environment Agency position

We have no objection to this reserved matters application as submitted. The reserved matters application does not alter our previous comments in our letter dated 3 August 2021 to reference: H/2014/0405.

Decision notice - Information for LPA

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

**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](http://www.hartlepool.gov.uk/usingyourbins) for further information.

There needs to be sufficient storage per property for up to 3 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 Head of Service Heritage and Open Spaces:** - No objections.

**Tees Archaeology:** - Thank you for the consultation on this application. Archaeological matters for the proposed development site (Phase 1 of the Hartlepool South West Extension) have been dealt with on outline application H/2014/0405, which is subject to archaeological conditions 9 & 10.

**HBC Public Protection:** No objections. No comments to make above the original conditions attached to the outline consent for the development.

**HBC Education:** - Children's & Joint Commissioning Services Department don't have any objections to the proposals, subject to the appropriate s106 education contributions being agreed.

**HBC Economic Development:** - No comments or objections from Economic Growth.

**Integrated Care Board:** - Please see below our response from NHS ICB North East & North Cumbria. Request S106 funds. I am writing in response to the above planning application currently being evaluated by you. Please see below for the required contribution to healthcare should the scheme be approved. Local surgeries are part of ICB wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured. Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers. In calculating developer contributions, we use the Premises Maxima guidance which is available publicly. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation. We use the NHS Property Service build cost rate of £3,000 per square metre to calculate the total financial requirement. This reflects the current position based on information known at the time of responding. The NHS reserves the right however to review this if factors change before a final application is approved. Should you have any queries in relation to this information, please let me know.

Item	Response
LA Planning References	H/2024/0203
GP Practices affected	McKenzie Group Practice Havelock Grange Practice: Brierton Medical Centre
Local intelligence	This practice falls within the Hartlepool Health & One Life Hartlepool Primary Care Network which are at full capacity with regards to space requirements to deliver services to their patient list size. \$106 funding would support creating extra capacity for them to provide appropriate services to patients
Number of Houses proposed	<b>316</b>
Housing impact calculation	2.3
Patient Impact (increase)	<b>727</b>
Maxima Multiplier	0.07
Additional m <sup>2</sup> required (increase in list x Maxima Multiplier)	<b>50.876 m<sup>2</sup></b>
<b>Total Proposed Contribution £</b> (Additional m <sup>2</sup> x £3kpm <sup>2</sup> , based on NHSPS build cost)	<b>£152,628</b>

### Further Comments Received 19/11/2024

Good afternoon,

As there is no change to the number of dwellings, our response remains the same to that of 10.09.24.

**Northern Gas Networks:** - Hope you are both ok. We have received a consultation regarding the above planning application and as you know, we usually submit a holding objection subject to gas pipeline protection matters being agreed between us and the proposer. Given our previous correspondence, the applicable planning conditions and previously agreed pipeline associated aspects, please can you confirm that it is your intention to implement any gas asset protection measures as necessary and that you will continue to liaise with us on any similar issues arising out of this application. This being the case, NGN will not be submitting any objections in this instance. Please confirm your agreement.

### Further Comments Received 10/09/2024

Good Morning/Afternoon, We do not object to this planning application however due to the presence of our high pressure gas main you MUST pass all the details below and all the safety info attached onto the applicant: Please find attached a copy our plans along with all the relevant safety information. If you are planning to carryout construction work near the NGN asset shown in this plan please contact us again prior to starting work. In order to discuss the safety aspects of your intended work and to determine if a Site Visit will be required, At least 14 days prior to commencing any ground works in the vicinity of our buried asset, you must contact the local Plant Protection Officer. (Contact Phone Number Below). You must not carry out any ground works within 3 metres of our Buried High Pressure or Intermediate Pressure assets without our consent.

Dear Sir/Madam, Northern Gas Networks acknowledges receipt of the planning application at Land Between A689 & Brierton Lane, Hartlepool, TS 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 questions, our Before You Dig Team will be able to help on (option 3).

#### Further Comments Received 13/11/2024

Northern Gas Networks acknowledges receipt of the planning application at eaglesfield road, hartlepool, TS25 4BS 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 questions, our Before You Dig Team will be able to help on (option 3).

**NGN Box Asset Protection:** - Thank you for your email. Regarding planning application H/2024/0203 at site location 'LAND BETWEEN A689 AND BRIERTON LANE SOUTH WEST EXTENSION' there are no National Gas assets affected in this area. If you would like to view if there are any other affected assets in this area, please raise an enquiry with

<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lsbud.co.uk%2F&data=05%7C02%7C%7C12c1bcb816a648f5d24108dccdaa0933%7Ce0f159385b7b4e50ae9acf275ba81d0d%7C0%7C0%7C638611378666841477%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=vTsIJY6IVBGg9ggF0PiTXRVsEiMAuMRkizXnLMwfd4E%3D&reserved=0>. Additionally, if the location or works type changes, please raise an enquiry.

**National Grid:** Regarding planning application H/2024/0203, there are no National Grid Electricity Transmission assets affected by the proposal.

**Northern Power Grid:** - Thank you for your recent enquiry regarding the above location. The enclosed Mains Records only give the approximate location of known Northern Powergrid apparatus in the area. Great care is therefore needed, and all cables and overhead lines must be assumed to be live.

#### *Town and Country Planning Act 1990*

Under the provisions of the above Act, Northern Powergrid have no objections providing that our statutory rights are not affected and that we will continue to enjoy rights of access to the apparatus for any maintenance, replacement, or renewal works necessary.

Please note that while all efforts are made to ensure the accuracy of the data provided, no guarantee can be given. We would refer you to the Health Safety Executive's publication HS(G) 47 "Avoiding Danger From Underground Services" which emphasises that:

*The position of any services in or near the proposed work area should be pinpointed as accurately as possible using a detecting device in conjunction with up-to-date service plans and other information which provides a guide to the possible location of services and help interpret the signal.*

*Excavation work should follow safe digging practices. Once a detecting device has been used to determine position and route, excavation may proceed, with trial holes dug as necessary, to confirm the position of any detected services. A cable is positively located only when it has been safely exposed.*

Cable depths are not generally indicated on our records and can vary considerably even when shown. Great caution must be exercised at all times when using mechanical plant. Careful trial digging should always be carried out on the whole route of the planned excavation to ascertain no cables exist.

The Health Safety Executive publication GS6 "Avoidance of Danger from Overhead Electric Lines" must be consulted if your work is near overhead power lines. Both of these documents provide comprehensive guidance for observance of statutory

duties under the Electricity at Work Regulations 1989 and the Health Safety at Work Act 1974. Our provision of these records is based upon the assumption that people using them will have sufficient competence to interpret the information provided. Any damage or injury caused will be the responsibility of the organisation or individual concerned who will be charged for any repairs.

Please note ground cover must not be altered either above or below our cables or below overhead lines. In addition, no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All our apparatus is legally covered by a wayleave agreement, lease or deed or alternatively provided under the Electricity Act 1989. Should any alteration / diversion of Northern Powergrid's apparatus be necessary to allow your work to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees, TS18 3TU. Tel: 0800 0113433.

All future works that we may have will be included on the quarterly NRSWA coordination return for discussion at the quarterly meeting of authorities / utilities in order to minimise disruption to the public.

#### Further Comments Received 12/11/2024

Thank you for your recent enquiry regarding the above location. The enclosed Mains Records only give the approximate location of known Northern Powergrid apparatus in the area. Great care is therefore needed, and all cables and overhead lines must be assumed to be live.

Please note that while all efforts are made to ensure the accuracy of the data provided, no guarantee can be given. We would refer you to the Health Safety Executive's publication HS(G) 47 "Avoiding Danger From Underground Services" which emphasises that: The position of any services in or near the proposed work area should be pinpointed as accurately as possible using a detecting device in conjunction with up-to-date service plans and other information which provides a guide to the possible location of services and help interpret the signal.

Excavation work should follow safe digging practices. Once a detecting device has been used to determine position and route, excavation may proceed, with trial holes dug as necessary, to confirm the position of any detected services. A cable is positively located only when it has been safely exposed.

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damage or injury caused will be the responsibility of the organisation or individual concerned who will be charged for any repairs.

Please note ground cover must not be altered either above or below our cables or below overhead lines. In addition, no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All our apparatus is legally covered by a wayleave agreement, lease or deed or alternatively provided under the Electricity Act 1989. Should any alteration / diversion of Northern Powergrid's apparatus be necessary to allow your work to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees, TS18 3TU. Tel: Maps attached: NZ4801828278

All future works that we may have will be included on the quarterly NRSWA coordination return for discussion at the quarterly meeting of authorities / utilities in order to minimise disruption to the public. Please note that my company has no objections to this application providing that our rights are not affected and that they will continue to enjoy rights of access to the apparatus for any maintenance, replacement, or renewal works necessary.

**Anglian Water:** - Thank you for your email consultation on the application H/2024/0203. The proposed development site area is outside of Anglian Water statutory area, please be advised that the sewerage is served by Northumbrian Water, therefore this application is outside of our jurisdiction to comment.

#### Further Comments Received 12/11/2024

This application amendments are not relevant to Anglian Water – we have no further comments to make since our last response. Please note Anglian Water will only comment on matters relating to drainage/surface water connections to our network.

**HBC Building Control:** - A Building Regulation application will be required for 'erection of 316 dwellings.

**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. Approved Document B Volume 2:2019, Section B5 for buildings other than Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1. AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1. AD B Vol 2 Section B5 Table 15.2.

#### *Recommendations*

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Further comments may be made through the building regulation consultation process as required. Please assist us to improve the service we provide in completing our Fire Safety Survey by visiting the following site

<https://forms.office.com/e/SZLMRQwiY2>.

**Cleveland Emergency Planning Officer:** - Not Object.

Further Comments Received 21/11/2024

From an emergency planning perspective there are no objections to the amended planning permission.

**Health & Safety Executive:** - Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

**The Coal Authority:** - Thank you for your notification of 4 September 2024 seeking the views of the Coal Authority on the above. The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. The site to which this submission relates is not located within the defined coalfield. On this basis we have no specific comment to make.

Further Comments 13/11/2024

Thank you for your notification of 12 November 2024 seeking the views of the Coal Authority on the above. The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. The site to which this submission relates is not located within the defined coalfield. On this basis we have no specific comment to make.

**Hartlepool Rural Plan Group:** - Thank you for consulting Hartlepool Rural Plan Group regarding the above application. The application is within the boundaries of Hartlepool Rural Neighbourhood Plan. The Rural Neighbourhood Plan has reluctantly accepted the South West development and policies were drawn up accordingly with reference to design, residential amenity, visual amenity, environment and traffic impact considerations. The site is a precious rural greenfield site and we hope and expected the best possible development. The following Rural Neighbourhood Plan Policies are particularly relevant to this application:

- POLICY GEN 2 - DESIGN PRINCIPLES The design of new development should demonstrate, where appropriate:

1. How relevant village design statements and conservation area appraisals have been taken into account;
2. How the design of new housing scores against the Hartlepool Rural Plan Working Group's Checklist as set out in appendix 4;
3. How the design helps to create a sense of place and reinforces the character of the village or rural area by being individual, respecting the local vernacular building

character, safeguarding and enhancing the heritage assets of the area, landscape and biodiversity features;

#### POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

1. Create distinct new communities designed to instil a sense of place, with an attractive community hub, located in the centre of the development, containing a community centre, shops and other local services on a scale that meets the needs of the new community;

NPPF 135. Planning policies and decisions should ensure that developments:

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

It comes as no surprise that a national developer has failed to grasp the wonderful opportunity to create something special opting for the predictable repeating of their standard house designs. The value of local distinctiveness and regional style and character is lost. Given the detachment of the development from suburban Hartlepool cause by Greatham Beck it is particularly disappointing the relatively unique opportunity to create a new village is being wasted.

This falls far short of the design principles of the National Design Guide as referenced by NPPF 135 b, c, and d. Hartlepool Residential Design Guide section D 4.22 which clearly states, “when preparing proposals for development on the urban/rural fringe then reference should be drawn to the site’s existing rural location and any new dwellings should be reflective of the rural setting and the local distinctiveness that exists within that area of the Borough”. The applicant is however claiming to include reference urban areas of Owton Manor and Fens for the rural Claxton location.

The Local Character Appraisal provided reads as a retrospective justification of the standard house styles rather than a serious attempt to base the design on established local character. For example to claim “coloured front doors” as a design feature from the local area is bizarre. This is particularly lazy as much of the local design features have already been described in Village Design Statements, including that for Greatham which the applicant claimed as an area they referenced.

The local centre is not located in the centre of the development but at the far southern extremity. Planning definition of a local centre is “a small group of shops and perhaps limited service outlets of a local nature (for example, a suburban housing estate) serving a small catchment. Sometimes also referred to as a local neighbourhood centre”. The location is quite clearly chosen to attract traffic from the nearby A689 thus seeking a far greater catchment which will cause increase traffic using the junctions.



**POLICY GEN 2 - DESIGN PRINCIPLES** The design of new development should demonstrate, where appropriate:

4. How the design helps to reinforce the existing streetscape or green public spaces by facing onto them

5. How the design preserves and enhances significant views and vistas;

An attractive green space has been created (infront of plots 1-4) but, rather than facing onto it one side is open to the entrance and parking for a three storey block of flats, the rear of the flats being is exposed in the distance. Mirroring plot 86 (and the bin location) would improve enclosure.

Secondary and tertiary cul-de-sac streets are consistently terminated by the exposed rear of properties on adjacent streets. This is aesthetically poor streetscape and dubious from the point of security. For an infinitely better standard the applicant need only look to Mildenhall Close in the neighbouring South Fens where an earlier developer managed to produce a much more attractive secondary street with lots of cul de-sacs, none of which are vistas closed by the rear of properties in other streets.

**POLICY GEN 2 - DESIGN PRINCIPLES** The design of new development should demonstrate, where appropriate:

6. How the design demonstrates that it can be accessed safely from the highway and incorporates sufficient parking spaces;

**POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL**

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

9. Address any significant impacts arising from an increase in traffic on the road network between Hartlepool and the A19 as a result of the new development. This should include mitigation measures identified by Transport Assessments which may include improvements to the junctions from the villages to the A19, A179 and A689 as well measures to discourage traffic from the new development using minor roads through the villages in the Plan area and sympathetic traffic calming where necessary. Adequate measures should be discussed as part of the application and not delegated to a condition and in some instances measures should be put in place prior to the occupation of the first dwelling in the relevant proposal.

**POLICY T1 - IMPROVEMENTS TO THE HIGHWAY NETWORK**

Where development proposals are shown, through evidence to be required to contribute towards any of the following schemes so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation:

3. improved village approach roads and junctions to the A179, A689 and A19

4. Alleviating the impact on the villages of the increase in traffic arising from new development in Hartlepool

An improvement of the junction at the top of Claxton Bank is needed. Increased traffic from the new South West Extension on the A689 will make this junction, which is important to the rural area and the No.36 bus which serves Greatham, more hazardous.

A condition is requested that prior to the new access onto the A689 a scheme for the reduction of the speed limit on the A689 to 50 mph between Greatham High Street and a point west of Dalton Back Lane, including required signage, shall be implemented in accordance with details approved by the Local Planning Authority. In the interests of highway safety.

The method of traffic control at the new junction on the A689 is not clearly detailed in the application. As no roundabout is indicated it is trusted this will be traffic lights. A further condition is requested that this new junction with traffic lights is fully functional before any dwellings within phase 1,2 or 3 are occupied. In the interests of highway safety.

