

# PLANNING COMMITTEE

## AGENDA



**Wednesday 25 June 2025**

**at 10.00am**

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

### MEMBERS OF PLANNING COMMITTEE:

Councillors Bailey-Fleet, Boddy (C), Feeney, Hargreaves, Jorgeson, Little, Napper, Oliver, Roy, Thompson and Young.

#### 1. **APOLOGIES FOR ABSENCE**

#### 2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

#### 3. **MINUTES**

- 3.1 To confirm the minutes of the meeting held on 28 May 2025

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

4.1 Planning Applications – *Assistant Director (Neighbourhood Services)*

1. H/2023/0370 Former Britmag Ltd, Old Cemetery Road (page 1)
2. H/2022/0376 Glebe Farm, Palace Row, Hart (page 19)

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

- 5.1 Update (for information purposes) on planning application H/2022/0382 and a proposed amendment to condition 30 (off-site highways improvements works at the A19/A689) which has previously been subject to a 'minded to approve' decision by Members at the planning committee meeting of 17/04/2024 – *Assistant Director (Neighbourhood Services)*
- 5.2 Controlling Houses In Multiple Occupation- Article 4 Consultation – Verbal Update – *Assistant Director (Neighbourhood Services)*

### CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

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

7. **FOR INFORMATION**

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

**FOR INFORMATION**

Next meeting - Wednesday 23<sup>rd</sup> July at 10am



# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

### **28 May 2025**

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

**Present:**

Councillor Moss Boddy (In the Chair)

Councillors: Tom Feeney, Michael Jorgeson, Amanda Napper,  
Karen Oliver, Aaron Roy and Carole Thompson

Officers: Jim Ferguson, Planning and Development Manager  
Daniel James, Planning (DC) Team Leader  
Sylvia Pinkney, Assistant Director, Regulatory Services  
Zoe Craig, Environmental Health Manager (Environmental  
Protection)  
Scott Parkes, Consultancy Manager  
Sarah Scarr, Coast, Countryside and Heritage Manager  
Peter Frost, Highways, Traffic and Transport Team Leader  
Helen Smith, Planning Policy Team Leader  
Scott Watson, Arboricultural Officer  
Max Cummins, Ecologist  
Stephanie Bell, Senior Planning Officer  
Ami Capper Senior Planning Officer  
Rosie Banens, Archaeologist, Tees Archaeology  
Richard Redford, Senior Planning Officer  
Umi Filby, Principal Property, Planning and Commercial  
Solicitor  
Jo Stubbs, Principal Democratic Services and Legal Support  
Officer

### **1. Apologies for Absence**

Apologies were submitted by Councillors Pam Hargreaves, Sue Little and Mike Young

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

None

### **3. Confirmation of the minutes of the meetings held on 12 March 2025 and 9 April 2025**

Minutes confirmed

#### **4. Planning Applications** *(Assistant Director, Neighbourhood Services)*

<b>Number:</b>	H/2024/0180
<b>Applicant:</b>	ENVIROMENA PROJECT MANAGEMENT
<b>Agent:</b>	STANTEC MRS AMY HINDSON ROTTERDAM HOUSE 116 QUAYSIDE NEWCASTLE UPON TYNE
<b>Date received:</b>	06/08/2024
<b>Development:</b>	Installation of ground mounted photovoltaic (solar) farm and battery storage facility with associated infrastructure, engineering works, access and landscaping
<b>Location:</b>	HIGH BARNES FARM COAL LANE ELWICK HARTLEPOOL

A letter from Elwick Parish Council dated 26<sup>th</sup> May 2025 was circulated and the members were given an opportunity to read this before their consideration of the application.

Officers recommended that this application be approved.

Lee Adams, Chief Commercial Officer for Enviromina, spoke in support of the application. This installation would support the Government's national energy strategy, linking with the Northern power network and powering 26 thousand homes. Extensive consultation had been carried out with multiple interested parties and there had been no objection from any of them. They had worked with Elwick Parish Council on community benefits including support of the local netball club, ensured there would be no impact on the improvements to the A19 junction and would accommodate adjustments to local footpaths following discussions with the Council's Countryside Access Officer. The scheme would meet local and national decarbonisation goals and he urged members to support the application.

In response to questions from members Mr Adams confirmed the following:

- A detailed landscaping scheme is conditioned. More mature plants could be included as a condition and will be discharged with the case officer to make sure the best native and fast growing species are in as early as possible.
- Enviromena is a long running company that carries out everything in-house. One of the conditions would be that they continue the long term maintenance of the site. If this did not happen in the future and

enforcement action was taken they could not continue to generate. Shareholders with investment in the site would not put their returns at risk so it was essential that generation continue for the full term. They would therefore not put this at risk however if members felt the conditions required enhancement they would be happy to work with them.

- They would seek local suppliers to help during the construction phase. In terms of site maintenance this would not generate a lot of employment but local people are already employed to maintain the 2 existing solar farms and that would be the case this time.
- It was clarified for members that the black dots on the plan were small transformers.
- The site will be maintained and secure 24/7 during the construction process. Once operational security will be allocated to a local company. However in reality there is little of any value that can be taken from these sites and the worse that could happen was some damage.
- Cleveland Fire Brigade had no issue with the proposals and were happy with the access points as agreed.

Councillor Tom Feeney moved that this application be approved, in line with the officer recommendations. Councillor Michael Jorgeson seconded this. The Chair asked if there was any dissent to the proposal. There was not and the application was therefore approved unanimously.

**Decision: Planning Permission Approved**

## **CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than five years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 calendar days of such commencement. To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following plans and details:  
 Dwg. No. P007066-06-SiteLocation Rev G (Site Location Plan, scale 1:2000),  
 Dwg. No. P007066-07-ArraySections Rev C (Array Section Views),  
 Dwg. No. P007066-09-TXStationSections Rev B (Transformer Station Section Views), Dwg. No. P007066-12-BatterySections Rev B (Battery Storage Section Views), Dwg. No. P007066-13-AcousticFence Rev A (Acoustic Fence), received by the Local Planning Authority on 5th June 2024;  
  
 Dwg. No. P007066-08-FenceSections Rev B (Fence Section Views,

Dwg. No. P007066-10-CustSubSections Rev C (Customer Substation Section Views), Dwg. No. P007066-11-EHVSubSections Rev B (EHV Substation Section Views), received by the Local Planning Authority on 25th July 2025;

Dwg. No. P007066-16-SkylarkMitigation Rev A (Skylark Mitigation), received by the Local Planning Authority on 31st October 2024;

Dwg. No. P007066-03-PlanningLayout Rev J (Planning Layout), received by the Local Planning Authority on 1st November 2024;

Dwg. No. N1384-ONE-ZZ-XX-DR-L-0202 Rev P01 (Detailed Planting Plan Sheet 2 of 2), received by the Local Planning Authority on 10th April 2025;

Dwg. No. N1384-ONE-ZZ-XX-DR-L-0001 Rev P07 (Landscape Strategy), received by the Local Planning Authority on 14th April 2025; and

Dwg. No. N1384-ONE-ZZ-XX-DR-L-0201 Rev P01 (Detailed Planting Plan Sheet 1 of 2), received by the Local Planning Authority on 20th May 2025.

For the avoidance of doubt.

3. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the structures to be erected and any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

To take into account the position of the buildings and impact on the adjacent landscape, neighbouring properties in accordance with Policies QP4 and LS1 of the Hartlepool Local Plan (2018).

4. Notwithstanding the submitted information and prior to the commencement of development, a detailed scheme for the provision, long term maintenance and management (for a minimum of 30 years or the lifetime of the development hereby approved (whichever is longer)) of all soft landscaping, tree, hedge and shrub planting within the site shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The scheme shall be in general conformity to the plan Dwg. No. N1384-ONE-ZZ-XX-DR-L-0202 Rev P01 (Detailed Planting Plan Sheet 2 of 2, received by the Local Planning Authority on 10th April 2025), Dwg. No. N1384-ONE-ZZ-XX-DR-L-0001 Rev P07 (Landscape Strategy, received by the Local Planning Authority on 14th April), and Dwg. No. N1384-ONE-ZZ-XX-DR-L-0201 Rev P01 (Detailed Planting Plan Sheet 1 of 2, received by the Local Planning Authority on 20th May 2025). The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. Thereafter the development hereby

approved shall be carried out and maintained in accordance with the agreed scheme for a minimum of 30 years or the lifetime of the development hereby approved (whichever is longer). All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following completion or first use of the development (whichever is sooner) of the development hereby approved. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority and National Highways gives written consent to any variation.

In the interests of visual amenity, the safe and efficient operation of the Strategic Road Network, and to enhance biodiversity in accordance with the provisions of the NPPF.

5. Prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, a scheme for the protection during construction works of all trees to be retained on the site, as detailed in document entitled ""Arboricultural Impact Assessment"" (document reference HBF-BWB-ZZ-XX-RP-YE-0001\_AIA, revision P02, dated January 2024 and received by the Local Planning Authority on 5th June 2024) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a Tree Protection Plan and an Arboricultural Method Statement and shall thereafter be carried out in accordance with the approved details. Thereafter and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, the agreed protection measures shall be implemented on site (and thereafter retained until the completion of the development). Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

In the interests of the health and appearance of the existing trees and the visual amenity of the area.

6. No development shall commence unless and until a Habitat Management and Monitoring Plan scheme ("the scheme") to ensure that the approved development provides the delivery of the Biodiversity Net Gain (BNG) and delivers the mitigation for ground nesting birds, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide a minimum of 133.63 net gain Habitat Units, 5.51 net gain Hedgerow Units and 2.67 net gain Watercourse Units (as detailed in Section 6 of 'Biodiversity Net Gain Statement and Assessment for Enviromena' (reference BIOC23-042 V6.0, dated 15/04/2025 and received by the Local Planning Authority on 16th April 2025) or as otherwise updated and agreed as part of the scheme) and

include for the subsequent management of habitats in the condition stated in the BNG Metric has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development, including the compensation, shall be measured in accordance with the Statutory Biodiversity Metric (received by the Local Planning Authority on 16/04/2025).

The scheme shall include:

- (a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the development or the first occupation of the development, whichever is the sooner; and
  - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.
- Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery. To provide biodiversity management and biodiversity net gain in accordance with The Environment Act 2021, and paragraphs 8, 187 and 193 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).

7. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP (Biodiversity)) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include method statements for the avoidance, mitigation and compensation measures as detailed in;
  - Section 5 (Recommendations), of the Ecological Impact Assessment (Reference BIOC23-042 Version 2.1 - Updated landscaping plans, dated 15/04/2025, date received by the Local Planning Authority 16th April 2025). The CEMP (Biodiversity) shall include the following:
    - Avoidance of vegetation clearance during the nesting bird season (March to August inclusive) unless the Site is checked by a Suitably Qualified Ecologist (SQE) and active nests are confirmed to be absent no later than 48 hours before works commence,
    - Covering of trenches overnight or otherwise shall provide a means of escape for animals in the form of a ramp at least 300mm wide and angled no greater than 45 degrees,
    - All construction activities programmed to daytime hours where possible,
    - Sensitive working methods detailed in a Precautionary Working Method Statement (PWMS),
    - Pre-construction mammal checks for otter, water vole, and badger within 4 weeks of construction/vegetation clearance,



- Physical screening and buffer zones will be implemented along the boundary of Beacon Hill Flush LWS,
- External lighting will be designed to reduce impacts to birds, bats and a range of other wildlife associated with created and offsite habitat during construction, in particular where lighting borders woodlands,
- Two way badger gates adjacent to mammal push throughs.
- Thereafter the approved CEMP shall be adhered to and implemented throughout the construction period and strictly in accordance with the approved details.

In the interests of avoiding or mitigating ecological harm.

8. Prior to the commencement of the development a contaminated land site investigation and risk assessment, undertaken in accordance with the approved site investigation proposal, that determines the extent and nature of contamination on site and reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175, shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify).

To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

9. No part of the development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). Construction of the development shall then be carried out in accordance with the agreed Construction Traffic Management Plan.

To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

10. The access to the development hereby approved shall be completed in accordance with Dwg. No. P007066-03-PlanningLayout Rev J (Planning Layout, received by the Local Planning Authority on 1st November 2024) prior to the completion or first use (whichever is sooner) of the development hereby approved unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.

To ensure a satisfactory form of development and in the interests of highway safety.

11. No development shall commence until a Written Scheme of Investigation (WSI) setting out a programme of archaeological evaluation has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works, in sufficient time to inform the production of a Strategy for Archaeological Mitigation.

To ensure that archaeological assets are protected.

12. No development shall commence until a Strategy for Archaeological Mitigation (SAM) has been submitted to and approved in writing by the Local Planning Authority. The SAM will set out the strategy for the preservation, investigation and recording of heritage assets in the development area, including the provision made for analysis, publication and dissemination of results, and archive deposition. The development will then be carried out in accordance with the SAM.  
To ensure that archaeological assets are protected.
13. No electricity shall be exported from the site until the post investigation processes have been completed in accordance with the approved Strategy for Archaeological Mitigation, and confirmed in writing to, and approved by, the Local Planning Authority.  
To ensure that archaeological assets are protected.
14. Notwithstanding the submitted details and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. The agreed scheme shall be implemented prior to the development hereby approved being brought into use or being completed (whichever is sooner) and thereafter retained for the lifetime of the development hereby approved.  
In the interests of visual amenity and to ensure a satisfactory form of development.
15. The agreed surface water drainage scheme for the development hereby approved shall be constructed and maintained in strict accordance with the following details: document entitled (document reference HBF-BWB-ZZ-XX-RP-YE-0001\_FRA Revision P05 dated 22.04.2024, received by the Local Planning Authority on 5th June 2024), and document entitled ""Drainage Strategy"" (document reference HBF-BWB-ZZ-XX-RP-CD-0002\_DS, revision P07, dated 01/11/2024, received by the Local Planning Authority on 1st November 2024) prior to the completion of the development hereby approved.  
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.
16. Notwithstanding the submitted information and prior to above ground construction of the development hereby approved, precise details of the external materials (and finishing colours) to the buildings and structures hereby approved shall be submitted to and approved by the Local Planning Authority, colour treatments and samples (or high quality photographs) of the desired materials being provided for this purpose. The approved scheme shall be implemented and retained thereafter.  
In the interests of visual amenity and to ensure a satisfactory form of development.
17. Prior to the commencement of development, details of the temporary screen fencing, the location of which as indicated on Dwg. No. N1384-ONE-ZZ-XX-DR-L-0001 Rev P07 (Landscape Strategy, received by the Local Planning Authority on 14th April 2025), shall be submitted and

approved in writing with the Local Planning Authority. The means of enclosure associated with the development hereby approved shall be implemented in accordance with the layout and fence types detailed on Dwg. No. P007066-13-AcousticFence Rev A (Acoustic Fence, received by the Local Planning Authority on 5th June 2024) and Dwg. No. P007066-08-FenceSections Rev B (Fence Section Views, received by the Local Planning Authority on 25th July 2024). The approved scheme shall be implemented prior to the first export of the development hereby approved. No other fences or boundary enclosures shall be erected without the prior approval of the Local Planning Authority.

In the interests of visual amenity.

18. Notwithstanding the submitted details and prior to the installation of any fixed or permanent external lighting to serve the development hereby approved, full details of the method of fixed or external lighting, including siting, angle of alignment, light colour, and luminance of external areas of the site, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the agreed lighting shall be implemented in accordance with the agreed scheme.

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

19. No construction/building/demolition works or deliveries shall be carried out except between the hours of 08.00 and 18.00 on Mondays to Fridays and between 08.00 and 13.00 on Saturdays There shall be no construction activity including demolition at any other time including on Bank Holidays.

To ensure the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

20. The export capacity of the development shall not exceed 49.9 MW (AC).

As set out in the application and in accordance with the relevant regulations under which this permission has been considered and approved.

21. (a) Within 1 month of the date of first commercial export of electricity to the

National Grid (the "date of first export") confirmation shall be given in writing to the Local Planning Authority of the date of first export. The development hereby permitted shall cease on or before the expiry of a 40 years period from the date of first export. The land shall thereafter be restored to its former condition in accordance with a scheme (including timetable) of decommissioning work and an Ecological Assessment Report detailing site requirements in respect of retaining ecological features.