#### POLICY GEN 2 - DESIGN PRINCIPLES

The design of new development should demonstrate, where appropriate:

7. how the design uses sustainable surface water management solutions in new developments to reduce all water disposal in public sewers and manage the release of surface water into fluvial water and;

#### POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

3. Provide an open and attractively landscaped development with the gross density of the development of about 25 dwellings per hectare;

4. Include a strong landscape buffer where the development adjoins the countryside to reduce the visual impact of the development and create a continuous habitat for wildlife linked into existing natural areas and wildlife habitats;

5. Include landscaped open spaces, roads and footpaths, incorporating children's play areas, throughout the development linked to the peripheral landscape buffer to provide green routes through the housing areas that enhance the quality of the development and provide wildlife habitats;

10. Avoid areas at risk of flooding and incorporate sustainable drainage measures to manage rain water run-off from the development.

The Developer has provided an excellent and generous landscaping scheme along Greatham Beck and the A689. It is a highlight of the South West Extension. This is all welcome and should offer a much valued area for residents, enhance the environment and provide a home for wildlife. These areas should also hopefully address sustainable surface water management. With three storey flats included among the first properties at southern entrance there is maximum visual impact on the rural area and the elevated views from Greatham village. Ideally planting along

the A689 should be the same as that between the A689 and South Fens. As a minimum it is requested that along the A689 between Greatham Beck and the new entrance junction and to the east of the new access road more substantial woodland trees such as Oak (*Quercus Robra*) rather than Wild Cherry (*Prunus Avium*) are included for improved screening and the benefit of visual amenity.

#### **POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL**

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

2. Incorporate a diverse housing mix with a variety of house types, sizes and tenures;

11. Assist in meeting Hartlepool Borough's housing need for 6000 additional homes within the next 15 years by supporting new developments on the edge of Hartlepool which take into consideration their rural fringe locations and which do not compromise the Green Gaps, subject to design, layout, environmental and traffic impact considerations.

Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future.

The development does provide a varied mix of housing type and sizes except for a regrettable lack of much needed bungalows. The mix of tenure is weak with only 26 affordable homes of which only 9 will be affordable rent.

#### **POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL**

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

6. link new footpath and cycleway routes through the development to routes in the countryside, to existing adjacent communities, to schools, community facilities and the town centre;

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

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

1. New bridges over the A19 near Elwick and over the A689 near Greatham suitable for pedestrians, cyclists and equestrians;
2. A new traffic light controlled safe crossing point on the A689 at Newton Bewley;
3. Cycleways and footpaths from Brierton, Dalton Piercy and Elwick to Hartlepool;
4. Cycleways and footpaths linking Brierton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley and providing direct and circular routes between the villages and the countryside;

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

The network of open spaces, footpaths and other links is welcomed, especially the retention of rights of way even where diverted slightly. An existing right of way runs through the first phase of this site. Details are needed that indicate how this right of way will kept open during works, presumable diverted, and where the route of the right of way will be established on completion of the works.

Policy T2 (bullet point 1) identifies the need for safer pedestrian crossings of the A689. With the increased pedestrian and cyclist traffic resulting from this development a new bridge to take pedestrians and cyclists (including those using National Cycle Route 14) over the A689 at Sappers Corner is urgently required in order to ensure that adequate provision is made for walking and cycling in the interests of encouraging sustainable modes of transport.

#### **POLICY H5 - HOUSING DEVELOPMENT ON THE EDGE OF HARTLEPOOL**

New housing development on the edge of Hartlepool, where appropriate, should be designed to:

7. Retain existing farmsteads, trees, hedgerows, ditches, watercourses, and heritage assets within the development;

The demolition of Claxton Farm is contrary to Policy H5, bullet point 7. It is wasteful both environmentally, culturally and in terms of creating a sense of place.

#### **POLICY NE1 - NATURAL ENVIRONMENT**

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

1. Nature conservation sites of international and national importance, Local Wildlife Sites, Local Geological Sites and Local Nature Reserves will be protected, managed and actively enhanced. Designated sites are identified on the Proposals Map.

a. Development that would affect internationally important sites will be permitted only where it meets all the relevant legal requirements.

b. Development that would affect nationally important sites will be permitted only where it meets all the relevant legal requirements

c. Development which would negatively affect a locally designated site will be supported only where the reasons for the development clearly outweigh the harm to the conservation interest of the site. Where development on a locally designated site is approved, compensatory measures will be required to maintain and enhance conservation interests. In the first instance compensatory measures should be as close to the original site as possible. Compensatory measures may include biodiversity offsetting where on-site compensation is not possible.

2. Enhancement of wildlife corridors, watercourses (including improving water quality) other habitats and potential sites identified by the local biodiversity partnership or similar body must be created in order to develop an integrated network of natural habitats which may include wildlife compensatory habitats and/or wetland creation. Opportunities to de-culvert parts of Greatham Beck and its tributaries will be encouraged within the Neighbourhood Plan area.

3. Where possible, new development should conserve, create and enhance habitats to meet the objectives of the Tees Valley Biodiversity Action Plan. Any development should not result in, or contribute to, a deterioration in the ecological quality of the Greatham Beck waterbody.

4. Existing woodland of amenity and nature conservation value and in particular ancient semi natural woodland and veteran trees will be protected. The planting of woodland and trees, and the restoration of hedgerows, using appropriate species, will be encouraged, particularly in conjunction with new development, to enhance the landscape character of the plan area. New tree and hedgerow planting must where possible:

a. Aim to reduce the impact of any new buildings or structures in the landscape setting. In the area that forms the urban fringe of Hartlepool, areas of woodland and tree belts at least 10 metres wide designed to promote biodiversity and include public access routes must, where possible, be planted along the western edge of any areas to be developed, prior to any development commencing;

b. Provide screening around any non-agricultural uses;

c. Use a mix of local native species appropriate to the landscape character area.

d. Ensure that trees are planted at distances from buildings that provide sufficient space for the future growth of the tree to maturity.

There does seem to be a positive contribution to the environment and biodiversity made by the proposals in this application. We would hope conditions would ensure that Greatham Beck is not only protected from any adverse effects but an improvement in the ecological quality of the beck is gained. Greatham Beck ultimately flows into Greatham Creek and Seal Sands which is of international importance.

Phase 1 in general offers generous landscaping. Along the A689 we would expect the tree planting to be at least equal to that between the A689 and Mildenhall Close. The Phase 1 Compliance Document, Quantum of Development (page 8) mentions western edge screening with tree planting up to 5m deep, Policy NE1 (4a) clearly asks for areas of woodland and tree belts at least 10 metres wide between the new development and adjacent countryside. Though this western edge would not begin to be reached until Phase 2.

The Neighbourhood Plan hopes to facilitate the best possible opportunity for this to occur and ensure new residents the opportunity to enjoy the benefits of community

already enjoyed in the rural area. There should be provision of a site for a Community Centre that can serve as a meeting place for community activities.

With regard S106 Contributions we would point out Appendix 5 of the Rural Neighbourhood Plan for areas of possible benefit. Particularly relevant to the South West Extension are Greatham Community Centre and Greatham Sports Field.

In conclusion the most regrettable and disappointing feature of this major application is that there continues to be little sign that a major developer has been able to seriously engage with local character and identity.

NPPF 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes. Conversely, significant weight should be given to:

(a) Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or

(b) Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

#### Further Comments Received 30/11/2024

Thank you for consulting Hartlepool Rural Plan Group regarding the alterations to the above application. A clear list of the alterations and any planning concerns they may be addressing would assist greatly in responding to the amendments in a timely manner.

We would refer you to our earlier response which remains valid. We do welcome the indication of the routes of the right of way, both temporary and permanent, but question if the route being redirected along the main access road is the safest choice.

**Greatham Parish Council:** - The Parish Council welcomes the extensive landscaping scheme alongside Greatham Beck and the A689.

This promises to be of great benefit to both residents, wildlife and the environment in general. More substantial tree planting between Greatham Beck and the new junction is requested in the interests of visual amenity from Greatham village and the rural area.

Detailed information is required to show how the existing right of way which runs through the proposed development will be diverted and kept open during the works, also to establish what the route of the right of way will be through the completed development.

Rural Neighbourhood Plan Policy T2 point 1 seeks new bridges over the A19 near Elwick and over the A689 near Greatham suitable for pedestrians, cyclists and

equestrians. With the increased pedestrian and cyclist traffic resulting from this development a new bridge to take pedestrians and cyclists, which includes the National Cycle Route 14, over the A689 at Sappers Corner is urgently required in the interests of road safety and encouraging sustainable modes of transport.

The local centre not being located in the centre of the development will create more car journeys and as it is located off the A689 there will be even more traffic using the new junction.

The following are required in the interests of highway safety. An improvement of the junction at the top of Claxton Bank, which provides the western entrance to Greatham village. This junction having seen increasing incidents/accidents including a fatal accident. Reduction of the speed limit on the A689 to 50mph between Greatham High Street and a point west of Dalton Back Lane. The new junction which provides access to the new development to be fully functional with traffic lights before any dwellings within phase 1 are occupied.

The Local Character Appraisal is extremely disappointing. Standard house styles that might be found on any Persimmon Development anywhere in the country are proposed rather than a serious attempt to base the design on any local character. Chimneys, coloured front doors and vertical divisions in windows are generic. The Parish Council would commend use of Greatham Village Design Statement.

With regard Section 106 Contributions Greatham Community Centre and Greatham Sports Field should be considered as beneficiaries.

#### Further Comments Received 29/11/2024

The Council's initial responses remain in place. The Council remains concerned with the lack of clarity in what traffic control arrangements will be in place with regards to access to and from the A689 when the site is developed. There are concerns about the right of way mentioned, running alongside the A889 instead of within the estate itself, the latter is preferable to the former.

#### **No comments were received from the following consultees;**

HBC Estates;  
HBC Sports and Recreation;  
HBC Community Safety and Engagement;  
HBC Public Health Registrar;  
HBC Housing;  
HBC Housing Management;  
HBC Housing Standards;  
Civic Society;  
Ramblers Association;  
Northumbrian Water;  
Independent Water Networks;  
CPRE 26;  
Clerk to the Parish Council of Dalton Piercy;  
Clerk to the Parish Council of Elwick;  
Clerk to the Parish Council of Greatham;  
Clerk to the Parish Council of Newton Bewley.

## PLANNING POLICY

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

### HARTLEPOOL LOCAL PLAN (ADOPTED MAY 2018)

1.21 The following Local Plan policies are relevant to this application:

Policy	Subject
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and adapting to Climate Change
CC2	Reducing and Mitigating Flood Risk
INF1	Sustainable Transport Network
INF2	Improving Connectivity in Hartlepool
INF4	Community Facilities
QP1	Planning Obligations
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety & Security
QP6	Technical Matters
QP7	Energy Efficiency
HSG1	New Housing Provision
HSG2	Overall Housing Mix
HSG4	The South West Extension Strategic Housing Site
HSG9	Affordable Housing
NE1	Natural Environment
NE2	Green Infrastructure
NE3	Green Wedges
NE7	Landscaping along main transport corridors

### HARTLEPOOL RURAL AREA NEIGHBOURHOOD PLAN (2018)

1.22 Hartlepool Rural Neighbourhood Plan was ‘made’ by Hartlepool Borough Council in December 2018, the plan is parts of the statutory development framework.

1.23 The application site is located within the Hartlepool Rural Plan area and the following policies have been considered.

Policy	Subject
GEN1	Development Limits
GEN2	Design Principles
H1	Housing Development
H2	Affordable Housing
H5	Housing Development on the edge of Hartlepool
T1	Improvements to the Highway Network
T2	Improvement and Extension of the Public & Permissive Rights of Way Network



C1	Safeguarding and Improvement of Community Facilities
NE1	Natural Environment
PO1	Planning Obligations - Contributions Towards Meeting Community Infrastructure Priorities

### **Tees Valley Minerals & Waste Core Strategy DPD (2011)**

1.24 The following policies have been considered.

Policy MWP1: Waste Audits.

Policy MWC4: Safeguarding of Minerals Resources from Sterilisation.

### **National Planning Policy Framework (NPPF) (2023)**

1.25 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

**HBC Planning Policy (Initial) Comments:** The proposal, in the main, provides a perimeter block development with strong frontage over areas of open space and aligns with the principles set out within the masterplan.

#### Village Heart

- Plots 24-27, 111-114, 168-171. Concerns are raised over the use of rear parking courts within the proposal. The spaces have no activation or natural surveillance, there is also limited distinction between private and public space and the garden sizes of the properties are greatly reduced. Some of those proposed also lack any form of access to the rear gate with the parking space abutting the boundary. It is noted that these have been proposed to remove the car from the street scene which is a welcome approach however the Village Heart Character Area within the design code does allow a level of front of plot parking. To remove the concerns over the rear parking courts it is advised that a small element of front plot parking is introduced in short runs (no more than 4 spaces).
- Plots 31-32 and 53-54 are also negatively impacted by the parking being placed behind the properties with greatly reduced garden sizes. With these being terraced properties, it is advised that the properties are re-located with the site to an area which can accommodate a combination of side and front parking. e.g two units are provided with side parking and one with front of plot parking.
- Cul-de-sac at plots 36-37 and 20-22 creates an awkward arrangement of space with rear boundary treatment facing onto the street behind, small inconsequential areas of landscaping and, the parking for plot 22 and 23 sitting within an area of landscaping detached from the units and without any natural surveillance, providing no sense of ownership. It is also unclear as to whether there is any boundary between this area and the rear parking court for units 24-27.
- It is advised that this area is reconsidered to address the above. When considering the design of the area, opportunities to incorporate a pedestrian access in this location with ground floor activation should be sought, this would reduce the walking distances from plots 34-39 to the local centre to the south west.
- The parking areas for plots 44-47 and 58-62 also create an arrangement with rear gardens backing onto open areas and the area to the rear of units 58-61 is accessible from the street behind. The layout should be reconsidered to create a parking court that ensures that rear gardens are not exposed to

public areas and that there is a clear distinction between public and private space as recommended by secured by design and BfHL.

- The open space within the village heart adj. plots 63 to 69 is reduced in size to that proposed within the outline masterplan and has a primary and secondary estate roads on three sides. To create a focal point and integrate the greenspace into the surrounding built form a change in surface material should be incorporated as proposed on the shared surfaces.

#### Boulevard

- A consistent building line is maintained with small variations due to changes in house type creating a varied street scene. The use of side parking is a welcome approach which reduces car dominance on the main street and enables landscaped verges to be provided.

#### The Lane

- The mix of materials is welcome and will add variety onto the open space. The introduction of a pedestrian connection from the shared surface onto the footway running through the open space would aid in connectivity and reduce informal routes being created through the landscaping.

#### Appearance

- There are 5 character areas within the site, each of which, are based upon their location within the development. Variety between the character areas is provided through changes in street widths, location (e.g rural edge and boulevard), however there is very little differentiation in terms of the built form. The same house types are used throughout and although the compliance statement notes the use of a traditional and village house style the layout plan only seems to indicate the use of the traditional house style.
- In terms of the two house styles proposed the only notable difference is the use of a stone cill and vertical glazing bar. It is noted that the applicant wishes to provide a consistent identity and the use of the same materials across the scheme provides a cohesion between the characters however, the application site covers 316 units and due to its scale and varied character areas there should be more distinction between the house styles.
- The use of changes in building materials to note key buildings is a positive approach to the proposal and would aid in wayfinding.

#### Boundary treatments

- Boundary treatment plan and landscape plan don't align. e.g greenspace opposite plots 63-69 has metal railings proposed on the boundary treatment plan on a different alignment to a hedge on the landscape plan.

From discussions with the case officer it is noted that the entrance to the site, plots 86 to 108, is currently being redesigned, therefore no comments are provided on the submitted information in this area. It should be noted that the increase in scale and massing in this location is welcome and creates a positive entrance to the site. Any designs should be of a design befitting the entrance location in terms of materiality and detailing.

The proposal does not include any visitor parking, it is acknowledged that HBC does not have a requirement for visitor parking however the applicant is encouraged to incorporate an element of appropriately set out visitor parking within the proposal.

Further Comments Received 06/11/2024

The revised layout has removed several rear parking courts from the Village heart area which has addressed previous comments raised. It is advised that for those that remain a boundary treatment is proposed that consists of a wall and timber combination with a level of permeability to the timber.

The amendments to the layout around plots 31-32 and 53-54 have addressed comments in relation to the garden sizes which are now considered appropriate and proportioned to the properties.

Welcome the reconfiguration of the layout around plots 17-25 which now provides a reduction in the number of rear gardens presenting onto the public realm and a usable area of open space with activation.

The removal of the parking court to plots 58-61 has addressed the comments previously raised around the parking in the location combined with those from plots 44-47. It is noted that the rear gardens for plots 60-62 and 65 remain onto the area of landscaping, however there is a level of natural surveillance provided from units 44-47 over the space.

Comments relating to access onto the lane green space and change of surfacing around the central open space have also been addressed.

In terms of house types and their treatment, it is noted that the reference on the layout to traditional on the green edge properties has been removed. The matter on the variation between the house styles for the character areas has not been addressed. Streetscene 2 provided on 06/11/24 illustrates a different property style with stone surround and elements of cladding however the plots referenced are within a cul-de-sac and the detailing isn't included on the elevation plans submitted.

The site entrance apartment area were not previously reviewed as at the time it was our understanding that the area was being reconsidered, however this has not been the case and the following comments are now provided.

The apartments will act as a gateway into the south west extension and are located adjacent to the local centre, they will also be the most prominently viewed part of the site from the strategic road network and the surrounding countryside. There is very little interest to the elevational detailing of the larger block, in combination with the solid ridge line and single material it is considered that the current design of the apartment building does not reflect its gateway location. As previously mentioned, an increase in scale is welcome in this location however, the massing should be broken up. With the 'countryside' feel of the remainder of the site it would be more appropriate for the apartments to take on the appearance of a series of terraced houses than one single block.

Plot 86 also requires further consideration currently the rear garden and its associated boundary treatment will be viewed from the spine road and from the open space adjacent

The boundary treatment for plots 87-91 and 104-108 should also be of a brick and timber combination with a level of permeability due to their location within the parking court.

#### Final Comments Received 22/11/2024

The principle of development was established through the outline application. Comments from planning policy have been in relation to the layout and design of the proposal in accordance with the approved South West Extension Design Code and Policy QP4 of the Local Plan.

Planning Policy have been in discussions with the applicant throughout the application process and can confirm the below:

Revisions to the layout have seen a reduction in the level of rear parking courts, those that remain have been provided to reduce the level of front of plot parking and retain planting/landscaping within the street. The introduction of a change of surface material to the entrance of the parking courts also denotes a change between public and private space.

The reconfiguration of the layout in several areas has also addressed rear gardens presenting onto the public realm and created useable areas of open space with activation.

In accordance with the Design Code the proposal includes several character areas which reflect the changes in the site e.g. properties located on the edge of the development have a different character to those located within the central boulevard. Two house styles are proposed within this phase and the level of variation between the tradition and village house styles has now been addressed. There are notable changes in the entrance canopies, window styles, materials (increase in render to the village style) and roof detailing. Planning Policy now consider there to be enough distinction between the styles for the scale of the proposal, particularly when taking into consideration the natural changes in character throughout the phase.

The apartments will act as a gateway into the south west extension and are located adjacent to the local centre, they will also be the most prominently viewed part of the site from the strategic road network and the surrounding countryside. The design of the apartments has evolved through the application process with changes in the elevational detailing, materiality and roofscape to provide a built form which is now considered appropriate for the key location. This includes changes to the scale and massing of the building to incorporate contemporary Dormer windows, breaking up the ridgeline and roof scape and the inclusion of vertical render sections.

The layout and design of the proposal is now considered to accord with the approved Design Code, Policy QP4 of the Local Plan and the Residential Design Guide SPD.

## PLANNING CONSIDERATIONS

1.26 The principle of residential development has already been established through the extant outline planning permission (H/2014/0405). The application site is an allocated housing site within the Hartlepool Local Plan (2018) as identified by Policy HGS4. The principle of development remains acceptable and therefore the main material planning matters for consideration in this instance are the visual amenity of the application site and the character and appearance of the surrounding area, landscaping and tree protection, the amenity and privacy of existing and future occupiers of the application site and neighbouring properties, the impact of the proposals on highway and pedestrian safety, crime and anti-social behaviour, flood risk and drainage, land contamination ecology and nature conservation, heritage assets and archaeology. These and all other planning and residual matters are set out and considered in detail below.

### PRINCIPLE OF DEVELOPMENT

#### *Housing Mix*

1.27 Whilst the Principle of Development has been established through the extant outline planning permission, comments received from the Rural Neighbourhood Plan Group have suggested that the affordable housing contribution is disappointing, within the housing mix. The proposed development would provide a varied mix of housing type and sizes including two bungalow properties, 2, 3, 4 and 5 bedroom properties. 26 affordable homes would be provided, with 17 Discount of Market Value properties and 9 for affordable rent, which is in line with the Section 106 legal agreement of the associated hybrid planning approval that cannot be revisited as part of this reserved matters scheme.

### VISUAL AMENITY & IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

1.28 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that 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. Furthermore, development should respect the surrounding buildings, structures and environment, be aesthetically pleasing, using a variety of design elements relevant to the location and type of development, and should use an approximate mix of materials and colour.

1.29 Paragraph 131 of the NPPF (2023) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development, that creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 of the NPPF requires that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

1.30 Concerns have been received through the public consultation exercise in respect to the loss of the rural character of the area. In addition, comments have also been received from both the Rural Neighbourhood Plan Group and Greatham Parish Council, which raise concerns that the proposals fail to take the opportunity to create something special and provides standardised housetype designs. Criticisms of some of the aspects of the layout proposed have also been received.

1.31 The application site is currently agricultural land and is situated on the urban/rural fringe of the main area of Hartlepool, with the application site adjacent to existing residential areas to the east, albeit separated by a natural barrier in Greatham Beck, with a narrow strip of woodland, which is to be retained and enhanced.

1.32 Beyond Greatham Beck to the east is the Fens Estate, which is typically characterised by a mix of semi-detached and detached two storey properties of a 1960's/1970's style and era. Some single storey bungalows are present within the area, although they are less prevalent. The materials of brickwork varies with the use of grey, red brown and orange, with some use of render and hanging tile cladding. At a further distance to the north-east is the Owton Manor Estate, which is characterised in the main by two storey terraced dwellings of uniform appearance, with some varied external brick finishes. To the south of the application site is Greatham Village, which is a designated Conservation Area. The special character of the Greatham Conservation Area is predominantly derived from the village centre around The Green, its early development as a religious based hospital in the 13th century and as an agricultural settlement. Mixed in with this early stage of growth are much later early 19th century individual houses or short terraces and late Victorian terraced housing, two storey in scale. Having regard to the areas surrounding the application site, it is considered that there are a variety of characteristics, with some that are distinguishable to each area.

1.33 It is inevitable that the introduction of an urban extension to the south west of Hartlepool will undoubtable change the character of the area somewhat, however given that the site is bounded by residential areas to the east and north-east (and will eventually be surrounded to the north and west), and landscaping to the east, west and south are to be enhanced and maintained; in this context it considered that the proposed development would represent a logical extension of the urban area and that a residential development on this site would not necessarily appear unduly incongruous. It is in any case an allocated site in the local plan and benefits from an extant permission. The current application is to consider, amongst other Reserved Matters, the layout, scale and appearance of this particular proposal, which is set out in detail below.

#### *Layout and Appearance of the Development*

1.34 The application site is separated from the east by the natural boundary of Greatham Beck, which features a narrow wood of trees that traces the watercourse in a north to south direction. Planning policy HSG4 South West extension also requires the provision for an extensive green wedge to be provided along the eastern boundary in this location. In addition, the proposed scheme would provide a generous landscaping separation at the eastern edge of the application site, which

would set the proposed built form at a significant distance from the existing properties to the east that assists in creating a sense of distinction from the existing estates to the east.

1.35 The eastern and southern edge of the proposed housing scheme would feature a curved geometry, which is considered to assist in creating a soft interface with the rural edge of the application site that blends with, and respects the more rural aspect of the application site, thus creating a stronger sense of place. The applicant's Phase 1 Compliance Statement details how the proposed scheme would feature a number of different character areas within the phase, made up from the layout, scale and use of materials.

1.36 The scheme comprises a main avenue that runs through the proposed development site from the south extending northwards, east and west, where roads branch off, with some leading to cul-de-sacs, which act together to provide a sense of hierarchy and variety to the layout.

1.37 The development is relatively open in character featuring unenclosed area of front amenity space. There is a substantial amount of green open space provided on site, primarily to the east of the site and a notable area of open space would be provided amongst the developed area within the north-east corner of the application site. A number of smaller pockets of open space also feature throughout the scheme and the use of grassed verges add to the verdant aspect of the scheme.

1.38 A notable feature of the scheme is the use of rear parking courts. The premise behind the use of parking courts was to enable greener frontages and to reduce the sense of car dominance/hardstanding to the respective properties, albeit the extent of the proposed use of rear parking courts raised some initial concerns in respect to crime and anti-social behaviour considerations, and their use has since been reduced to a degree throughout the scheme as a whole to create a more balanced scheme. During the course of the planning application, the reconfiguration of the layout in several areas has also addressed rear gardens presenting onto the public realm and has created more useable areas of open space with activation.

#### *Scale and Appearance of the Development*

1.39 With respect to the scale and appearance of the proposed dwellings, the house types include a range of 2, 3, 4 and 5 bedroom properties, the majority of which range from two and two and a half storey dwellings. There are some three storey scaled apartments and dwellings, predominantly located within the south west of the site, adjacent to the future phase for the location of the commercial centre, which is considered to represent the gateway to the site. Some three storey properties are also peppered throughout the estate, albeit limited in numbers. Two single storey bungalows are also proposed.

1.40 The proposed dwellings are largely traditional in form and appearance, featuring a mixture of brindle, red, buff and white render facades with contrasting feature brickwork and the house types are predominantly dual pitched roof forms. The submitted Phase 1 Compliance Statement stipulates that the elevation treatments and design of the dwellings are a considered and contextual design



response, allowing resemblance with features found within the surrounding area. The Phase 1 Compliance Statement details that the proposed scheme is broken up into five different character areas that provides a degree of variety to the streetscene, representative of some local use of features and materials.

1.41 Some concerns have been raised by the Rural Neighbourhood Plan Group and Greatham Parish Council with respect the degree of representation found within the proposed design from the surrounding area. Whilst it is not immediately apparent that the proposed house types reflect a particular local vernacular, as detailed above, the areas immediately surrounding the application site are different from one another and the application site itself can benefit from its own sense of place.

1.42 Condition 41 of the associated Outline planning approval requires a design code be approved to distinguish several character areas that reflect the changes in the site, which has since been formally discharged. The proposed development is required to meet the Design Code standard and through the course of the application, to address these requirements, revised plans have been submitted to provide greater levels of detail to the proposed scheme, which seek to add visual interest and character to the development. In particular, house styles proposed within this phase provide a level of variation, where through the use of render, glazed bars, pitched canopies, raised soffits and stone cills the scheme provides a degree of distinction between the respective dwellings. Consequently, the Council's Planning Policy section have commented that the design of the proposed scheme is in accordance with the approved South West Extension Design Code and Policy QP4 of the Hartlepool Local Plan and the proposed development is considered acceptable in this respect. In addition, through the course of the planning application, changes were also sought and achieved to the three storey apartment block at the south west point of the site. The apartments would act as a gateway into the south west extension and are located adjacent to the future phase for the local centre, where they would also be the most prominently viewed part of the site from the strategic road network and the surrounding countryside. The design of the apartments has evolved through the application process with changes in the elevation detailing, materiality and roof scape to provide a built form, which is now considered appropriate for this key location. This includes changes to the scale and massing of the building to incorporate contemporary dormer windows, breaking up the ridgeline and roof scape and the inclusion of vertical render sections. It is noted that condition 38 of the associated Outline planning approval requires details of external finishing materials and hardstanding to be discharged through the respective application accordingly.

1.43 Overall, the proposed house types are considered to be of a good design, with a number of positive design elements that will distinguish the development from other housing developments within the borough and it is considered that the appearance and scale of the dwellings would not be significantly out of keeping with those of the adjacent surrounding areas.

### *Conclusion*

1.44 In view of the above, the proposals are considered to be acceptable with respect to the impact on the visual amenity of the application site and character and appearance of the surrounding area.

## LANDSCAPING & TREE PROTECTION

1.45 Planning policy HSG4 (The South West Extension Strategic Housing Site) of the Hartlepool Local plan requires approximately 48.22 ha of multifunctional green infrastructure to be provided by the overall allocation, including formal and informal leisure, education related sports provision and recreational facilities and the development and management of a strategic green wedge.

1.46 As detailed above, the proposed development would provide a substantial amount of green open space provided on site, primarily to the east of the site and a notable area of open space would be provided amongst the developed area within the north-east aspect of the application site. A number of smaller pockets of open space also feature throughout the scheme and the use of grassed verges add to the verdant aspect of the scheme.

1.47 The application site is accompanied by a Landscape Proposals Plan, a Landscape Ecological Management Plan (LEMP), and Detailed Landscape Soft works specifications across the site (18 documents). Through the course of the planning application in consultation with the Council's Arboricultural Officer, revisions were sought and received to the detailed landscaping specifications, in order to achieve a high quality species of planting across the site, particularly within key locations.

1.48 The Council's Arboricultural Officer has stated that *'comments regarding the tree planting have all been addressed and in turn have returned what looks to be an interesting, biodiverse and exciting planting scheme.'* In addition, through the course of the application, revisions were also sought to the tree protection measures, which were achieved, in line with the requirements of condition 14 of the Outline planning approval. The Council's Landscape Architect also confirmed that the proposed scheme is acceptable in respect to landscape considerations. Details of proposed soft landscaping works are required to be secured by virtue of condition 15 of the associated Outline planning approval.

1.49 In respect to landscape maintenance, it is noted that condition 16 of the Outline planning approval requires that any trees, or shrubs, which die are removed or become seriously damaged or diseased within 5 years of completion of the phase must be replaced, as is standard. Furthermore, the associated Section 106 legal agreement requires landscape buffer (western edge screen planting) obligations and maintenance/management of green infrastructure obligations are secured.

1.50 In view of the above, the proposals are considered to be acceptable with respect to matters of landscaping and tree protection.

## IMPACT ON PRIVACY AND AMENITY OF EXISTING AND FUTURE OCCUPIERS

1.51 Policy QP4 (Layout and Design of Development) of the HLP requires, amongst other provisions, that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

1.52 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Borough Council seeks to ensure adequate space is provided between houses and sets out minimum separation distances. These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

*Amenity and Privacy of Future Occupiers*

1.53 As detailed above, the layout of the scheme comprises a number of cul-de-sacs branching out from the main internal access road and through roads.

1.54 Whilst a few instances of inadequate separation distances were identified by the case officer through the course of the application process, the applicant has since tweaked the layout to address these and the proposals are now considered to be in conformity with the minimum separation distances as set out in the policy QP4 of the Local Plan, across the site.