(b) The scheme (including timetable) of decommissioning work and the Ecological Assessment Report shall be submitted to and approved in writing by the Local Planning Authority no later than 39 years from the date of first export and subsequently implemented as approved.

(c) In the event that the development hereby permitted ceases to export electricity to the grid for a continuous period of 12 months at any point after the date of first export (other than for operational reasons outside of the operator's control), a scheme of early decommissioning

works (the Early Decommissioning Scheme) and an Ecological Assessment Report detailing site requirements in respect of retaining ecological features (the early ecological assessment report) shall be submitted no later than 3 months after the end of the 12 months non-electricity generating period to the Local Planning Authority for its approval in writing. The approved Early Decommissioning Scheme and the approved Early Ecological Assessment Report shall be implemented in full in accordance with a timetable that shall be set out in the Early Decommissioning Scheme.

To ensure that the development is decommissioned, and that the site is returned to a suitable condition.

Members considered representations in respect of this matter.

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<b>Number:</b>	H/2024/0342
<b>Applicant:</b>	MR ADAM READHEAD 1A CARISBROOKE ROAD
<b>Agent:</b>	ELDER LESTER ARCHITECTS MR ANDREW LEE REEDS MILL ATLAS WYND YARM
<b>Date received:</b>	13/11/2024
<b>Development:</b>	Erection of 2no. storage units and installation of new metal rail fencing
<b>Location:</b>	LAND ADJACENT TO STRANTON HOUSE WEST VIEW ROAD HARTLEPOOL

A member noted that the site had an industrial appearance and queried whether the landscape could be softened through natural screening. The Senior Planning Officer advised that the site was presently, and would continue to be, a storage yard and it was therefore not reasonable to ask for natural screening when everything already there was concrete.

The Chair moved that the application be approved as per the officer recommendation and asked if there was any dissent to this approval. A member queried whether a seconder was needed and sought a clarification on the legal advice given to the Chair on the matter. The Chair indicated that the Chair's proposal did not require a seconder citing the Erskine May parliamentary practice. The Principal Property, Planning and Commercial Solicitor advised that she had informed the Chair that the Council's constitution sets out the process to be followed and decisions should be made in accordance with this which requires a proposer and a seconder. The Chair asked whether there was any dissent to the recommendation to approve. There was not and the application was therefore approved unanimously by a show of hands.

**Decision: Planning Permission Approved**

## **CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following approved plan(s) and details: Dwg. No. 24AR-100B (Site Location Plan, at a scale of 1:1250), Dwg. No. 24AR-005B (Unit One Proposed Plan and Elevations), Dwg. No. 21AR-006C (Unit Two Proposed Plan and Elevations) received by the Local Planning Authority on 6th January 2025; Dwg. No. 24AR-003D (Proposed Site Plan), Dwg. No. 24AR-004C (Proposed Elevations) and Dwg. No. 24AR-101C (Existing and Proposed Block Plans) received by the Local Planning Authority on 9th April 2025.  
For the avoidance of doubt.
3. The external materials used for this development shall match those stipulated in Dwg. No. 24AR-005B (Unit One Proposed Plan and Elevations) and Dwg. No. 21AR-006C (Unit Two Proposed Plan and Elevations), both received by the Local Planning Authority on 6th January 2025.  
In the interests of visual amenity.
4. Prior to the commencement of the development, details of dust suppression measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved shall be carried out in accordance with the agreed scheme.  
In the interests of the amenities of neighbouring properties.
5. Notwithstanding the submitted details, prior to the installation of the metal fencing and gates hereby approved, precise details of the materials to be used and their colour shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.  
To enable the Local Planning Authority to control details of the proposed development, in the interests of visual amenity.
6. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and maintained in accordance with the approved details.  
In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.
7. No construction works shall take place at the site or deliveries and collections to and from the site shall be carried out except between the hours of 8:00 and 18:00 Monday to Friday, and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays.  
To ensure the development does not prejudice the amenity of surrounding land users and their properties.

8. Any materials or articles deposited or stacked outside the buildings hereby approved and throughout the application site shall not exceed a total height of 2.3 metres above ground level.  
In the interests of the amenities of the area.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no additional fences, gates, walls or other means of enclosure (other than those approved as part of condition 2), shall be erected on site without the prior written consent of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of the amenities of future occupiers and to safeguard the visual amenity of the development and the character of the surrounding area.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification, the development hereby approved shall be used solely as storage units within a B8 Use Class and for no other purpose or use and the approved two storage units shall not be extended. The units shall not be sub-divided, converted or externally altered in any manner without the express written consent of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of a satisfactory form of development and to manage environmental impacts of the development.

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<b>Number:</b>	H/2023/0370
<b>Applicant:</b>	PERSIMMON HOMES TEESSIDE RADCLIFFE CRESCENT THORNABY STOCKON ON TEES
<b>Agent:</b>	PERSIMMON HOMES TEESSIDE MR JAKE ANDERSON RADCLIFFE CRESCENT THORNABY STOCKON ON TEES
<b>Date received:</b>	07/11/2023
<b>Development:</b>	Section 73a application for amendments to H/2020/0261 (Section 73 application for amendments to planning permission H/2018/0493 (reserved matters) for the erection of 373 No. dwellings pursuant to H/2013/0573 (sites A and B)) to vary condition 1 (approved plans) in respect of an amendment to detailed landscape proposals to reflect the implemented soft landscaping on site.
<b>Location:</b>	FORMER BRITMAG LTD OLD CEMETERY ROAD HARTLEPOOL

Councillor Karen Oliver moved that this item be deferred for a site visit and the reason given was to enable members to see the visual context of the site. Councillor Carole Thompson seconded this. Members voted unanimously to approve by a show of hands.

**Decision:** **Deferred for a site visit**

**5. Update on Enforcement Actions** (*Assistant Director (Neighbourhood Services)*)

Members were advised that 2 enforcement actions had been taken within the reporting period.

**Decision**

That the report be noted

**6. Hartlepool Local Development Scheme (LDS) 2025** (*Assistant Director (Place Management)*)

The Planning Policy Team Leader updated members on the process for the endorsement of the Hartlepool LDS 2025. The Government had requested that all Local Planning Authorities submit their LDS to the Ministry of Housing, Communities and Local Government by 6 March 2025. In February 2025 a report was considered by the Neighbourhood Services Committee. At that meeting the Committee agreed that the current Local Plan was sound and fit for purpose and that it was therefore not necessary to commence a new Local Plan until 2028, ready for adoption in 2031. Current methodology for assessing housing need suggests a baseline housing need figure for Hartlepool of 360 per year and current local plan targets are higher than this, demonstrating a 5.4 year housing land supply. Officers would monitor the local plan annually and should anything change would put forward an updated LDS with a revised timeline.

**Decision**

That the report be noted

**7. Planning Appeal at 117 York Road** (*Assistant Director (Neighbourhood Services)*)

Members were advised that an appeal against the refusal of Planning Committee to allow the change of use from a shop to a bar/nightclub had been

allowed. The refusal had been against officer recommendation. A copy of the decision notice was attached

### **Decision**

That the outcome of the appeal be noted

## **8. Any Other Business which the Chair considers Urgent**

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

The Planning Development Manager introduced 2 new members of staff to members: Max Cummins, Ecologist and Richard Redford, Senior Planning Officer

The Chair agreed that the planning site visit previously requested would take place immediately prior to the next Planning Committee meeting. Details including time and date would be forwarded to members when available.

The meeting concluded at 10:45am.