1.55 It is noted that there are instances of gable elevations with bathrooms or landings (non – habitable room) windows facing one another at limited separation distances, however, as above, there are no minimum separation distance policy requirements with respect to these relationships, and as these are non-habitable room windows, it is considered this would not have a significant impact on the privacy of future occupiers.

1.56 A number of house types contain side elevation windows that face towards neighbouring dwellings. A planning condition is recommended for such house types, plots and respective windows to be obscurely glazed and to feature restrictive openings, in order to protect future occupiers and to prevent any significant overlooking/mutual overlooking from occurring. The Barndale is a house type of note for its dual fronted elevations. Where one elevation would benefit from the required 20 metre separation distance, the alternate elevation faces onto side elevations of the adjacent properties. The second of the dual aspect would benefit from a separation distance of 10 metres or more. Where such relationships exist, any

windows within the neighbouring side elevation would feature obscurely glazed windows, as detailed above.

1.57 The proposed scheme would provide a varied range of housetypes, ranging 2, 3, 4 and 5 bedroomed properties. Through the course of the planning application, amendments were sought (and achieved) as a result of concerns raised by the Council's Planning Policy section in order to increase garden sizes for a number of residential properties, where it was considered the associated amenity space was restricted. The Council's Planning Policy section were subsequently satisfied with the revised layout in this respect and raised no further issues with respect to amenity standards.

1.58 It is considered that, the proposed scheme raises no significant concerns in respect to amenity standards of future occupiers.

1.59 Condition 25 of the Outline planning approval requires the applicant to discharge the proposed site levels. Notwithstanding this, site levels were provided with the submission mirroring the initially submitted layout plan (which has since been updated). A small number of relationships on the site levels plan required altering to prevent any undue impacts between respective plots, although across the site as a whole site levels raise no significant issues. It is considered the proposed site levels would not lead to any significant loss of amenity and privacy for respective future occupiers in this respect.

1.60 In view of the above considerations, it is considered that the proposals would not lead to a significant detrimental impact on the amenity of future occupiers and are therefore considered acceptable in this respect.

#### *Privacy & Amenity of Neighbouring Land Users*

1.61 Concerns have been received through the public consultation exercise in relation to increased levels of noise and a loss of privacy.

1.62 As detailed above, the Reserved Matters phase is at the southern end of the approved site, in an area largely situated away from immediate residential occupiers, with planting including 'a green wedge' and open green space to be established between the proposed dwellings and the existing residential area located to the east. There would be a sizable separation distance between nearest properties to the east of approximately 230 metres, which would be considerably in excess of the required separation distances as detailed within the above recognised Local Plan and Residential Guide SPD requirement.

1.63 To the south is the arterial route of the A689 Stockton Road. Beyond to the south-east, of note, is Greatham Village, which would be in excess of 500 metres from the nearest proposed dwelling which would be considerably in excess of the required separation distances as detailed within the above recognised Local Plan and Residential Guide SPD requirement with landscaping and a busy highway between.

1.64 Residential properties beyond those detailed above are considered not to be impacted significantly by the proposed development. To the north and west of the application site are future phases of the proposed development and therefore there is no considered impact at this stage. The relationships will be considered in due course as and when those phases come forward.

1.65 The Council's Public Protection section have considered the proposed scheme and raised no objections. It is noteworthy, however that the proposed scheme is subject to condition 23 (Construction activity/demolition and deliveries restrictions) and condition 24 (Construction Management Plan) of the Outline Planning approval, which would manage associated impacts from the construction phase of the proposed development.

1.66 In view of the above considerations, it is considered that the proposed development would not lead to a significant detrimental impact on the amenity and privacy of existing (neighbouring) and future occupiers and is therefore considered acceptable in this respect.

## HIGHWAY AND PEDESTRIAN SAFETY RELATED MATTERS

1.67 Concerns have been raised by Hartlepool Rural Neighbourhood Plan Group and Greatham Parish Council in relation to the impact of the proposed development on the local highway network, in particular with respect to the Claxton Bank area, which is understood to be the junction between Dalton Back Lane and the A689 Stockton Road, where it is detailed that improvements to the junction are required. In addition, both consultees have requested a planning condition be imposed requesting that prior to the new access onto the A689 coming into place, a scheme for the reduction of the speed limit on the A689 to 50 mph between Greatham High Street and the identified junction, including required signage to be implemented in the interests of highway safety. A further condition is requested in relation to the junction with the A689 Stockton Road being operational, prior to the first three phases being occupied.

1.68 Similar objections have also been received from neighbouring residents, citing concerns including the impact on highway and pedestrian safety locally due to poor access to the site and increased traffic.

1.69 Matters with respect to the impact of the development on the strategic and local road networks were rightly considered in detail and, where appropriate, mitigation was secured by virtue of planning conditions and obligations within the Section 106 legal agreement associated with the planning approval H/2014/0405.

1.70 The planning approval for the wider site is subject to a number of planning conditions relating to highway and pedestrian safety, including the following;

- Condition 24 requiring a Construction Management Plan;
- Condition 29 requiring a School Safety Scheme;

- Condition 30 requiring a Scheme for the reduction of speed to 50mph between Greatham High Street and a point west of Dalton Back Lane;
- Condition 31 requiring a highway mitigation scheme for the Brierton Lane / Stockton Road / A689 junctions;
- Condition 32 requiring a highway mitigation scheme for the Brierton Lane /Catcote Road junction;
- Condition 33 requiring a highway mitigation scheme for the Oxford Road/Catcote Road junction;
- Condition 34 requiring a highway mitigation scheme for the Truro Drive/Catcote Road junction;
- Condition 35 requiring details of the construction of the southern access road details of the proposed junction works at the A689/southern access road prior to the commencement;
- Condition 36 requiring a phasing restriction of phase 4 and/or 5, unless and until the highway improvements along Brierton Lane and alterations to the Westfields access have been completed;
- Condition 37 junction between the northern access road and Brierton Lane shall be constructed to a minimum of base course level prior to the first occupation of any dwelling within phases 4 and/or 5 of the development.
- Condition 40 requiring, full design details of the southern access road prior to the commencement;
- Condition 45 requiring a scheme for the provision of a 3.0m wide footway / cycleway which will extend from the site access on the A689 to the existing National Cycle Route 14 at the A689 / Greatham High Street.
- Condition 46 requiring a scheme for the provision of street lighting between the A689/southern access road junction and the commencement of existing street lighting at the A689 / Greatham High street junction;
- Condition 55 restricting the number of occupied dwellings to 274 prior to improvement works being completed to the A19/A689 junction and;

1.71 In addition to the above, the section 106 legal agreement, which the Outline Planning approval is subject to includes planning obligations for highways contributions for Bus Service Provision, Link Road obligations and highway improvements on the A689.

1.72 This Reserved Matters application, by virtue of its association to the original planning approval, remains bound by these conditions and obligations where relevant and, these matters cannot be revisited through this application, which solely

relates to the proposed access, layout, appearance, landscaping and scale of phase 1 of the development.

1.73 The redline boundary of the Reserved Matters application would connect to the southern access road, which was approved as part of the original planning approval that connects to the A689, although it is separate from it. The considerations of the proposed scheme are therefore concerned principally with the internal road network serving the proposed 316 dwellings.

1.74 The proposed scheme has been subject to revisions, which partly address initial concerns raised by the Council's Traffic & Transport section. Subject to the revised plans, the Council's Traffic & Transport section raise no concerns or objections. The proposed scheme includes a number of traffic calming measures, including changes in surface materials. The Council's Traffic & Transport section have commented that such details would be required to be paid for through a commuted sum, which can be managed through a section 38 legal agreement outside of the planning process. The applicant has confirmed acceptance of this requirement. Additionally, Active Travel England have also commented that the scheme should include such traffic calming measures (see below) and are satisfied with this approach. National Highways were also consulted on the application and have confirmed that there are no objections to the proposed scheme, subject to the respective National Highways planning conditions (55 and 56) being satisfied through the discharge of condition of the Outline planning approval.

1.75 In view of the above, taking account of the respective comments and considerations, and subject to the recommended informative in relation to the funding mechanism for traffic calming measures to serve the internal road network, the proposed development is considered to raise no significant concerns in relation to highway safety related matters and the proposed development is therefore considered acceptable in this respect.

### *Sustainable Transport*

1.76 The original Outline planning approval for the wider site is subject to a number of planning conditions relating to sustainable travel, including the following;

- Condition 26 requiring improvements to existing bus stop infrastructure;
- Condition 27 and 28 requiring new bus stop infrastructure;
- Condition 56 requiring a Travel plan prior to any on-site occupation.

1.77 In addition to the above, and as detailed within the above highways section above, the section 106 legal agreement, which the original Planning approval is subject to secures planning obligations requiring Bus Service Provision.

1.78 The proposed scheme would include the provision of a cycle/pedestrian route running through the site (north to south), which would link up to the future phases to the north of the site and provide a link to existing provision at Sappers Corner.

1.79 Active Travel England (ATE) have been consulted and have recommended a number of planning conditions in relation to a Modal Filter to prevent motorised vehicles entering the pedestrian/cyclist routes, details of cycle storage and surfacing finishes for footpath and cycle routes to be provided.

1.80 The Council's Traffic & Transport Officer has considered the comments of ATE and accept the requirement for conditions in relation to the use of details of crossings/side roads and Modal Filter and accepts the recommended planning condition for cycle storage details be submitted, albeit consider the requirements only be appropriate for the apartment blocks and not the individual residential properties, giving the limits of the Council's highway guidance. A suitably worded planning condition is recommended accordingly. With respect to details of surfacing for footpaths and cycle routes, the Council's Traffic & Transport Officer notes the request and has reiterated that these measures can be dealt with between the applicant and the Highways Authority through a section 38 Legal Agreement, although a condition is recommended as requested by Active Travel England.

1.81 Having regard to the above considerations, taking account of the recommended planning conditions, proposed layout and the controls in place as a result of the associated Outline planning approval, the proposed development is considered acceptable in terms of Sustainable Travel related considerations.

#### *Public Rights of Way*

1.82 The application site includes an existing Public Right of Way that runs through the application site that will require diversion. The proposed route is Public Footpath No.4, Claxton Parish. The eventual route has not been legally determined and will not be decided until agreement is reached following submission of a separate application for diversion. Consequently, no indicative route is illustrated on the proposed site plan. The Council's Countryside Access Officer has been consulted on the planning application, with respect to the proposed diversion works and raises no objections in principle and such a route would need to be decided at a future date, post the determination of the planning application. Having regard to the comments and considerations of the Countryside Access Officer, the proposed development raises no significant concerns in respect to Public Rights of Way considerations.

#### **CRIME & ANTI-SOCIAL BEHAVIOUR**

1.83 Section 17 of the Crime & Disorder Act (1998) requires the planning system to give consideration to implications for crime and anti-social behaviour. In addition, Policy QP5: (Safety & Security) of the Adopted Hartlepool Local Plan states, The Borough Council will seek to ensure that all developments are designed to be safe and secure.

1.84 As set out within the above character section, a concept of the proposed scheme has been to create green frontages that avoid high levels of car dominated/ hardstanding areas. To facilitate this, the design of the proposed scheme has utilised rear parking courts for the residential properties within the respective areas. Following a pre-planning engagement with Cleveland Police, comments of concern were received with respect to the use of rear parking courts and the potential for



increasing anti-social behaviour and crime related issues. Revisions to the layout were therefore sought during the course of the planning application in order to address the concerns raised and, as a result, the use of rear parking courts within the proposed site were reduced somewhat. Whilst the presence of the rear parking courts are not eliminated from the scheme in their entirety, the revised proposed scheme has sought to strike a balance between adhering to secure by design credentials, whilst also providing attractive green frontages, as a result of their use at certain areas throughout the scheme. Where the parking courts have been included, surface materials have been changed to denote/indicate to members of the public that access to the rear parking areas are of a more private space, intended for the respective householder the space relates too. Cleveland Police have reviewed the proposed changes and to address their concerns have suggested the use gated accesses. Whilst the suggestions are noted, their use is considered not to be an appropriate solution visually within the street scene. Furthermore, the use of communal gates can be problematic between separate residents in practice and may not be used effectually once in place.

1.85 Taking account of the revisions to the proposed scheme, on balance, in this instance the benefits to the overall street scene are considered to outweigh the concern over level of natural surveillance within the parking courts. With respect to the parking court to the rear of the apartments, this has been designed in a manner that will enable a level of natural surveillance from the habitable rooms contained within the building. When this is considered in combination with the soft landscaping and surface materials proposed, there will be a clear distinction between public and private space and as a result, it is considered not to result in any significant concerns to warrant the refusal of the planning application on such grounds.

1.86 Cleveland Police have also suggested that neighbourhood permeability of the proposed scheme be reduced. Whilst acknowledging the viewpoint, the permeability of the application site is considered to be one of the positive attributes of the proposed scheme. The NPPF encourages the use of sustainable transport modes with priority given to pedestrians and highlights in paragraph's 110 and 114 that proposals for development should provide attractive and well-designed walking/cycling networks and that the design of streets should reflect local and national guidance such as the National Design Guide. The National Design Guide also highlights that pedestrian routes should be safe, direct, convenient, and accessible for people of all abilities. A reduction in the level of permeability within the proposed scheme would be at odds with the creation of convenient routes and the promotion of sustainable travel. It should also be noted that if the level of routes within the proposal were reduced, this would result in a longer expanse of continuous built form and highway onto the rural edge, which in turn would impact upon the overall rural character.

1.87 Overall the proposed scheme provides good natural surveillance and Cleveland Police note the proposed design of non-leaky cul-de-sac within the heart of the development as a positive design feature, along with the use of strong boundary treatments throughout. Cleveland Police also highlight that the open space to the east of the site has been designed to benefit from natural surveillance, which is a positive design aspect.

1.88 With respect to other crime related considerations, Cleveland Police also note the vulnerability of the construction phase of development and advise that the applicant exercise vigilance at that phase. Cleveland Police also advises that the applicant consider secure by design methods, through the use of materials, the use of locks and lighting. An informative is recommended to advise the applicant accordingly. In addition, the Council's Community Safety & Engagement team were also consulted, although no comments have been received. Having regard to the above considerations, the proposed scheme is considered to provide a number of positive secure by design credentials and whilst the proposed scheme does not meet all of the requested measures as set out by Cleveland Police, the resultant scheme is considered not to warrant the refusal of the planning application as a result of these omissions and the proposed scheme is therefore considered acceptable in this respect.

## FLOOD RISK & DRAINAGE

1.89 Concerns have been raised by objectors in respect to the impact of the proposal of flooding and in particular the potential increases in surface water run-off and the impact on nearby Greatham Beck.

1.90 The application site lies within flood zones 1, 2 and 3a, although the proposed housing development would be wholly contained within flood zone 1 (the lowest probability of flooding), with the landscaped area and extended green wedge located to the east of the application site, within flood zones 2 and 3a, adjacent to Greatham Beck.

1.91 The application submission is accompanied by a Flood Risk Assessment & Drainage Strategy, an illustrative flood shelving drawing containing a site plan and sectional flood shelving drawings and as part of the overall proposed site layout plan, the use of flood shelving at the north-east of the application site is illustrated along with the use of a SUDs pond at the southern aspect of the application site.