CHAIR



**No:** 1.  
**Number:** H/2023/0370  
**Applicant:** PERSIMMON HOMES TEESSIDE RADCLIFFE  
 CRESCENT THORNABY STOCKON ON TEES TS17  
 6BS  
**Agent:** PERSIMMON HOMES TEESSIDE MR JAKE  
 ANDERSON RADCLIFFE CRESCENT THORNABY  
 STOCKON ON TEES TS17 6BS  
**Date valid:** 07/11/2023  
**Development:** Section 73a application for amendments to H/2020/0261  
 (Section 73 application for amendments to planning  
 permission H/2018/0493 (reserved matters) for the  
 erection of 373 No. dwellings pursuant to H/2013/0573  
 (sites A and B)) to vary condition 1 (approved plans) in  
 respect of an amendment to detailed landscape proposals  
 to reflect the implemented soft landscaping on site.  
**Location:** FORMER BRITMAG LTD OLD CEMETERY ROAD  
 HARTLEPOOL

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## PURPOSE OF REPORT

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

1.2 The application was deferred at the planning committee meeting of 28<sup>th</sup> May 2025 to allow members to undertake a site visit. Since the publication of the previous committee report, it has been confirmed that a Deed of Variation (legal agreement) is not required in this instance, and consequently, the report has been updated at paragraph 1.48 to reflect this.

## BACKGROUND

1.3 The application site has a detailed site history. The following applications are considered to be most relevant to the current application:

H/2005/5254 - An outline application for residential development open space and associated means of access was refused. The applicant appealed the decision, and a public local inquiry took place in November and December 2009. Prior to this in November 2008, it was directed that the application be called in for the Secretary of State's (SoS) own determination (because of an outstanding objection from Natural England). The SoS disagreed with the Planning Inspector's recommendation for refusal, and the appeal was allowed, subject to conditions (decision dated 25/03/2010).

H/2011/0005 - Variation of conditions on approval H/2005/5254, application approved 14/10/2011.

H/2013/0573 - Variation of conditions and legal agreement on planning application H/2011/0005 to allow for the removal of the requirements for a buried long stop, the delivery of properties to level 3 of the code for sustainable homes, the requirements to deliver 10% renewable energy on site and 10% of affordable housing within each phase of the development, approved 09/10/2014. This application in effect formed a new outline planning approval to which the subsequent reserved applications are pursuant. A S106 Agreement was completed securing a number of financial contributions and obligations towards improvements to the Brus Tunnel, coastal footpath/cycleway, ecological mitigation, off site recreational areas and maintenance of public open space areas, sand dunes works and towards the Spion Kop Cemetery wall scheme.

H/2014/0470 - Reserved matters (appearance, landscaping, layout and scale) for the erection of 373 No. dwellings within Phase 1 pursuant to H/2013/0573 (Sites A and B), approved 18.12.2014. The permission has been implemented and the site is now completed (by Persimmon Homes) and dwellings occupied, approved 18/12/2014.

H/2016/0399 - Reserved matters application (appearance, landscaping, layout and scale) for the erection of 110 No. dwellings within Sites C and D, pursuant to outline planning permission H/2013/0573, approved 22/12/2016.

H/2018/0493 - Variation of condition No. 1 of planning application H/2014/0470 for reserved matters (appearance, landscaping, layout and scale) for the erection of 373 No. dwellings within Phase 1 pursuant to H/2013/0573 dated 9 October 2014 (Sites A and B) in respect of the substitution of housetypes, minor amendments to the layout, and incorporation of 2 no. electrical substations, approved 26/06/2020.

H/2020/0068 - Section 73 application for variation of condition 1 of reserved matters approval H/2016/0399 (relating to appearance, landscaping, layout and scale for the erection of 110 No. dwellings within Sites C and D, pursuant to outline planning permission H/2013/0573) to allow for the substitution of house types on plots 62, 74, 78 and 83, erection of electricity substation between plot 53 and 54 with associated changes to parking layout for plots 54 and 55, approved 10/07/2020.

H/2020/0261 - Section 73 application for amendments to planning permission H/2018/0493 (for variation of condition No.1 of planning approval H/2014/0470 reserved matters for appearance, landscaping, layout and scale) for the erection of 373 No. dwellings within phase 1 pursuant to H/2013/0573 (sites A and B) substitution of house types, minor amendments to the layout and incorporation of 2 No. electrical substations) comprising amendment to site layout and substitution of house types on phase 3. Approved 30/04/2021.

H/2020/0362 - Section 73 application for variation of condition Nos. 1, 3 and 4 of planning approval H/2020/0068 (relating to the substitution of house types on plots 62, 74, 78 and 83, erection of electricity substation between plot 53 and 54 with associated changes to parking layout for plots 54 and 55) to allow for substitution of house types on plots (59, 60, 63, 64, 65, 74, 78, 79, 80, 83, 84, 85, 87 and 88 (Site C) and 16, 21, 22, 23, 24, 26 and 27 (Site D), amendment to parking arrangement for plot 54 and parking provision for plot 56, approved 21/01/2021.

## PROPOSAL

1.4 The application seeks planning permission under Section 73a of the Town and Country Planning Act 1990 for amendments to H/2020/0261 (which was a Section 73 application for amendments to planning permission H/2018/0493 (reserved matters) for the erection of 373 No. dwellings pursuant to H/2013/0573 (sites A and B)) to vary condition 1 (approved plans) in respect of an amendment to detailed landscape proposals to reflect the implemented soft landscaping on site.

1.5 The proposed amendments to the approved landscaping include:

- The planting of trees and landscaping within the front garden areas of 34 dwellings, 22 of which are different to the approved plans, compared to the planting of 149 trees within the front garden areas of the approved plans;
- The planting of trees and landscaping within the front garden of an additional 4 properties;
- The planting of 19 additional trees within the public open space within Phase 3 of the development.

1.6 The applicant has submitted a supporting Cover Letter which indicates that in respect of the planting within the front gardens of properties, some homeowners have objected to the planting of soft landscaping at the front of their properties, whilst in other cases it is not possible to implement soft landscaping. After being made aware that there were issues with the soft landscaping on site, the applicant has indicated that they have entered into correspondence with occupants of the purchased dwellings and queried if any amendments could be made to rectify discrepancies with the approved plans on such plots. In response, many occupants of affected properties declined the option to have landscaping implemented within the boundaries of these plots.

1.7 In respect of the planting within open spaces, the applicant has indicated that the approved landscaping had been implemented under the original approved plans. Much of the soft landscaping had died due to contextual factors relating the site's location, and therefore delivering soft landscaping as per the approved plans is no longer seen as feasible.

1.8 At the request of the case officer following objections received from the Council's Arboricultural Officer and Planning Policy team that of the approved 115 trees of mixed species to be planted, the initial submission proposed to only plant 46 trees, which is 40% of the original figure, and that no extra trees have been proposed on open spaces in mitigation for this. In response, the applicant has undertaken further communication with occupants of the dwellings and sought to plant additional trees within open spaces and to the front gardens of four dwellings, for a total of 56 trees, and amended plans have been received in this respect.

1.9 The applicant advised "while providing the additional landscaping would be the most desired outcome, the feasibility of the site and residents declining landscaping prevent this from being accomplished."

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

## **SITE CONTEXT**

1.11 The application site constitutes a residential development on the site of the former Britmag works off Old Cemetery Road. This application site relates to Sites A and B of the originally approved outline application, H/2013/0573.

1.12 The application site lies immediately adjacent to the Tees and Hartlepool Foreshore and Wetlands Site of Special Scientific Interest (SSSI), which is also a component part of Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar Site. The application site also lies in close proximity to the Durham Coast SSSI.

1.13 The site is accessed from Old Cemetery Road and construction of the residential development is complete with the dwellings occupied.

## **PUBLICITY**

1.14 The application has been advertised by way of notification letters to 18 residential properties and local ward councillors, site notice and press advert. Reconsultation letters have been issued twice on receipt of amended landscaping plans and supporting information. To date, there have been five objections (including more than one from the same address).

1.15 The concerns raised are:

- The planting died within a few months;
- Plants unsuitable for coastal site;
- Poor planting has a detriment on the visual amenity of the site;
- Management fee for open spaces and sand dunes should be reduced;
- Landscaping is not in keeping with approved plans.

1.16 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=159810>

1.17 The period for publicity has expired.

## **CONSULTATIONS**

1.18 The following consultation replies have been received:

**HBC Arboricultural Officer:** The proposed amendment to the detailed landscape proposals means a significant reduction in the number of trees that were originally proposed for the site. Originally 115 trees of mixed species were to be planted on the site providing a good range of biodiversity, biosecurity and visual amenity to the site. Now under the amended plans it is proposed to only plant 46 trees, 40% of the

original figure. No extra trees have been proposed on open spaces in mitigation for this. The vast majority of the street trees that were designated to be in the front gardens have been excluded from these new plans after a failure of implementation of the original scheme. These amended plans do not conform to Para 131 of the NPPF which states all new streets should be tree lined.