1.92 The original planning approval contains a number of planning conditions that are concerned with flood risk and drainage. Condition 11 requires a Maintenance and Management Plan of surface water for each respective phase to be submitted and agreed; condition 12 requires details of the Flood Shelving to be agreed; condition 53 is required to be carried out in accordance with the Flood Risk Assessment & Drainage Strategy associated with the Outline planning approval and condition 54 requires a Surface Water Management Plan be submitted and approved. The long term maintenance and management of the SUDs is also secured by virtue of the Section 106 legal agreement associated with the original planning approval.

1.93 The Council's Engineering Consultancy section have provided comments in relation to drainage related matters, raising some anomalies, although the comments largely relate to the conditions of the original planning approval rather than the detailed considerations pertinent to this Reserved Matters application. The considerations of this application exclusively relate to access, appearance, landscaping, layout and scale. Within the submitted proposed 'layout', the proposed site plan under consideration illustrates the required drainage elements as detailed

above. The technical details beyond the layout are to be addressed through the separate discharge of condition application associated with the associated original planning approval. Consequently, the anomalies raised within the comments of the Council's Engineering Consultancy section, in this instance, are considered not to be a reason to raise concern in respect to this Reserved Matters planning application. In the instance that the requirements of the planning conditions associated with original planning approval were to impact on the site layout at a future date, it would be the applicant's responsibility to revise the Reserved Matters application at that time. Having regard to these considerations, the drainage layout is considered not to raise any issues that would warrant the refusal of the Reserved Matters application on such grounds.

## LAND CONTAMINATION

1.94 The original planning approval contains a planning condition that is concerned with the risks associated with land contamination. Condition 8 requires an assessment, remediation strategy, implementation of the remediation, reporting of unexpected contamination found, long term monitoring and maintenance and where found, removes permitted development for operational development for future households, in the interest of managing the impacts on future occupier in respect to contamination.

1.95 As detailed within the above section, the Council's Engineering Consultancy Officer has provided comment that relates to this planning condition, subject to the original planning approval. The considerations of this application exclusively relate to access, appearance, landscaping, layout and scale. Consequently, the anomalies raised within the comments of the Council's Engineering Consultancy section, in this instance, are considered not to be a reason to raise concern in respect to this Reserved Matters planning application. In view of the above, the proposals are considered to be acceptable in this respect.

1.96 The Coal Authority were consulted on the planning application who have confirmed that the application site is not located within a defined coalfield area and there are no objections to the application in this respect.

## ECOLOGY & NATURE CONSERVATION

1.97 Concerns have been raised through the public consultation exercise in respect to the impact of the proposals on local wildlife and ecology. The impacts of the wider proposals with respect to ecology and nature conservation were comprehensively considered during the consideration of the original application, where a number of planning conditions were imposed.

1.98 Condition 13 of the approved permission requires a 10 metre buffer zone to be established from the watercourse; condition 47 requires (where appropriate) updated survey works; condition 48 requires a Construction & Environment Management Plan (CEMP); condition 49 requires a Landscape & Environment Management Plan (LEMP); condition 50 requires an Ecological Design Strategy and condition 51 requires a Lighting Design Strategy for Bio-diversity.

1.99 In addition, the associated Section 106 legal agreement also secures Ecological Mitigation obligations (BNG on site), HRA Mitigation obligations (£126,000 & delivery and retention of onsite SANGS. The legal agreement also requires the provision of a landscape buffer (western edge screen planting) obligations, SUDS maintenance obligations and maintenance and management of green infrastructure obligations.

1.200 The Council's Ecologist has reviewed the submitted details and is satisfied that ecology related matters are suitably managed through the conditions and obligations on the original permission and the proposals raise no issues with respect to the impact on ecology and nature conservation. In addition, Natural England have been consulted and have confirmed that they have no objections to the proposed development. Further to these considerations, it is noted that as part of the approved Outline planning permission, a HRA was carried out that considered Nutrient Neutrality and Recreational Disturbance related impacts, which found that there would be no likely significant effects arising from the approved scheme. The Council's Ecologist has confirmed that as part of the assessment of this application that an updated HRA is not required and the agreed HRA for the Outline permission covers the current application and do not need reviewing or re-consulting on.

1.201 In view of the above, subject to the updated HRA being carried out and no likely significant effects being raised, the proposals will be considered to be acceptable with respect to matters of ecology and nature conservation.

## OTHER PLANNING MATTERS

### *Heritage Assets and Archaeology*

1.202 The application site is not located within a Conservation Area and is not within immediate proximity to any known designated heritage asset, although Greatham Village is located approximately 500 metres to the south of the application site, beyond Stockton Road, which is a designated Conservation Area. The Council's Head of Service for Heritage and Open Spaces has considered the application and raises no objections. Tees Archaeology have also been consulted and raise no objections. Comments received from the Rural Neighbourhood Plan Group have detailed that the loss of the farm buildings are regrettable, given they provide a sense of place. Whilst noting the comments, such buildings are an inevitable consequence of the proposed scheme. Notwithstanding this, it is noted that condition 9 of the outline planning permission requires a programme of archaeological works to be submitted to and agreed by the Local Planning Authority and condition 10 of the outline approval requires building recordings of Claxton Farm to take place, prior to their demolition. Furthermore, it is noted that the applicant proposes Information Boards within the open space to provide future pedestrians a glimpse of the history of the area of Claxton. A condition is recommended accordingly. In view of the above, the proposals are considered to be acceptable in terms of heritage and archaeological related considerations.

### *Waste Management*

1.203 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. A planning condition is recommended requesting details of the storage of refuse, which shall be submitted to and agreed with the Local Planning Authority. Subject to the recommended planning condition and informative, the proposed development raises no concerns or issues in relation to waste management related issues.

#### *Utilities*

1.204 Northern Gas Networks have been consulted, who have provided comments reminding the applicant of the presence of a gas pipeline within the area and an informative is recommended accordingly. Condition 20 of the associated hybrid planning approval also requires the applicant to agree any works within proximity to the gas pipeline with the operator. Having regard to these considerations, subject to the condition of the outline planning permission and necessary informative, the proposed development raises no concerns in this respect.

1.205 Northern Powergrid has been consulted and has not raised any concerns or objections in respect of the proposals, however has 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.

1.206 National Grid have also confirmed that they have no assets or any infrastructure within the location of the application site and there are no objections to the proposed development.

1.207 Anglian Water have confirmed that their infrastructure is not located within proximity of the application site.

1.208 Having regard to the consultation responses in relation to the abovementioned utilities, subject to the condition of the associated hybrid planning permission and careful management, no associated infrastructure would be affected that would impact on the proposed development. The respective informatives are recommended to advise the applicant accordingly.

#### *Health & Safety Related Matters*

1.209 Given the proximity of the proposed development to a gas pipeline, the HSE's Web based Planning Matrix was consulted, which on safety grounds, does not advise against the granting of planning permission in this case. In addition, Cleveland Emergency Planning Unit were consulted, who offer no objections. Having regard to these considerations, the proposed development therefore raises no concerns in respect to health and safety related matters.

#### *Section 106 Considerations*

1.210 Comments have been received from both the Council's Education section and the National Health Service's Integrated Care Board with respect to the requirement for Section 106 contributions. Given that the current application relates to the

Reserved Matters, relating to access, appearance, landscaping, layout and scale in respect to the proposed residential dwellings and associated infrastructure, such matters have been considered as part of the associated hybrid planning approval and cannot be revisited at this stage.

## RESIDUAL MATTERS

### *Building Regulations*

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

### *Fire Safety & Access*

1.212 Cleveland Fire Brigade have offered no representations on 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. Cleveland Fire Brigade have provided comments in relation to access to water and a recommendation for the use of Automatic Fire Suppression Systems. The comments have been forwarded to the applicant for their consideration and a suitable informative note if recommended accordingly.

### *Public Consultation Comments*

1.213 A comment has suggested that brownfield land should be considered before developing the application site. The application site forms part of a Strategic Local Plan Allocation and benefits from an extant planning permission and cannot be revisited as part of this Reserved Matters stage.

1.214 Comments received have questioned the need for new housing and have questioned whether such growth is sustainable. Such matters concerning the principle of development are not under consideration as part of this Reserved Matters application.

1.215 A comment received has stated that the motivations of the Local Authority are that the proposals represent a 'Council Tax Grab.' Again these the principle of the development is not for consideration through this Reserved Matters application.

1.216 A neighbouring resident has questioned the fairness of a re-consultation that the Local Planning Authority have carried out, stating that given the amount of documents the application relates too, it is not entirely clear what is being consulted on. In response, the re-consultation was carried out with a summary provided outlining the areas of proposed changes. Furthermore, the resident was contacted by the case officer to assist further and provide any additional clarity.

1.217 Comments received through the public consultation exercise have questioned the need for the commercial facilities that would form the future local centre, given vacancies throughout the borough. This phase of the Reserved Matters is not

concerned with the commercial centre and the matter is not material nor relevant in any case.

## CONCLUSION

1.218 Subject to the completion of an updated HRA that confirms no likely significant effects, the application is considered to be acceptable with respect to the abovementioned relevant material planning considerations and is considered to be in accordance with the relevant policies of the adopted Hartlepool Local Plan (2018) and relevant paragraphs of the NPPF (2023) and the Hartlepool Residential Design SPD (2019). The development is therefore recommended for approval subject to the conditions set out below.

## EQUALITY AND DIVERSITY CONSIDERATIONS

1.219 There is no evidence of equality or diversity implications.

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

1.220 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. These matters are considered in the main body of the report.

## REASON FOR DECISION

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

**RECOMMENDATION - APPROVE**, subject to the following planning conditions:

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

HRT-SWE-PH1-000 Rev A (Location Plan) and CTC- E-SS-0010\_R2-1\_1 of 1 (substation General Arrangement) both received by the Local Planning Authority 24/06/2024;

HRT-SWE-ENG-250 (Tree/Hedge Clearance) and ARB/AE/2840/TpP (Tree Protection Plan 'Appendix 7') within Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement by Elliott Consultancy Ltd, dated September 2024, received by the Local Planning Authority 26/11/2024;

146805/8002 Rev D (Landscape Softworks: Sheet 1 of 18)  
 146805/8003 Rev D (Landscape Softworks: Sheet 2 of 18)  
 146805/8004 Rev D (Landscape Softworks: Sheet 3 of 18)  
 146805/8005 Rev D (Landscape Softworks: Sheet 4 of 18)  
 146805/8006 Rev D (Landscape Softworks: Sheet 5 of 18)  
 146805/8007 Rev D (Landscape Softworks: Sheet 6 of 18)  
 146805/8008 Rev D (Landscape Softworks: Sheet 7 of 18)  
 146805/8009 Rev D (Landscape Softworks: Sheet 8 of 18)

146805/8010 Rev D (Landscape Softworks: Sheet 9 of 18)  
 146805/8011 Rev D (Landscape Softworks: Sheet 10 of 18)  
 146805/8012 Rev D (Landscape Softworks: Sheet 11 of 18)  
 146805/8013 Rev D (Landscape Softworks: Sheet 12 of 18)  
 146805/8014 Rev D (Landscape Softworks: Sheet 13 of 18)  
 146805/8015 Rev D (Landscape Softworks: Sheet 14 of 18)  
 146805/8016 Rev D (Landscape Softworks: Sheet 15 of 18)  
 146805/8017 Rev D (Landscape Softworks: Sheet 16 of 18)  
 146805/8018 Rev D (Landscape Softworks: Sheet 17 of 18)  
 146805/8019 Rev D (Landscape Softworks: Sheet 18 of 18)  
 All received by the Local Planning Authority 05/11/2024;

We\_MA\_End\_R21G\_ 401 Rev B (Proposed Elevations)  
 Wentwood\_MA\_End\_R21G\_ 201 Rev B (Proposed Floor Plans)

Hd\_MA\_End\_R21G\_401 Rev D (Proposed Elevations)  
 Hd\_MA\_End\_R21G \_201 Rev E (Proposed Ground Floor Plan)  
 Hd\_MA\_End\_R21G \_ 210 Rev D (Proposed First Floor Plan)

Hd\_MA\_Mid\_ R21G\_401 Rev E (Proposed Elevations)  
 Hd\_MA\_Mid\_ R21G\_201 Rev E (Proposed Ground Floor Plan)  
 Hd\_MA\_Mid\_ R21G\_210 Rev D (Proposed First Floor Plan)

Wa\_MA\_End\_R21G\_401 Rev D (Proposed Elevations)  
 Wa\_MA\_End\_R21G 201 Rev D (Proposed Ground Floor Plan)  
 Wa\_MA\_End\_R21G 210 Rec C (Proposed First Floor Plan)

Wa\_MA\_Mid\_R21G – 401 Rev C (Proposed Elevations)  
 Wa\_MA\_Mid\_R21G 201- Rev C (Proposed Ground Floor Plan)  
 Wa\_MA\_Mid\_R21G 210 -Rev B (Proposed First Floor Plan)

Ga\_MA\_Sem\_ R21G - 401 Rev E (Proposed Elevations)  
 Ga\_MA\_Sem\_ R21G - 201 Rev C (Proposed Ground Floor Plan)  
 Ga\_MA\_Sem\_ R21G - 210 Rev B (Proposed First Floor Plan)

Ga\_MA\_Mid\_R21G - 401 Rev D (Proposed Elevations)

Kg\_MA\_Det\_R21G – 401 Rev E (Proposed Elevations)  
 Kg\_MA\_Det\_R21G -201 Rev C (Proposed Ground Floor Plan)  
 Kg\_MA\_Det\_R21G -210 Rev C (Proposed First Floor Plan)

Kg\_MA\_End\_R21G – 401Rev E (Proposed Elevations)  
 Kg\_MA\_End\_R21G -201 Rev C (Proposed Ground Floor Plan)  
 Kg\_MA\_End\_R21G -210 Rev C (Proposed First Floor Plan)

Kg\_MA\_End\_R21G - 410 Rev E (Kingley Village Elevations)

Sh\_MA\_Det\_R21G-401 Rev G (Proposed Elevations)  
 Sh\_MA\_Det\_R21G-291 Rev E (Proposed Ground Floor Plan)  
 Sh\_MA\_Det\_R21G-210 Rev D (Proposed First Floor Plan)



Ba\_MA\_Det\_R21G - 401 Rev A (Proposed Elevations)  
 Ba\_MA\_Det\_R21G -201 (Proposed Ground Floor Plan)  
 Ba\_MA\_Det\_R21G -210 (Proposed First Floor Plan)

Ba\_MA\_Det\_R21G - 402 Rev A (Barndale Render Elevation)

Cd\_MA\_Det\_R21G- 401 (Proposed Elevations)  
 Cd\_MA\_Det\_R21G-201(Proposed Ground Floor Plan)  
 Cd\_MA\_Det\_R21G-210 (Proposed First Floor Plan)

Br\_MA\_End\_R21G - 401 Rev C (Proposed Elevations)  
 Br\_MA\_End\_R21G -201 Rev F (Proposed Ground Floor)  
 Br\_MA\_End\_R21G -210 Rev D (Proposed First Floor)  
 Br\_MA\_End\_R21G - 220 Rev C (Proposed Second Floor)

Sa\_MA\_End\_R21G - 401 Rev F (Proposed Elevations)  
 Sa\_MA\_End\_R21G - 201 Rev F (Proposed Ground Floor Plan)  
 Sa\_MA\_End\_R21G - 210 Rev C (Proposed First Floor Plan)  
 Sa\_MA\_End\_R21G - 220 Rev D (Proposed Second Floor)

Bu\_MA\_Det\_R21G - 401 Rev D (Proposed Elevations)  
 Bu\_MA\_Det\_R21G - 201 Rev D (Proposed Ground Floor Plan)  
 Bu\_MA\_Det\_R21G - 210 Rev C (Proposed First Floor Plan)

Bu\_MA\_Det\_R21G - 410 Rev D (Burnham Village Elevation)

An\_MA\_Mid\_R21G – 401 Rev F (Proposed Elevations)  
 An\_MA\_Mid\_R21G – 201 Rev C (Proposed Ground Floor Plan)  
 An\_MA\_Mid\_R21G - 210 Rev C (Proposed First Floor Plan)  
 An\_MA\_Mid\_R21G - 220 Rev C (Proposed Second Floor Plan)

An\_FG\_MA\_End\_R21G - 401 Rev G (Proposed Elevations)  
 An\_FG\_MA\_End\_R21G -201 Rev E (Proposed Ground Floor Plan)  
 An\_FG\_MA\_End\_R21G - 210 Rev B (Proposed First Floor Plan)  
 An\_FG\_MA\_End\_R21G - 220 Rev B (Proposed Second Floor Plan)

An\_MA\_End\_R21G – 401 Rev G (Proposed Elevations)  
 An\_MA\_End\_R21G - 201 Rev E (Proposed Ground Floor Plan)  
 An\_MA\_End\_R21G - 210 Rev C (Proposed First Floor Plan)  
 An\_MA\_End\_R21G - 220 Rev C (Proposed Second Floor Plan)

Ke\_MA\_End\_R21G - 401 Rev D (Proposed Elevations)  
 Ke\_MA\_End\_R21G -201 Rev F (Proposed Ground Floor Plan)  
 Ke\_MA\_End\_R21G -210 Rev D (Proposed First Floor Plan)  
 Ke\_MA\_End\_R21G -220 Rev D (Proposed Second Floor Plan)

Ke\_MA\_End\_R21G - 402 Rev D (Kennet Render Elevation)

Gw\_MA\_Det\_R21G – 401 Rev D (Proposed Elevations)  
 Gw\_MA\_Det\_R21G - 201 Rev G (Proposed Ground Floor Plan)

Gw\_MA\_Det\_R21G - 210 Rev G (Proposed First Floor Plan)  
Gw\_MA\_Det\_R21G - 220 Rev F (Proposed Second Floor Plan)

Gw\_MA\_Det\_R21G - 430 Rev C (Greenwood Render Elevation)  
Gw\_MA\_Det\_R21G - 402 Rev D (Greenwood Render Elevation)  
Gw\_MA\_Det\_R21G - 410 Rev D (Greenwood Village Elevation)

Ma\_MA\_Det\_R21G – 401 Rev D (Proposed Elevations)  
Ma\_MA\_Det\_R21G – 201 Rev C (Proposed Ground Floor Plan)  
Ma\_MA\_Det\_R21G – 210 Rev E (Proposed First Floor Plan)

Bt\_MA\_Det\_R21G - 401 – Rev F (Proposed Elevations)  
Bt\_MA\_Det\_R21G - 201 Rev G (Proposed Ground Floor Plan)  
Bt\_MA\_Det\_R21G - 210 Rev D (Proposed First Floor Plan)

Bt\_MA\_Det\_R21G - 410 Rev F (Brampton Village Elevation)  
Bt\_MA\_Det\_R21G - 402 Rev F (Brampton Render Elevation)

Bs\_MA\_Det\_R21G – 401 – Rev G (Proposed Elevations)  
Bs\_MA\_Det\_R21G -201 Rev F (Proposed Ground Floor Plan)  
Bs\_MA\_Det\_R21G –210 Rev B (Proposed First Floor Plan)  
Bs\_MA\_Det\_R21G -220 Rev D (Proposed Second Floor Plan)

APT – GMW – WD – 01 (Apartment Elevations/Floor Plans)

Sf\_Trad\_End\_R21G - 010 (Stapleford Elevations)  
Sf\_Trad\_End\_R21G - 201 Rev B (Proposed Ground Floor Plan)  
Sf\_Trad\_End\_R21G - 210 Rev B (Proposed First Floor Plan)  
Sf\_Trad\_End\_R21G - 220 Rev B (Proposed Second Floor Plan)  
all received 08/11/2024 by the Local Planning Authority;

HRT-SWE-PH1-001 Rev AN (Planning Layout)  
HRT-SWE-PH1-003 Rev R (Materials Layout)  
HRT-SWE-PH1-004 Rev Q (Boundary Layout)  
Ga\_MA\_Mid\_R21G - 201 Rev B (Proposed Ground Floor Plan)  
Ga\_MA\_Mid\_R21G - 210 Rev B (Proposed First Floor Plan)  
An\_FG\_MA\_End\_R21G – 401 Rev G (Proposed Elevations)  
all received 03/12/2024 by the Local Planning Authority.  
To define planning permission and for the avoidance of doubt.

2. Prior to the commencement of the development above ground level, a scheme for obscure glazing and restricted opening (max. 30 degrees) of the following proposed side facing windows (plot numbers as identified on plan HRT-SWE-PH1-001 Rev AN (Planning Layout) Received 08/11/2024 by the Local Planning Authority) shall first be first submitted to and approved in writing by the Local Planning Authority:

*Haldon plots* (first floor bathroom): 204, 205, 206, 207, 257, 258, 259,269, 270 and 271;

*Wareham plots* (ground floor secondary lounge): 24, 25, 26, 27, 58, 59, 60, 61, 279, 280, 281, 282, 293, 294, 295 and 296;

*Galloway plots* (ground floor toilet and first floor bathroom): 5, 6, 7, 8, 202, 203, 208, 209, 238, 240, 245, 247, 253, 254, 260, 261, 304, 305, 306 and 307;

*Kingley plots* (first floor bathroom): 17, 37, 51, 52, 68, 117, 118, 136, 143, 166, 173, 176, 183, 189, 192, 196, 216, 217, 249 and 286;

*Sherwood plots* (ground floor hall & utility and first floor bathroom & landing): 12, 33, 43, 44, 50, 72, 75, 78, 81, 135, 144, 145, 175, 184, 185 and 308

*Saunton plots* (first floor bathroom): 9, 10, 13, 16, 18, 19, 20, 21, 45, 47, 111, 112, 113, 114, 147, 148, 151, 152, 210, 211, 214 and 215;

*Burnham plots* (first floor bathroom): 34, 39, 42, 49, 64, 67, 119, 123, 126, 133, 137, 142, 146, 156, 163, 167, 172, 182, 188, 195, 241, 244, 248, 255, 268, 277, 285, 292 and 315;

*Ashdown plots* (ground floor toilet, first and second floor bathroom): 22, 23, 30, 32, 53, 55, 82, 83, 84, 85, 91, 104, 128, 129, 130, 131, 168, 169, 170, 171, 262, 263, 266 and 267;

*Kennet plots* (ground floor toilet and first floor bathroom): 79, 80, 149, 150, 190, 191, 224, 225, 228, 229, 231, 232, 274, 275, 287, 288, 300, 301, 311 and 312;

*Greenwood plots* (ground floor hall & utility, first floor bathroom and landing and second floor stairwell): 2, 3, 40, 41, 62, 73, 74, 120, 121, 139, 140, 159, 160, 179, 180, 193, 198, 199, 220, 221, 222, 230, 234, 235, 242, 243, 252, 256, 273, 291, 302, 309, 310 and 314;

*Marston plots* (first floor bathroom): 35, 38, 65, 66, 110, 122, 127, 132, 138, 141, 157, 162, 178, 181, 187, 194, 278, 283 and 297;

*Brampton plots* (ground floor toilet and secondary lounge): 4, 28, 29, 36, 56, 57, 63, 109, 115, 158, 161, 164, 197, 212, 213, 218, 226, 227, 233, 236, 250, 251, 276, 284, 299, 313 and 316;

*Brightstone plots* (ground floor toilet and secondary living room): 70, 77, 201, 264 and 265;

*Stapleton plots* (east elevation ground floor secondary bedroom, first floor secondary bedroom & hall, and second floor secondary bedroom, bathroom and lounge): 106, 107 and 108.

The windows shall be glazed with obscure glass to a minimum level of 4 of the 'Pilkington' scale of obscurity or equivalent. Thereafter, the windows shall be installed in accordance with the approved details and prior to the

occupation of each respective plot and shall remain for the lifetime of the development hereby approved. The application of translucent film to the windows would not satisfy the requirements of this condition.

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

3. Notwithstanding the approved drawings, prior to the commencement of development, fully detailed drawings of the items listed below shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details;
  - (i) A scheme to manage vehicular traffic over at least one of the crossing points over the north-south green spine, which includes the pedestrian / cycleway route.
  - (ii) Details of crossings over the north-south green spine and on pedestrian desire lines in the wider development. Note: Crossings should be designed with reference to tables 10.1 and 10.2 of LTN1/20 and be provided at regular intervals and on desire lines. Crossing point specification should also comply with the requirements set out in Inclusive Mobility 4.10 - 4.11.
  - (iii) Side road treatments. Note: All side roads should be designed to provide level crossings along the cycleways and footways as shown in figure 10.13 of LTN1/20.

To ensure a high standard of design of active travel infrastructure, reflecting current national guidance, is secured to prioritise pedestrians and cycle movements and address the needs of people with disabilities in accordance with paragraphs 114, 116 and 138 of the National Planning Policy Framework (December 2023).

4. Prior to the development commencing above ground level, details of the cycle provision for the apartment buildings (as shown on plan APT – GMW – WD – 01 Apartment Elevations/Floor Plans received by Local Planning Authority 08/11/2024) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall accord with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum unless local cycle parking standards are greater. The development or any phase of the development, whichever is the sooner, shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.

To promote the use of cycles and comply with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum.

5. Notwithstanding the submitted plans, all pedestrian / cycle paths within the development site shall have a hard bound surface, details /specification of which shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing above ground level. Thereafter, the development shall be carried out in accordance with the approved details.

To ensure a high standard of design of active travel infrastructure, reflecting current national guidance, is secured to prioritise pedestrians and cycle movements and address the needs of people with disabilities in accordance

with guidance contained within “Inclusive Mobility” and paragraphs 114 and 116 of the National Planning Policy Framework (December 2023).

6. Prior to above ground construction of the dwellings hereby approved, details for the storage of refuse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed scheme shall be carried out in accordance with the approved details and provision made prior to occupation or completion of any individual dwellings hereby approved (whichever is sooner).  
To ensure a satisfactory form of development.
7. Prior to occupation of the first dwelling, details associated with information boards to be located within the open space including location, materials, and associated board design shall be submitted to and approved in writing by the local Planning Authority. Thereafter, the agreed scheme shall be carried out in accordance with the approved details prior to occupation of the 150th dwelling hereby approved.  
In recognition of local heritage in the interests of education and historical reference.
8. Notwithstanding the submitted information/details, this permission does not approve the site levels or drainage, where the details of which are required to be approved by the relevant conditions on the planning permission (H/2014/0405).  
For the avoidance of doubt.

## BACKGROUND PAPERS

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

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=162291>

Copies of the applications are available on-line:

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

## CONTACT OFFICER

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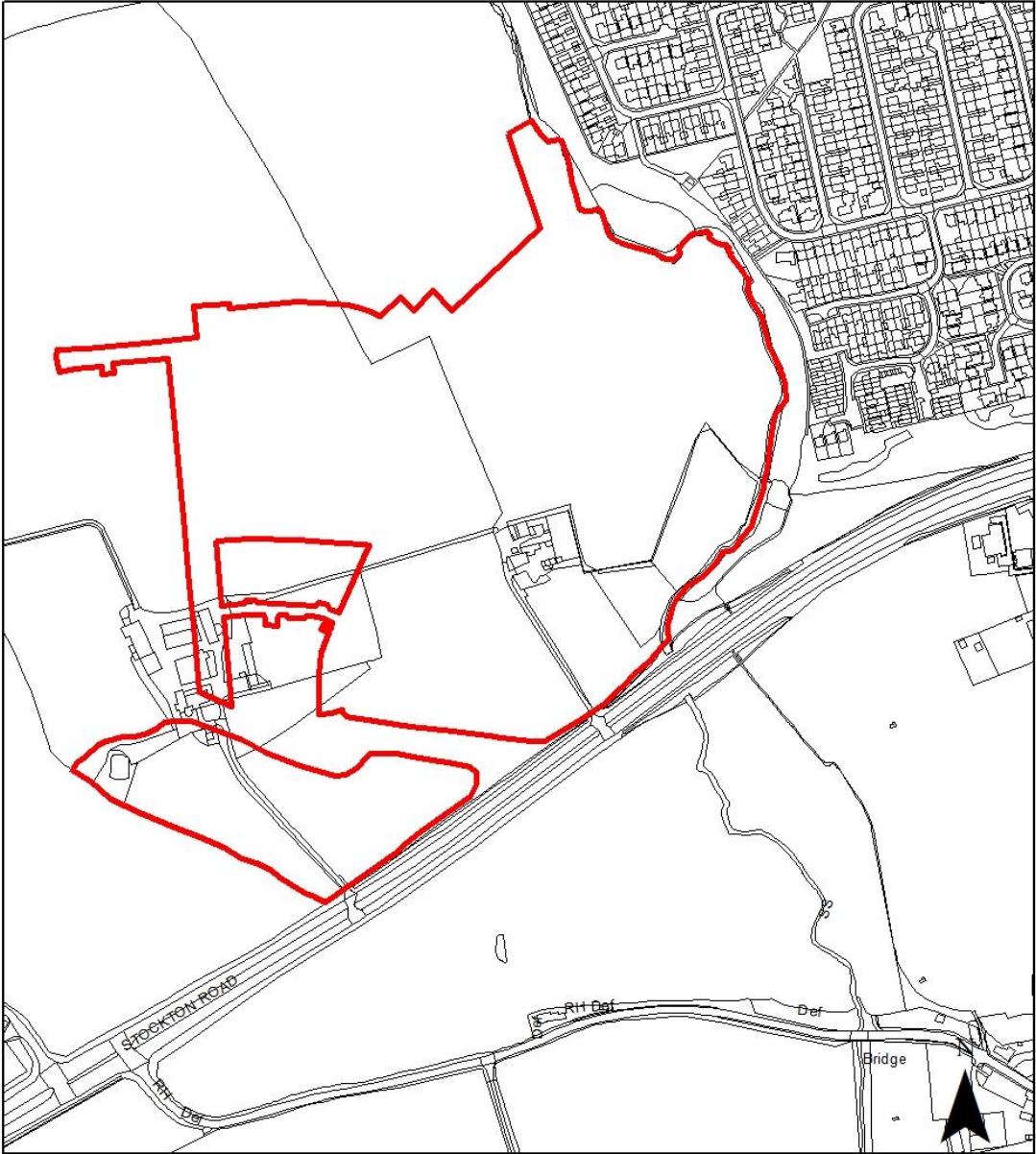
## AUTHOR

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South West Extension, Hartlepool



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> BOROUGH COUNCIL Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRAWN <b>JB</b>	DATE <b>27.11.2024</b>
	SCALE <b>5,000</b>	
	DRG.NO <b>H/2024/0203</b>	REV





**No:** 2.  
**Number:** H/2024/0164  
**Applicant:** MRS LILIANA CARTER CLIFTON AVENUE  
HARTLEPOOL TS26 9QN  
**Agent:** MRS LILIANA CARTER 40 CLIFTON AVENUE  
HARTLEPOOL TS26 9QN  
**Date valid:** 12/06/2024  
**Development:** Reinstate railings to wall coping stones at front and side,  
demolish existing east pillar to front boundary, widen  
vehicle access and rebuild east pillar with new cap stone,  
installation of cast iron gate to pedestrian access and  
renewal of copings  
**Location:** 40 CLIFTON AVENUE HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

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

H/2023/0098: Permission was granted for alterations to the roof of the host dwelling to install natural slate and solar tiles to front and natural slate tiles to rear, installation of 2no. roof windows to rear and 1no. roof window to front; and repair and replacement of existing chimney stack, flashing and guttering. Approved 04/07/2023.