Update 20/12/2023 following discussions with the applicant:

I appreciate the acknowledgment of the historical context related to previous iterations of the NPPF during the original application. It's essential to highlight that the original application proposed its "new streets" to be tree-lined as evidenced by the previous approved plans even though not required by the NPPF of the time. It's concerning that in 2023, when it is a requirement for new streets that the plans are being varied to no longer provide this feature. The interpretation of what constitutes a "new street" appears to hinge on context and opinion. During my visit to the site in January 2023, the road wasn't complete, although I agree it was in use and had been for a while, as stated by the agent. This nuanced understanding of the term "new street" is crucial in assessing the compliance of the plans with the NPPF requirements.

Understanding that residents may not favour tree planting in their gardens at this stage, it's worth emphasizing that such considerations should ideally have been established when the developer had control of the plots. I'm keen to learn which residents are open to having trees in their front gardens and whether the possibility of relocating proposed street trees to the front gardens of willing residents, including a choice of species, has been explored. Given the nature of the variation application, this seems like a plausible avenue for compromise.

Expressing concern over the significant reduction in the number of trees, I find it perplexing that a mitigation strategy wasn't pursued, such as an increase in planting on open space instead of the current reduction in open space planting. The removal of at least 9 trees from the original approved plans for open spaces lacks justification, and I urge the provision of reasoning for this adjustment.

Having visited the site three times in 2023, including once with the council's enforcement officer and representatives from Persimmon, I'm sceptical about the potential progress from a further site visit.

However, I don't decline the request for a site visit and will attend if requested.

In conclusion, I firmly believe that, at the very minimum, the trees initially intended for open spaces should be included within this variation application. Additionally, I propose that the option of a tree in the garden of each plot be offered to all residents as an opt-in service. While this may not fully restore the original tree count, a 40% reduction is, in my opinion, unacceptable.

Update 03/03/2025 following amended landscaping and further justification from the applicant:

The Section 73 application has reached an impasse due to ongoing discrepancies regarding tree planting.

Throughout the application process, there has been significant confusion over which trees were to be included, and areas originally designated for planting have been prematurely transferred to a management company without the required planting being in place. Retrospectively enforcing these planting requirements would now result in additional costs for residents.

The shortfall in tree planting is a direct consequence of poor implementation by the applicant. However, given the current situation, a pragmatic approach is necessary to reach a workable resolution. The applicant has taken steps to amend the plans by increasing planting in other areas of the development, though the overall number of trees remains lower than originally approved. The initial application proposed 115 mixed-species trees across the site, whereas the current phase now includes only 56.

The development will not comply with the National Planning Policy Framework (NPPF) requirement for tree-lined streets. Changes made by homeowners to their frontages have rendered certain areas unsuitable for retrospective tree planting, as the trees were not established before residents moved in.

While this outcome is far from ideal, we have worked with the applicant to secure the best possible compromise under the circumstances.

**HBC Ecology:** No objection

I have assessed the four submitted drawings (Revisions G) which will replace the originally conditioned ones and, as they do not impact upon the site's wider biodiverse habitat creation, I have no objection.

Update 04/06/2024 following amended justification:

No objection.

I have read the letter dated 22/05/2024 submitted by Persimmon and I have no issues with the proposed soft landscaping amendments.

Update 03/03/2025 following amended landscaping and justification:

The Ecology Section has no concerns and defers to the Authority's Landscape Architect. The 'what has changed' note mentions a Nutrient Statement.

I cannot see this on the planning portal and am not sure why one would be needed.

Update 17/03/2025 following amended Nutrient Neutrality details (HRA attached, summarised):

The NBC result shows no excess nutrients to mitigate. Seaton Carew WwTW is used for foul water. Surface water run-off was dealt with when the application received planning approval. The current and post-approval land use is the same (residential).

The project is compliant with the Habitats Regulations.

**HBC Landscape Architect:** There are no landscape and visual issues with the proposed amendments.

Update 29/05/2024 following justification from applicant:

The key issue was the reduction in tree planting within the amended planting as outlined in previous comments of Arb. officer. Some additional tree planting has now been provided.

Update 13/09//2024 following amended landscaping:

There are no landscape and visual issues with the proposed variation.

Update 14/02/2025 following amended landscaping and justification:

A statement of planting has been provided outlining the site history with regard to landscape establishment.

Defer to Arb. Officer comments with regard to revisions to tree planting.

**HBC Traffic and Transport** (including updated comments received 05/06/2024 and 04/20/2024): There are no highway or traffic concerns.

**HBC Engineering Consultancy:** In response to your consultation on the above application we have no comments to make in respect of contaminated land or surface water management.

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

**HBC Public Protection:** No comments to make.

**Tees Archaeology:** We have no objection to the proposed variation.

**Cleveland Police:** I've had a look through the planting list for the proposed landscape amendments. There is a good use of defensive planting types. I don't have any other comments to pass with regard to the development.

Update 12/09/2024 following amended justification:

In relation to this application, my colleague Steve Davies initially commented on this application from a police position as subsequently did Gerry McBride.

In addition to their comments I would add the below and offer applicant the opportunity to contact me for any additional assistance/input I can offer.

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.



Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

Although not an SBD requirement, Hartlepool along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

**Cleveland Fire Brigade:** Our records have been updated accordingly. Please contact us if you have any queries.

**Northern Powergrid:** No objection, records attached.

**Northern Gas Networks:** We do not object to your planning application.

## PLANNING POLICY

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

### Local Policy

#### Hartlepool Local Plan

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

CC1: Minimising and adapting to climate change

LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development

QP5: Safety and Security

QP6: Technical Matters

QP7: Energy Efficiency

SUS1: The Presumption in Favour of Sustainable Development

### National Planning Policy Framework (NPPF)(2024)

1.21 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 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 strong 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 001: Introduction

PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 009: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 039: Decision-Making

PARA 048: Determining Applications

PARA 060: Enforcement

PARA 091: Promoting healthy and safe communities

PARA 125: Achieving well-designed places

PARA 128: Achieving well-designed places

PARA 131: Achieving well-designed places

PARA 161: Planning for Climate Change

PARA 231: Implementation

**1.22 HBC Planning Policy comments:** Comparing the approved Revision E plans to the implemented/existing Revision G plans, the soft landscaping is significantly reduced (widespread reduction/removal of tree and shrub planting) and the development is of a poorer quality as a result. The lost landscaping means that the degree of multifaceted benefits that should've been associated with this planting is much reduced.

**1.23** I disagree with HBC Landscape Architect's comment that there 'are no landscape and visual issues with the proposed amendments' - this comment is hard to understand and should be queried.

**1.24** I do not consider that the amended landscaping scheme meets the requirements of Local Plan policy NE1, the Residential Design SPD (Section D) or NPPF paras 130 or 131. The amendments would materially diminish the quality of the approved development, contrary to NPPF para 135.

1.25 Update 11/02/2025 following amended landscaping:

1.26 No extra comments on this one for us, amendments appear to relate to landscape and not the principle of development.

## PLANNING CONSIDERATIONS

1.27 The application relates to a Section 73 application for the variation of condition 1 of planning permission H/2020/0261 in respect of an amendment to detailed landscape proposals to reflect the implemented soft landscaping on site. It is considered that the principle of the development has been established through implemented planning permission H/2014/0573 and subsequent variations. The Council's Planning Policy section have confirmed that the amendments do not relate to the principle of development. As such the principle of development is considered to be acceptable.

1.28 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the visual amenity of the application site and character and appearance of the area (including landscaping), amenity and privacy of neighbouring land users, highway and pedestrian safety and access and flooding and drainage. These and all other planning and residual matters are set out in detail below.