### *Other relevant background*

2.3 A planning application (application ref. H/2024/0219) at 42 Clifton Avenue (adjacent to the west) for the 'erection of a single storey rear/side extension. Erection of trellis fencing above existing eastern boundary wall to side/front (retrospective)' is currently pending consideration at the time of writing.

## PROPOSAL

2.4 The application proposes a range of repairs and alterations to the front (south) and eastern boundary walls, including:

1. The demolition and reconstruction of the brick pillar on the eastern side of the existing driveway;
2. The demolition of a section of the, low-height, brick wall adjoining the existing pillar;

3. Repairs to existing coping stones and reinstatement of missing coping stones;
4. The installation of metal railings atop existing boundary walls on the southern and eastern curtilage boundaries;
5. The installation of railings on the eastern curtilage boundary, within the adjoining porches.
6. The installation of metal gates across the driveway and pedestrian access.

2.5 Items 1 and 2 above would facilitate the widening of the existing driveway, with the existing pillar being relocated approximately 0.3 metres to the east, resulting in a driveway which measures approximately 3 metres wide.

2.6 Regarding items 4, 5, and 6 above, and following the request by the case officer during the course of the application, the applicant provided additional details of the proposed railings and subsequently proposed the installation of reclaimed, cast iron railings understood to have been acquired from a former workhouse in Derbyshire.

2.7 The proposed railings are shown to measure approximately 1.1 metres in height. On the front (southern) curtilage boundary, the top of the railings would therefore sit at a height of approximately 1.9 metres above ground towards the western end of the wall below. Owing to the eastward sloping street topography and the corresponding increase in the height of the existing boundary wall, the railings would sit at a height of approximately 2 metres towards the eastern end of the wall.

2.8 The proposed gates would match the railings in style and the top of the gates would sit at the same height as the proposed railings (driveway gates approximately 1.8 metres to 1.9 metres above ground level, pedestrian gate approximately 2 metres above ground level due to sloping street topography).

2.9 Similarly, on the eastern curtilage boundary (shared with No. 38), the top of the proposed railings would be level with those on the front (south) curtilage boundary. When viewed from the public highway, they would therefore appear at a height of approximately 2 metres above ground level.

2.10 It is noted that planning permission would be required for the installation of new hardstanding within the Grange Conservation Area due to the existence of an Article 4 Declaration. No details have been provided in this regard and the proposal is therefore considered to solely comprise works to the existing boundary treatments.

2.11 The application was called into planning committee at the request of a local ward councillor via the agreement of the Chair of Planning Committee, in line with the Council's scheme of delegation.

## **SITE CONTEXT**

2.12 The application site, 40 Clifton Avenue, is a south-facing, two-storey, semi-detached dwelling within the Grange Conservation Area.

2.13 The host dwelling is adjoined to the east by 38 Clifton Avenue and is bounded to the west by 42 Clifton Avenue. It benefits from a garden (hardstanding

only) to the front, a driveway to the front and side, and a generously sized private garden to the rear.

2.14 The southern curtilage boundary comprises a red brick wall topped with ashlar coping stones. The street topography slopes eastwards, meaning that the wall measures approximately 0.8 metres tall at its eastern end and approximately 0.9 metres tall at its western end. Remnants of original, cast iron railing fixings were observed within the coping stones. There is a gap in the wall to facilitate access to the main entrance of the dwelling.

2.15 The wall is abutted at either end by red brick pillars, shown by the submitted plans to measure approximately 1.7 metres in height at the western end and approximately 1.9 metres in height at the eastern end. The easternmost pillar is topped with an ashlar coping stone, shown by the submitted plans to measure approximately 0.3 metres in height (meaning that the total height of the pillar is approximately 2.2 metres).

2.16 A third pillar exists on the western side of the driveway, also constructed from red bricks and topped with an ashlar coping stone (total height approximately 2 metres).

2.17 The host dwelling and the adjoining neighbour (No. 38, to the east) feature adjoining, ornate canopies above their front doors. Forwards of these canopies, the common boundary is defined by a red brick wall topped with ashlar coping stones, also shown by the submitted plans to measure approximately 0.9 metres in height.

## **PUBLICITY**

2.18 The application was advertised by way of five neighbour notification letters, a site notice, and an advert in the local press. One representation of support was received.

2.19 Following the submission of additional information (further specific details of proposed railings), a further period of consultation was undertaken. Four representations of support were received (including one from the original supporter). These comments can be summarised as follows:

- That the proposed boundary treatment would conserve or enhance the style of the dwelling and surrounding area;
- That the proposal would be sensitive to the character of the Grange Conservation Area and the history of the application site.

2.20 A representation of support was also received from a local ward councillor which can be summarised as follows:

- The proposal is sensitively designed in heritage terms;
- The applicant's neighbours are supportive of the proposal;
- The applicant has improved an empty property;
- Similar proposals have been approved elsewhere (no examples provided);

- A recommendation for refusal would be contrary to the Council's Corporate Social Responsibility policies.

2.21 A third period of consultation was undertaken following the receipt of amended plans (to correct inaccuracies on the submitted plans). One response was received from a local ward councillor, reaffirming their support for the proposal.

2.22 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=162089>

2.23 The period for publicity has expired.

## CONSULTATIONS

2.24 The following consultation responses have been received.

### HBC Heritage & Open Spaces:

#### Comments received in response to the initial submission:

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.

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).

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

The 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 the installation of railings to the front boundary wall of the property, including the reinstatement of coping stones and the widening of the vehicular access, comprising the demolition and rebuilding of the east pillar. The Grange Conservation Area Appraisal notes that:

‘Most gardens are bound to the front and side by low boundary walls and piers, mostly in brick topped with sandstone copes (generally on the earlier dwellings). The survival of so many boundary walls is significant and provides a distinct degree of unity along the streets. Further with regard to railings it is noted that, Traditionally, the low boundary walls would have been topped with low metal railings between the piers, matched by gates to the paths or drives. The earliest ones would have been in iron individually leaded into the plinths, and would have been very decorative.’

In principle there are no objections to the proposal, including that of moving the pillar to create a wider vehicle access. It is considered that the works, subject to final details, will positively enhance the significance of the conservation area. From the information provided it is not clear if the design shown will be that installed, nor is it possible to see details of the fixing on the wall or gate pier, nor the gate posts. It is therefore suggested that should the application be approved a condition is placed on this requiring large scale details of all railings and gates, and all fixings.

Further comments received 21/08/2024:

Thank you for sending through this additional information regarding the design of the railings. I appreciate the applicant appears to have gone to some trouble already in sourcing railings which would be of an appropriate age to the property in question. These do appear somewhat different from those which would have been found within this area. Attached is a photograph of 48 Clifton Avenue with the railings shown in the background the style of these is similar to that which can be found to the side of No. 36 Clifton Avenue (DSC03334), or between the porches of many houses in the area (DSC02664).

I wonder if there is scope to reconsider the design of the railings to a style which would be closer to the original. There are a number of companies who continue to make railings of a similar style to these which would replicate the design of those originally found in the area, see links below.

<https://heritagecastironuk.com/prospect-collection/>

<https://periodgates.co.uk/collections/the-eglington-collection/>

I do have concerns about the height – the issue clearly stems from the fact that although the railings are age appropriate they don’t appear to have been designed for a residential setting such as this, but rather a more substantial building. The suggested alternative designs should bring the height of the railings down.

Further comments received 01/11/2024 in response a formal re-consultation period:

These comments should be considered alongside those submitted on 15/7/24.

The proposed reduction in height is noted, as is the comparison to railings shown on photographs of Grange Road. It is believed that the character on Grange Road is different to that on Clifton Avenue and therefore evidence presented showing railings in historic pictures of this street is not considered to be comparable with those on Clifton Avenue. The properties on Grange Road are terraced housing and sit on a main thoroughfare, whilst those on Clifton Avenue are semi-detached and on a secondary road which is generally only used to access houses in this part of town. Attached in order to support this are photographs showing original railings in Clifton Avenue including historical photographs and evidence of railings still in situ.

In the photographs it is particularly noted that the arrangement in place is a low wall with a low railing – of a similar height to the wall on top. This is shown on the historic photographs whereby the gate pillar is considerably higher than the top of the railings. The evidence that is presented appears still to show railings which would be much higher than those generally found in the area, as the appraisal states,

‘Traditionally, the low boundary walls would have been topped with low metal railings between the piers, matched by gates to the paths or drives’

It is considered that the amendments made would not address the concerns previous raised. The proposal would cause less than substantial harm to the significance of the designated heritage asset, which is the Grange Conservation Area. The supporting information provided does not offer a sufficient justification in terms of a public benefit which would outweigh this harm.



Railings shown at 48 Clifton Avenue





Railings in existence on Clifton Avenue

Further comments received 02/12/2024 in response to the amended plans;

The amended plans are noted. It is considered that the comments submitted on the 4th November remain relevant in this instance.

**Hartlepool Civic Society:**

Received on 15/07/2024 in response to the initial submission:

Hartlepool Civic Society would like to support the above application. We are delighted to see the restoration of cast iron railings which enhance the street scene within the Conservation area.

Further comments received in respect to amended details;

Hartlepool Civic Society's comments sent on 15th July are still relevant following the submission of the amended plans

**HBC Archaeology:** Thank you for the consultation on this application. We have no comment to make.

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

## PLANNING POLICY

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

### Hartlepool Local Plan

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

SUS1: The Presumption in Favour of Sustainable Development;

QP4: Layout and Design of Development;

QP6: Technical Matters

HSG11: Extensions and alterations to Existing Dwellings.

HE1: Heritage Assets

HE3: Conservation Areas

### National Planning Policy Framework (NPPF)(2023)

2.27 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.

## PLANNING CONSIDERATIONS

2.28 The main planning considerations with respect to this application are the character and appearance of the host dwelling and surrounding Conservation Area; amenity and privacy; highway safety and car parking. These and any planning matters and other matters are considered as set out below.

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

2.29 The application site is located in the Grange Conservation Area, which is 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.

2.30 Furthermore, when considering a planning application which affects a conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

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

2.32 NPPF Paragraph 212 goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area. NPPF Paragraphs 196 and 203 require Local Planning Authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

2.33 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires, amongst other provisions, that proposals 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 as well as respecting the surrounding buildings, structures and environment. The requirements of Policy QP4 are echoed in Local Plan Policy HSG11 and the Council's Residential Design SPD (2019) which states that the type of boundary enclosure chosen should be reflective of the area and sympathetic to each dwelling and its position in the street scene in order to add to the overall visual amenity of a housing area.

2.34 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. Properties in this part of the Conservation Area are set within generous curtilages, lending the street scene an open character.

2.35 It is acknowledged that the proposed development does present some positive elements in terms of its impacts on the Conservation Area, not least that original coping stones would be repaired, with a missing pillar cap also being reinstated, as well as the general principle of the proposed reinstatement of the railings (subject to an appropriate design and scale). This view is echoed in the original comments received from the Council's Head of Service for Heritage and Open Spaces. The age and design of the proposed railings is also acknowledged (namely that they are salvaged, cast iron, railings which are understood to originate from the Victorian era), notwithstanding the concerns set out below regarding their overall scale and height.

2.36 Nonetheless, information provided by the applicant indicates that the proposed railings originate from a workhouse in Derbyshire, which was of a scale significantly greater than a residential dwelling. The relative scale of the workhouse is reflected in the scale of the proposed railings, which are approximately 1.1 metres in height and appear to have originally sat atop a masonry wall which, based on an historical photograph, appears to have been of a similar height (resulting in an overall height estimated to be in excess of 2 metres). Based on the historical photograph provided by the applicant, it is considered that this resulted in a somewhat imposing boundary treatment, even in the context of a large-scale, industrial building.

2.37 The applicant proposes to install these same railings atop the existing curtilage boundary wall at the application site, resulting in a boundary treatment which ranges in height from approximately 1.9 metres at its western end, to approximately 2 metres close to the eastern curtilage boundary (with gates to match). Officers consider that this would amount to a substantial and imposing boundary treatment at a prominent location in the street scene (directly opposite the junction of Clifton Avenue with Eltringham Road) and immediately adjacent to the public highway.

2.38 It is further considered that the design of the railings is somewhat bulky and imposing, having originally been designed for the curtilage of a large industrial building rather than for a residential setting. As a result, it is considered that a boundary treatment of this proposed scale, sited forwards of a principal elevation and immediately adjacent to a public highway, would be inappropriate for a residential setting and would negatively impact upon the character of the wider street scene, and in turn the character and appearance of the Grange Conservation Area.

2.39 Comments received from the Council's Head of Service for Heritage and Open Spaces following the initial submission note that *'Traditionally, the low boundary walls would have been topped with low metal railings between the piers, matched by gates to the paths or drives. The earliest ones would have been in iron individually leaded into the plinths, and would have been very decorative.'*

2.40 The comments were supportive of the proposal to repair and restore elements of the original boundary treatment, subject to the submission of a detailed design. Hartlepool Civic Society also expressed support at this stage of the application (and continue to do so).

2.41 Following the submission of the proposed railings design, the Council's Head of Service for Heritage and Open Spaces further advised that whilst the proposed railings are age-appropriate, their appearance is somewhat different to those which would have originally been installed at properties on Clifton Avenue, and that they were too tall for a residential setting. The case officer relayed these concerns to the applicant, and requested an amended proposal to address officer concerns.

2.42 Following further correspondence and the receipt of additional supporting information, the applicant opted to proceed with the proposed railings design. A formal period of consultation was therefore undertaken. In summary, the Council's Head of Service for Heritage and Open Spaces commented that:

- Historical examples of boundary treatments which the applicant has cited on Grange Road are not directly relevant to Clifton Avenue, which has a different character to that of Grange Road.
- The traditional arrangement on Clifton Avenue comprised low railings atop low-height brick walls, with gate pillars being 'considerably higher than the top of the railings.
- The submitted information therefore appears to show railings atop the existing boundary wall which would be higher than those traditionally found in the area.
- On this basis, the proposed boundary treatments would cause less than substantial harm to the significance of the Grange Conservation Area.
- The supporting information does not indicate that this harm would be outweighed by the public benefits of the proposal.

2.43 It is considered that the comments received from the Council's Head of Heritage and Open Spaces (which are supported by photographs showing traditional boundary treatments on Clifton Avenue) align with officer concerns regarding the scale and design of the proposed railings.

2.44 It is acknowledged that the applicant queried one aspect of the comments received from the HBC Head of Service for Heritage and Open Spaces, which quoted the Grange Conservation Area Character appraisal as follows:

*'Traditionally, the low boundary walls would have been topped with low metal railings between the piers, matched by gates to the paths or drives'.*

2.45 The applicant maintains that the proposed railings are in accordance with this, and should therefore be deemed acceptable (though it is noted that the proposed railings are in fact taller than the existing wall).

2.46 The negative impacts of the proposed boundary treatment primarily arise from its overall scale and massing, as opposed to the relative scale of its constituent parts.

2.47 Based on the information available, it is considered that that proposal would ultimately result in a boundary treatment whose overall height exceeds the height of traditional boundary treatments on Clifton Avenue. This is supported both by photographic evidence of nearby properties on Clifton Avenue and by the presence

of an original gate top hinge identified by the applicant at a height of approximately 1.17 metres above ground level on the westernmost gate pillar. The applicant has also identified a possible original railing anchor point at approximately 1.5 metres above ground level.