### VISUAL AMENITY OF THE APPLICATION SITE AND THE CHARACTER AND APPEARANCE OF THE AREA (INCLUDING LANDSCAPING)

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

1.30 Policy NE1 (Natural Environment) of the Local Plan requires all development ensures that the character, distinctiveness and quality of the Borough's landscape is protected and, where appropriate, enhanced. Policy NE3 (Green Wedges) of the Local Plan requires mitigation measures to be provided and enhancement of the green infrastructure network.

1.31 Para 131 of the NPPF seeks to ensure that all new streets should be tree lined. Paragraph 135 of the NPPF (2024) stipulates that planning decisions should ensure that developments, amongst other requirements, will function well and add to the overall quality of the area, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

1.32 The proposed amendments to the approved landscaping is considered to be a significant reduction in the number of trees that were originally proposed for the site. Originally 115 trees of mixed species were to be planted on the site providing a good range of biodiversity, biosecurity and visual amenity to the site. It is understood that the majority of the street trees that were designated to be in the front gardens have

been excluded from the plans through this amendment application after a failure of implementation of the original scheme. Whilst it is acknowledged that occupants of the dwellings may not favour tree planting in their gardens at this stage, it is worth emphasising that the trees should ideally have been established when the developer had control of the plots.

1.33 The Council's Arboricultural Officer was consulted on the application and initially confirmed that the lack of tree planting and justification for such omission was unacceptable. In addition, the Council's Arboricultural Officer noted that the removal of at least 9 trees from the original approved plans for open spaces lacks justification, and requested the provision of reasoning for this adjustment. In response, and as detailed above, the applicant sought to justify the proposals by way of submitting a supporting Note that explains the rationale for excluding some trees from both the front gardens of properties and from the public open space areas through Phases 1 and 2, indicating that the management of landscaping in these areas is now within a management company and the additional planting would result in additional costs for occupants of the dwellings within the residential development.

1.34 It is considered that the shortfall in tree planting is a direct consequence of poor implementation by the applicant. However, given the current situation, a pragmatic approach is considered necessary to reach a workable resolution. The applicant has sought to increase planting in other areas of the development, however, despite this, the overall number of trees remains lower than originally approved. The initial application proposed 115 mixed-species trees across the site, whereas the current phase now includes only 56.

1.35 In view of this shortfall, the Council's Arboricultural Officer considers that the development will not comply with the requirement under paragraph 131 of the NPPF (2024) for tree-lined streets. The interpretation of what constitutes a "new street" appears to hinge on context and opinion. The agent contends that the street is not "new" and that, on this basis, paragraph 131 of the NPPF (2024) would not apply.

1.36 The Council's Arboricultural Officer acknowledges that changes made by homeowners to their frontages have rendered certain areas unsuitable for retrospective tree planting, as the trees were not established before residents moved in. While this outcome is far from ideal, it is considered that the applicant has endeavoured to secure the best possible landscaping scheme under the circumstances. In view of this, the Council's Arboricultural Officer and the Council's Landscape Architect have confirmed no objections to the proposed amendments.

1.37 Notwithstanding the amendments to the landscaping, there have been no amendments to the design of individual house types or plots and the overall layout remains the same as that approved through H/2020/0261. The relationship between the neighbouring properties remains similar and achieves the requisite minimum separation distances as set out in Policy QP4 and the Council's Residential Design Guide SPD

1.38 Overall, whilst it is disappointing that the proposals result in a significant reduction in the amount of trees compared to the approved landscaping plans through the parent approval H/2020/0261, and the proposal would have conflicts with

Policies NE1 and QP4 of the Hartlepool Local Plan (2018) and paragraph 131 of the NPPF (2024), it is considered, in this instance, that the resulting landscaping would not be so significant as to warrant a reason to refuse the application.

#### AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

1.39 It is considered due to the modest nature of the proposals and satisfactory separation distances are maintained, in line with the requirements of Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Guide SPD (2019), that the proposed amendments to the scheme would not have any appreciable impact on the amenity or privacy of neighbouring properties and/or future occupiers. No objections have been received from the Council's Public Protection team. Hours of construction/deliveries and a construction management plan were secured through separate planning conditions on the approved outline application and remain applicable to the current application.

1.40 In view of the above it is considered that the proposed amendments are acceptable with respect to the impact on the amenity and privacy of neighbouring land users, and is in accordance with policy QP4 of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2024).

#### HIGHWAY AND PEDESTRIAN SAFETY AND ACCESS

1.41 The proposed amendments to the scheme does not increase the number of dwellings to be provided on site and the access to the development remains unchanged. The Council's Traffic and Transport section have been consulted on the application and have raised no objection to the proposed amendments in terms of highway safety, access or parking. The proposal is therefore acceptable in this respect.

1.42 The Council's Countryside Access Officer has been consulted and raises no concerns or objection to the proposed amended landscaping. It is not considered that the changes will affect any present or future pedestrian walkways. The new coastal walkway/cycleway will not be affected by the proposed changes to the development. The proposal is therefore acceptable in this respect.

#### FLOODING AND DRAINAGE

1.43 The Council Food Risk Officer and Northumbrian Water have been consulted and raised no concerns or objection to the proposal. The proposal is therefore acceptable in these respects.

#### OTHER PLANNING MATTERS

1.44 With respect to matters relating to contaminated land, archaeology and ecology, no concerns or objections have been received from technical consultees as these matters have been addressed through previous planning conditions and legal obligations that remain applicable. The application is therefore considered to be acceptable with respect to these matters.

1.45 Cleveland Police have responded to consultation on the application to confirm that the proposed landscaping is acceptable from a security and safety perspective, and have provided advice in respect to Secured by Design initiatives, which can be relayed to the applicant by way of an informative.

1.46 The parent applications had a number of planning conditions, some of which being pre-commencement, details of which have been submitted and agreed to discharge those conditions through the appropriate application. Details to support the current S73 application reflect the amendments (and agreed conditions) to ensure continued compliance with the conditions of H/2014/0470 and H/2020/0261. A planning condition is to be secured on this approval to ensure that the other conditions attached to the original permission (H/2014/0470) and subsequent S73 (H/2020/0261) shall continue to apply to this permission.

The proposal relates to amendments to the landscaping for a previously approved housing scheme it is not considered that it will in itself have any significant effect on the adjacent Special Protection Area/SSSI in terms of any additional nitrate pollution or recreational disturbance.

#### PLANNING OBLIGATIONS

1.47 The original approval (H/2013/0365) was subject to a Section 106 Agreement which secured a number of planning obligations and financial contributions. With regard to matters which are not part of this application, a report was presented to Members at Planning Committee in October 2019 which highlighted a number of changes to the original s106 legal agreement, these changes can be summarised as follows:

- A) Variation to bus stop contribution
- B) Variation to ecology mitigation contributions/obligations
- C) Deletion of 'insurance of sand dunes' covenant/obligation
- D) Replacement of existing clauses to allow for s73 variations to approved schemes

1.48 It is considered that the S106 on the original outline approval (H/2013/0365) captures reserved matters applications (including the current application which is a S73A application), and therefore a Deed of Variation to the S106 legal agreement is not required for this application.

#### CONCLUSION

1.49 It is considered that on balance the proposal is acceptable and is therefore recommended for approval subject to the conditions set out below and the completion of an associated deed of variation.