2.48 Furthermore and as noted above, the proposed railings are considered to be of a bulky and imposing design which is reflective of their original setting in the context of a large industrial building. Such a design is considered not to be appropriate for a residential setting or this part of the Grange conservation area.

2.49 Whilst it is acknowledged that modern railings have been installed atop modern boundary walls at Nos. 42 and 44 Clifton Avenue (adjacent to the west), and that the resultant boundary treatments are of similar heights to that proposed by the applicant, there are no known planning records for these boundary treatments (though they appear to have been in situ more than 10 years and would therefore be exempt from planning enforcement action).

2.50 The presence of other high boundary treatments within the conservation area is not disputed, rather it is considered that unsympathetic alterations such as those identified create a more pressing need to ensure that future developments are appropriate. Notwithstanding the fact all applications should be determined on their own merits, the presence of poor-quality developments elsewhere and within vicinity of the application site is not considered sufficient reason to warrant causing what would be further harm (through this current application) to the character and appearance of the Grange Conservation Area. It is considered that the proposed railings do not positively enhance the asset or its setting.

2.51 The applicant was advised of officers' continued concerns and requested that the applicant reduce the scale of the proposed railings and provide amendments to address these concerns. However no further changes were made to the height of the proposed railings.

2.52 As detailed above in the comments from the Council's Head of Service for Heritage and Open Space, it has been identified that these works would result in less than substantial harm to the conservation area.

2.53 In accordance with the aforementioned NPPF paragraphs and Local Plan Policies, the identified harm must be weighed against any clear public benefits. It should be noted that the National Planning Practice Guidance defines public benefits as 'anything that delivers economic, social or environmental objectives as described in the NPPF', and which are 'of a nature or scale to benefit the public at large and not just be a private benefit'.

2.54 With regard to the applicant's suggested 'benefits' of this proposal, the submitted information posits:

- That the proposed railings are an appropriate solution in terms of heritage and conservation;
- That the proposed railings are preferable to alternative solutions in terms of heritage and conservation;

- That alternative solutions would not be financially acceptable / viable;
- That a tall boundary treatment is necessary to allay concerns about crime and anti-social behaviour.

2.55 Whilst the applicant may perceive there to be some benefits through an increase in boundary treatment height, this would be of solely private benefit to the applicant and therefore does not weigh in favour of the proposals. Furthermore, it is considered that any public benefits should they exist (none have not been readily identified by the applicant), they would not outweigh or justify the harm caused by the proposed development. Finally, officers are not persuaded that any (public) benefits could not be achieved by a proposal which would be less harmful to the significance of the designated heritage asset i.e. through the use of an appropriate scale and design to the railings.

2.56 Overall, and having had regard to representations made by the applicant, officers consider that the proposed development, by virtue of its scale, design, and siting, would cause less than substantial harm in relation to the Grange Conservation Area, and that this harm would not be outweighed by any identified public benefits. The proposal is therefore considered to be contrary to policies QP4, HSG11, HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 139, 203, 205, 208 and 212 of the National Planning Policy Framework (2023). This is considered sufficient to warrant a refusal of the planning application.

#### IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

2.57 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.

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

#### Impact on 38 Clifton Avenue (adjoining to the east)

2.59 38 Clifton Avenue is a south-facing, two-storey, semi-detached dwelling adjoining the application site to the east. The proposed railings would be installed on the common boundary to the front of the two dwellings, including within the adjoining porches.

2.60 The proposal relates to the installation of new boundary treatments, and it is considered that the proposals would not increase the potential for overlooking or the

perception of overlooking given the existing, established relationship between the two properties.

2.61 Whilst the proposal would introduce a tall boundary treatment the common boundary in close proximity to the front elevation of No. 38, consideration is given to the scale of the proposal (which is considered to be modest in amenity terms and notwithstanding the aforementioned design concerns and associated impacts on the conservation area) and the design of the proposed boundary treatment ('open' railings, which would not substantively block light); and the intervening presence of an existing canopy structure between the proposed railings and the main ground floor bay window at No. 38. The proposed railings to the side/eastern boundary would be located approximately 3 metres from the neighbour's nearest ground floor front windows and the main section of railings along the southern/front boundary would be located approximately 6 metres (at an oblique angle) from the nearest ground floor windows in the front elevation of the neighbour.

2.62 On this basis, it is considered that there would be no unacceptable impact on the amenity and privacy of 38 Clifton Avenue through overbearing, overshadowing, loss of outlook, overlooking, or the perception of overlooking.

#### Impact on 40 Clifton Avenue (adjacent to the west)

2.63 40 Clifton Avenue is a south-facing, two-storey, semi-detached dwelling adjacent to the west of the application site. The common boundary, forwards of the principal elevation of the host dwelling (and that of No 40), is defined by a brick wall (shown by the submitted plans to measure approximately 1.6 metres in height). As noted earlier, an application for a number of works to No. 40 (including the retrospective installation of trellis above the existing boundary wall) is pending consideration at the time of writing.

2.64 The proposal relates to the installation of new boundary treatments, and it is considered that the proposals would not increase the potential for overlooking or the perception of overlooking given the existing, established relationship between the two properties.

2.65 The proposal is considered to be modest in scale in amenity terms (notwithstanding the aforementioned design concerns and associated impacts on the conservation area), would be set off from the front elevation of 40 Clifton Avenue by approximately 9 metres, and would largely be screened in views from ground floor windows at No. 40 by the intervening brick wall on the common boundary.

2.66 As such, it is considered that there would be no unacceptable impact on the amenity and privacy of 40 Clifton Avenue through overbearing, overshadowing, loss of outlook, overlooking, or the perception of overlooking.

#### Impact on 1 Eltringham Road (to the south)

2.67 1 Eltringham Road is a west-facing, two-storey dwelling approximately 23.4 metres south of the host dwelling, on the opposite side of the public highway.

Windows were observed in its northern side elevation, facing towards the application site.

2.68 The proposal is modest in scale and would be set off from 1 Eltringham Road by approximately 17.3 metres, on the other side of the public highway.

2.69 As such and in view the established relationship and separation distance between the properties, it is considered that there would be no unacceptable impact on the amenity and privacy of 1 Eltringham Road through overbearing, overshadowing, loss of outlook, overlooking, or the perception of overlooking.

#### Impact on Nos. 43 and 45 Hutton Avenue (to the north)

2.70 Nos. 43 and 45 Hutton Avenue are north-facing, two-storey dwellings approximately 70 metres to the north of the host dwelling. Their rear gardens share a common boundary with that of the host dwelling.

2.71 The proposal is modest in scale, would be set off from Nos. 43 and 45 Hutton Avenue by distances in excess of 80 metres (approx.), and would be largely or entirely screened in views from these dwellings by the host dwelling itself.

2.72 As such, it is considered that there would be no unacceptable impact on the amenity and privacy of Nos. 43 and 45 Hutton Avenue through overbearing, overshadowing, loss of outlook, overlooking, or the perception of overlooking.

#### HIGHWAY SAFETY AND CAR PARKING

2.73 The proposed development would not impact upon the number of bedrooms at the host dwelling and would not reduce its in-curtilage car parking provision.

2.74 HBC Traffic and Transport was consulted on the proposal, and did not raise any objections on highway safety and traffic grounds. On this basis, the proposed development is considered acceptable in terms of its impact on highway and pedestrian safety and car parking.

#### OTHER PLANNING MATTERS

2.75 As noted above, the applicant has expressed concerns regarding antisocial behaviour in the vicinity of the application site. The applicant considers that a substantial boundary treatment such as the one proposed is necessary to allay these concerns.

2.76 Whilst sympathising with the applicant's concerns, in this instance, no public benefits have been identified which is the required 'test' of paragraph 208 of the NPPF to overcome any identified harm to a heritage asset. Furthermore, no evidence (for example, police records) has been provided to support the applicant's claims/concerns. In any event, it is considered that other material planning considerations (namely the harmful impact of the proposal on the character and appearance of the application site and surrounding Conservation Area) would not be outweighed by any of the applicant's suggested positive benefits.

2.77 It is noted that the expression of support received from a local ward councillor cites *‘the approval of similar designs on Park Road, The Parade and Park Avenue in recent years’* as a reason that the application should be approved. No specific examples were provided and the case officer has been unable to identify any directly comparable planning approvals in these locations. In any case, it is well established in planning law that each planning application must be considered on its own merits, taking account of both the proposal itself and the context of individual application sites.

## OTHER MATTERS

2.78 It is noted that the expression of support received from a Local Ward Councillor cites Hartlepool Borough Council Corporate Social Responsibility policies as reasons that the application should be approved. The policies cited appear to be guiding principles for instances where Hartlepool Borough Council is undertaking procurement and / or construction projects. In any case, such policies are not material planning considerations and cannot be given weight in the consideration of planning applications.

## CONCLUSION

2.79 Overall, the proposals are deemed to be unacceptable for the reasons set out in the report above, namely that the proposed development, by virtue of its design, scale and siting, would constitute an unsympathetic form of development and would have an unacceptable impact on the character and appearance of the application site and surrounding area, resulting in less than substantial harm to the Grange Conservation Area which would not be outweighed by any public benefits.

## EQUALITY AND DIVERSITY CONSIDERATIONS

2.80 There is no evidence of equality or diversity implications.

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

2.81 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.

2.82 For the reasons set out in the report above, it is considered that there are no Section 17 implications in this instance for the reasons set out in the report.

## REASON FOR DECISION

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



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

1. In the opinion of the Local Planning Authority, the proposed development, by virtue of its overall design, scale, and siting, would constitute an unsympathetic form of development that would have an unacceptable impact on the character and appearance of the existing dwelling and surrounding area, resulting in less than substantial harm to the designated heritage asset (Grange Conservation Area). It is further considered that there is insufficient information to indicate that this harm to the heritage asset would be outweighed by any public benefits of the development. The proposal is therefore contrary to the provisions of Hartlepool Local Plan (2018) Policies HE1, HE3, HSG11 and QP4, and paragraphs 139, 203, 205, 208 and 212 of the National Planning Policy Framework (2023).

**BACKGROUND PAPERS**

2.84 Background papers can be viewed by the 'attachments' on the following public access page:  
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=162089>

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

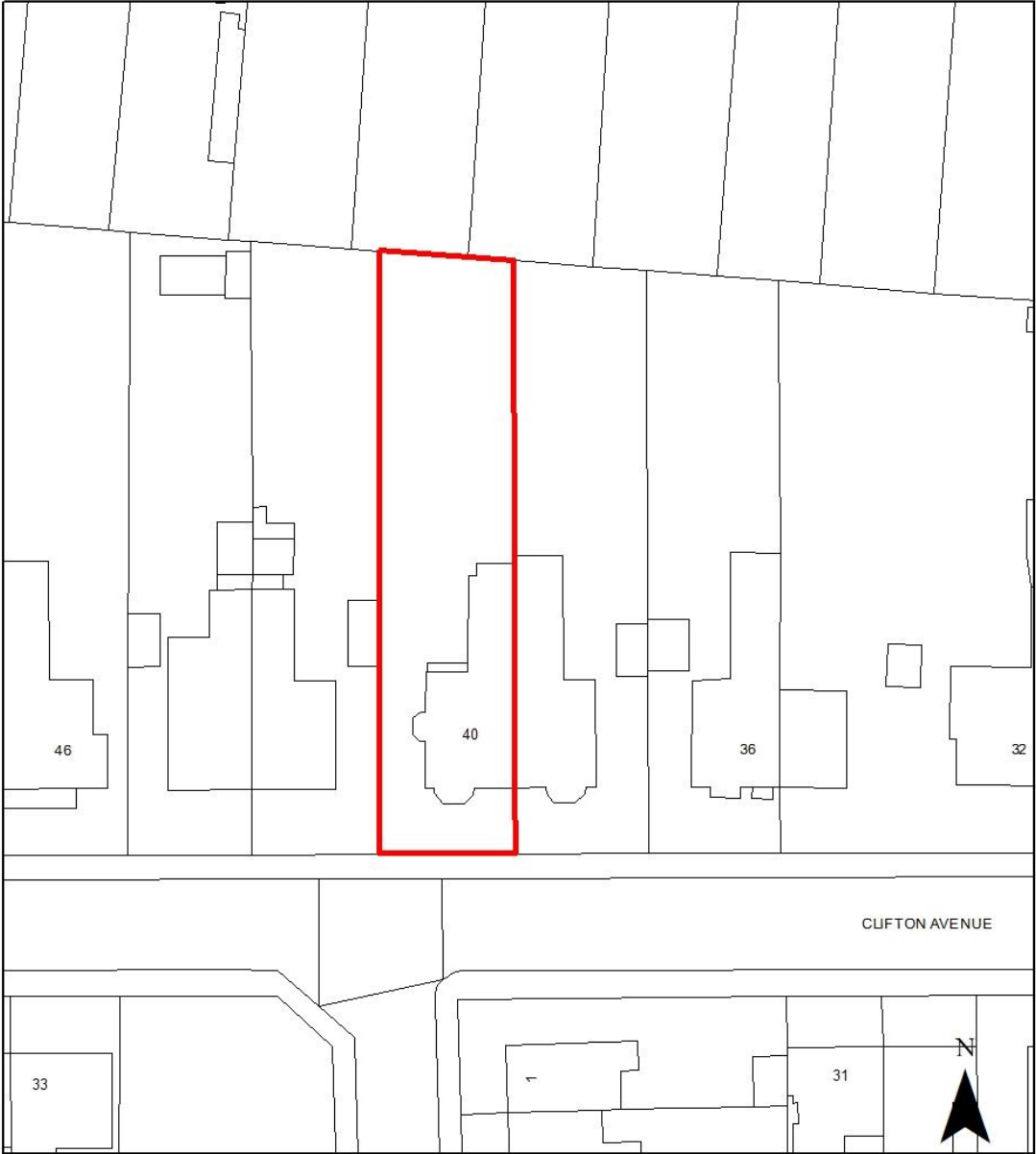
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<b>HARTLEPOOL</b> BOROUGH COUNCIL	DRAWN <b>JB</b>	DATE <b>27.11.2024</b>
	SCALE <b>500</b>	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2024/0164</b>	REV

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

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

## PLANNING COMMITTEE

18<sup>th</sup> December 2024



**Report of:** Assistant Director – Neighbourhood Services

**Subject:** PLANNING APPEAL AT STORAGE LAND, TONES WORKSHOP, OXFORD ROAD, HARTLEPOOL  
APPEAL REF: APP/H0724/W/24/3356155  
Installation of roller shutter door (retrospective) and creation of access and dropped kerb on to Spring Garden Road

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### 1. PURPOSE OF REPORT

1.1 To advise members of a planning appeal that has been submitted against the Council's decision to refuse a planning application for the installation of roller shutter door (retrospective) and creation of access and dropped kerb on to Spring Garden Road, reference H/2024/0196.

1.2 The planning application was refused at the planning committee meeting of 9<sup>th</sup> October 2024 for the following reasons:

*1. In the opinion of the Local Planning Authority, the proposed development would constitute an unacceptable form of development that would have the potential to exacerbate traffic flow and parking issues in the area to the detriment of road safety, contrary to Policies QP3 and RC21(1) of the Hartlepool Local Plan 2018 and paragraph 115 of the NPPF (2023).*

1.3 It is also of note that the LPA issued an Enforcement Notice in respect to this matter in November 2024 (which takes effect on 09/12/2024).

### 2. RECOMMENDATIONS

2.1 That Members note this report.

### 3. CONTACT OFFICER

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