#### EQUALITY AND DIVERSITY CONSIDERATIONS

1.50 There is no evidence of equality or diversity implications.

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

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

1.52 There are no Section 17 implications.

## REASON FOR DECISION

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

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

1. The development hereby permitted shall be carried out in accordance with the plans and details:

Dwg. No. BM-HF-01, Highway Features,  
Drainage Strategy at Britmag Hartlepool September 2014, prepared by  
Persimmon Homes (Teesside) Limited, received by the Local Planning  
Authority on 7<sup>th</sup> October 2014;

Dwg. No. SGD-01 Plans & Elevations (Single/Double Garage),  
Dwg. No. SGD-02 Plans & Elevations (Triple Garage),  
Dwg. No. SGD-03 Plans & Elevations (Quad Garage),  
Dwg. No. SGD-03 Plans & Elevations (Garages 6 Block), received by the  
Local Planning Authority on 28<sup>th</sup> November 2014;

Dwg. No. C969407-Y001S12 Rev A,  
Dwg. No. MPT-GF-WD01 Rev C Plans & Elevations (Greyfriars),  
Dwg. No. MPT-MS-WD01 Rev E Plans & Elevations (Moseley),  
Dwg. No. MPT-MD-WD01 Rev D Plans & Elevations (Morden),  
Dwg. No. MPT-HB-WD01 Rev B Plans & Elevations (Hanbury),  
Dwg. No. MPT-AN-WD01 Rev B Plans & Elevations (Alnwick),  
Dwg. No. MPT-CCA-WD01 Rev B Plans & Elevations (Clayton Corner),  
Dwg. No. MPT-CD-WD01 Rev B Plans & Elevations (Chedworth),  
Dwg. No. MPT-CDF-WD01 Rev B Plans & Elevations (Chedworth Front  
Balcony),  
Dwg. No. MPT-CDR-WD01 Rev D Plans & Elevations (Chedworth Rear  
Balcony),  
Dwg. No. MPT-HT-WD01 Rev B Plans & Elevations (Hatfield),  
Dwg. No. MPT-RF-WD01 Rev B Plans & Elevations (Rufford),  
Dwg. No. MPT-RFF-WD01 Rev B Plans & Elevations (Rufford Front Balcony),  
Dwg. No. MPT-RFR-WD01 Rev D Plans & Elevations (Rufford Rear Balcony),  
Dwg. No. MPT-WS-WD01 Rev C Plans & Elevations (Winster),  
Dwg. No. MPT-WSR-WD01 Rev D Plans & Elevations (Winster Rear  
Balcony),  
Dwg. No. MPT-RS-WD01 Rev B Plans & Elevations (Roseberry),

Dwg. No. MPT-RSF-WD01 Rev B Plans & Elevations (Roseberry Front Balcony),  
 Dwg. No. MPT-RSR-WD01 Rev D Plans & Elevations (Roseberry Rear Balcony),  
 Dwg. No. MPT-SU-WD01 Rev D Balcony) Rev D Plans & Elevations (Souter),  
 received by the Local Planning Authority on the 5<sup>th</sup> December 2018;

Dwg. No. AD-WD-01 Plans & Elevations (Ashdown),  
 Dwg. No. AM-WD-01 Rev B Plans & Elevations (Alnmouth),  
 Dwg. No. BH-WD-01 Rev D Plans & Elevations (Burnham),  
 Dwg. No. CWC-WD-01 Rev D Plans & Elevations (Charnwood Corner),  
 Dwg. No. CW-WD-01 Rev D Plans & Elevations (Charnwood),  
 Dwg. No. DM-WD-01 Rev D Plans & Elevations (Delamare),  
 Dwg. No. DY-WD-01 Rev D Plans & Elevations (Danbury),  
 Dwg. No. GW-WD-01 Rev E Plans & Elevations (Greenwood),  
 Dwg. No. MS-WD-01 Rev C Plans & Elevations (Marston),  
 Dwg. No. SN-WD-01 Rev G Plans & Elevations (Saunton),  
 Dwg. No. SW-WD-01 Rev C Plans & Elevations (Sherwood),  
 Dwg. No. WF-WD-01 Rev C Plans & Elevations (Whinfell),  
 Dwg. No. WL-WD-01 Rev E Plans & Elevations (Whiteleaf), received by the  
 Local Planning Authority on 2<sup>nd</sup> October 2020;

Dwg. No. HPL-MPT-MAS-000 Rev Y-STP (Phase Master Plan),  
 Dwg. No. HPL-MPT-001 Rev Y-STP Phase 1 (Master Plan Overrides),  
 Dwg. No. HPL-MPT-002 Rev Y-STP Phase 2 (Master Plan Overrides),  
 Dwg. No. HPL-MPT-003 Rev Y-STP Phase 3 (Master Plan Overrides),  
 Dwg. No. HPL-MPT-000 Rev Y STP Location Plan,  
 Dwg. No. SR1732/FE03-1 Rev E Drainage Feasibility (1 of 2),  
 Dwg. No. SR1732/FE03-2 Rev E Drainage Feasibility (2 of 2), received by the  
 Local Planning Authority on 5<sup>th</sup> March 2021;

Dwg. No. HPL-MPT-LOC-001 (Site Location Plan, at a scale of 1:2500),  
 Dwg. No. HPL-MPT-LOC-002 (Site Location Plan, at a scale of 1:2500),  
 Dwg. No. 2433/10 Rev F Detailed Landscape Proposals - Phase 3 (1 of 3)  
 Dwg. No. 2433/11 Rev F Detailed Landscape Proposals - Phase 3 (2 of 3)  
 Dwg. No. 2433/12 Rev F Detailed Landscape Proposals - Phase 3 (3 of 3)  
 Dwg. No. 2433/6 Rev H Detailed Landscape Proposals (3 of 6)  
 Dwg. No. 2433/7 Rev H Detailed Landscape Proposals (4 of 6)  
 Dwg. No. 2433/8 Rev H Detailed Landscape Proposals (5 of 6)  
 Dwg. No. 2433/9 Rev H Detailed Landscape Proposals (6 of 6), received by  
 the Local Planning Authority on 4<sup>th</sup> September 2024;

Dwg. No. HPL-MPT-LOC-003 Rev B (Site Location Plan, at a scale of  
 1:2500), received by the Local Planning Authority on 2<sup>nd</sup> December 2024.  
 For the avoidance of doubt.

2. This approval relates solely to this Section 73 application for the variation of condition 1 (approved plans) of planning permission H/2020/0261 (decision dated 30<sup>th</sup> April 2020) to allow for amendments to the approved landscaping (as described in the application forms and approved plans). The other



conditions attached to the original permission (H/2014/0470) and conditions attached to (H/2020/0261) shall continue to apply to this permission and shall be complied with.

For the avoidance of doubt.

3. Notwithstanding the submitted details, all planting, seeding or turfing comprising the approved details of landscaping shall be carried out in the first planting season following the date of this decision for areas already completed or occupied, or following completion or first occupation (whichever is sooner), for areas under construction, of the development hereby approved. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.  
In the interests of the amenities of the area and to ensure a satisfactory form of development.

## BACKGROUND PAPERS

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

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=159810>

1.55 Copies of the applications are available on-line:

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

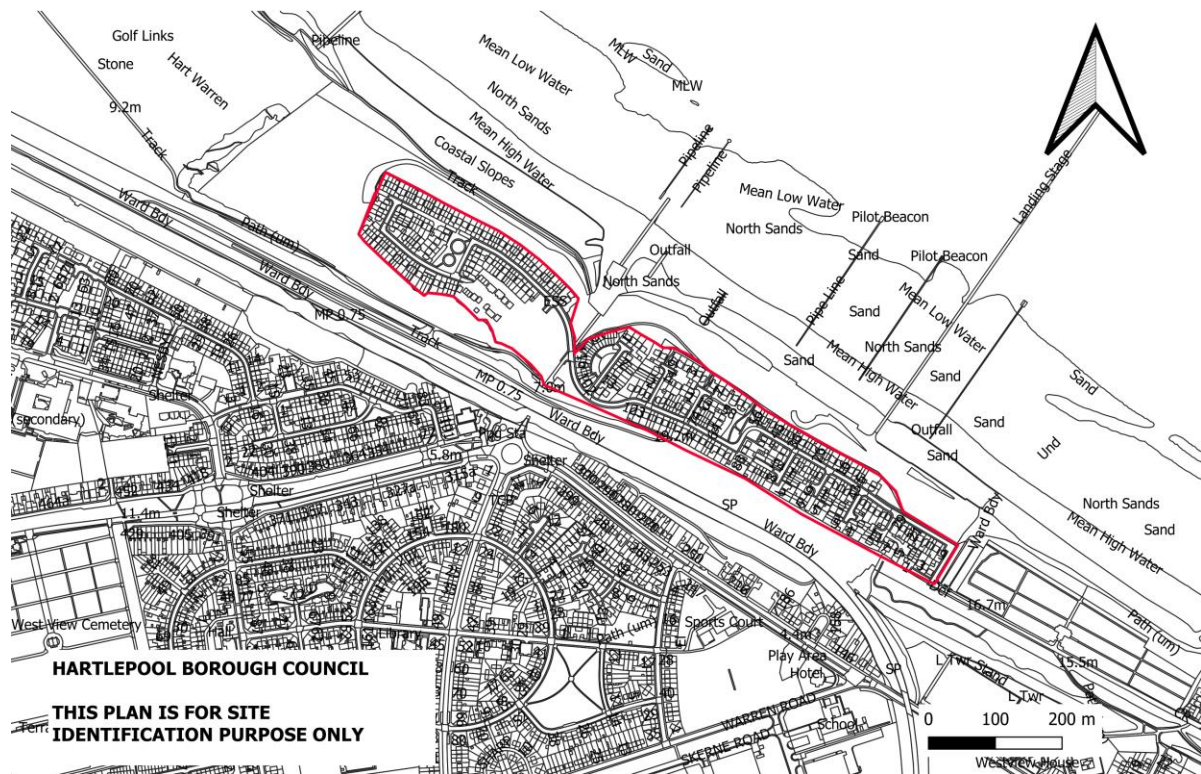
## CONTACT OFFICER

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**H/2023/0370 Former Britmag Ltd  
Old Cemetery Road**



**No:** 2.  
**Number:** H/2022/0376  
**Applicant:** MR BRETT WILKINSON WORSET LANE HART  
 VILLAGE HARTLEPOOL TS27 3BE  
**Agent:** KANE ARCHITECTURAL SERVICES LTD THE OLD  
 BREWERY BUSINESS CENTRE CASTLE EDEN TS27  
 4SU  
**Date valid:** 11/11/2022  
**Development:** Approval of all reserved matters for residential  
 development consisting of up to 13no. dwellinghouses  
 pursuant to outline planning permission H/2017/0028.  
**Location:** GLEBE FARM PALACE ROW HART 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 current application relates to a reserved matters submission, where the associated and most relevant application is the following outline planning permission, which was granted in 2019;

H/2017/0028 – Outline application (all matters reserved) was granted on 15/11/2019 for residential development consisting of up to 13 no. dwellinghouses (demolition of existing buildings including bungalow) with an accompanying signed S106 to capture a number of financial contributions and obligations, which is discussed further in the report.

2.3 Other planning history relevant to the application site is also set out below;

H/2009/0137 - Alterations and extension to bungalow to form a dwelling and erection of triple garage, approved 14.05.2009 (never implemented).

H/2010/0593 - Lawful Development Certificate in respect of use of premises for residential use unconnected with agriculture or forestry, approved 13.12.2009.

H/2010/0701 - Erection of a first-floor extension to provide two storey dwelling, approved 08.02.2011 (never implemented).

H/2015/0013 - Conversion of barn to single dwelling, allowed on appeal 10.02.2016 (appeal ref APP/H0724/W/15/3133288).

## PROPOSAL

2.4 This Reserved Matters application (covering access, appearance, landscape, layout and scale) seeks planning permission for residential development consisting of 13 detached dwelling houses, following the granting of Outline planning permission at Glebe Farm, Hart, Hartlepool (H/2017/0028). The application will require the demolition of the buildings on site including the existing bungalow.

2.5 The proposed dwellings would utilise an existing access from Palace Row, which would be modified and would provide a cul de sac layout with dwellings illustrated being positioned around the perimeter of the site, with one of the plots fronting onto Palace Row. The proposed scheme would provide a variety of three different house types, with the larger house type being also served by detached double garages. The proposed scheme is subject to a planning condition (on the outline permission) restricting the height of the proposed dwellings below 10 metres and all house types adhere to this stipulation.

2.6 During the course of the application, a number of amended plans and updated information were received. This included the submission of an amended landscaping scheme and associated details (to reflect the comments of the Council's Arboricultural Officer). Later in the application process, a number of small anomalies within the submission have been noted in relation to the 'handed' layout of a number of house types proposed. Consequently, additional drawings have therefore been sought for completeness, although given the nature of the additional information, no formal additional consultation is planned to be carried out and it is considered that no party will be prejudiced as a result.

2.7 The application has been referred to Planning Committee owing to the number of objections received (more than 3) to the proposed development, as a result of the public consultation exercise, in line with the Council's scheme of delegation.

## SITE CONTEXT

2.8 The application site relates to Glebe Farm, located along Palace Row, to the west of Hart village. The application site is included within the development limits of the adopted Hartlepool Local Plan 2018 (as defined by Policies LS1 and RUR2), although it is classed as 'white land' and for no designated use. The application site lies outside of the development limits of the adopted Hartlepool Rural Neighbourhood Plan.

2.9 The site consists of an occupied bungalow with a number of detached out buildings, farm buildings and stable blocks, and enclosed paddock areas/fields to the south of the buildings. Beyond the southern boundary of the site is the A179. A parcel of land is located beyond the eastern boundary of the site, between the site and Hart village, which is a site that has been allocated for residential development within the Local Plan (site HSG8b). A planning application was previously withdrawn at the neighbouring site for an application for 29 dwellings (reference H/2017/0301).

2.10 Beyond the highway to the north is an enclosed parcel of land known as Nine Acres (HBC owned), which has also been allocated for residential development within the Local Plan (site HSG8a). A planning application for the adjacent site to the north was also withdrawn in June 2024 (reference H/2022/0176).

## PUBLICITY

2.11 The application has been advertised by way of neighbour letters, a site notice and a press advert (25). Through the course of the application process, a full, revised consultation was carried out owing to a mistake within the original applicant's site description. To date, there have been 4 letters of objection received as a result of the public consultation exercise.

2.12 The objections and concerns raised are:

- Lack of infrastructure to support the development;
- Traffic & parking issues;
- Loss of 'Green Belt';
- Disturbance from construction activity;
- Increased flooding;
- Impact on historic character/ loss of vista;
- Impact of wildlife;
- Loss of agricultural land.

2.13 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=155672>

2.14 The period for publicity has expired.

## CONSULTATIONS

2.15 The following consultation replies have been received:

**HBC Arboricultural Officer:** - There are no TPO's or Conservation area concerns in relation to trees on the proposed development site. There has been no information regarding any of the trees or hedges on the site supplied with the application. An arboricultural impact assessment would be needed to support the application.

### Landscape plan

A planting scheme has been provided however it has not been thought through in terms of species selection. It has down for planting *Fraxinus angustifolia* 'Raywood' which is a lovely tree but is also highly susceptible to Ash dieback meaning that the likelihood for survival of the ash trees is very small.

In 2019 there was a small outbreak of Oak Processionary Moth within Hartlepool and therefore the planting of *Quercus robur* must be very careful not to introduce OPM

again. All statutory regulations and requirements for growing, moving, managing and importing Oak species. The stock should be bought from.

There has also been too many trees squeezed into small locations being planted to closely together at the front of properties with large areas of rear garden without any. This will inevitably cause future problems with establishment and no doubt bring pressure to force the removal of trees in the future. The planting scheme should therefore be redesigned to take into account the above points.

There is a good free document from the Trees & Design Action Group; Tree Species Selection for Green Infrastructure. This will give guidance of what to tree to plant in a number of varying conditions. It is essential that the right tree be planted in the right location to allow the tree to establish successfully but to also stop any future problems with property boundaries and maintenance issues. Any tree planting schemes associated with the site should be designed using the guide. The planting scheme should be amended but can also be added as a condition.

1) Condition: Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Hartlepool local plan 2018, NE1 Natural environment.

Informative:

The following British Standards should be referred to:

- I. BS: 3998:2010 Tree work- Recommendations
- II. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- III. BS: 5837:2012 Trees in relation to demolition, design and construction - Recommendations
- IV. BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations

Further comments received 10/06/2025

The planting scheme has been updated to include a wider, more biodiverse range of species, which in turn will provide a better scheme in the long term.

Further comments received 11/06/2025

Further to previous comments an Arboricultural Impact assessment was requested and provided to which the majority of trees on site are proposed to be removed to facilitate the development. They are low quality species and there is no objection to these removals given the replanting proposed as part of the scheme which provides an increase in tree numbers and quality from the existing site.

**HBC Landscape Architect:** - Sufficient information has been provided to discharge landscape conditions (9 & 10) of H/2017/0028.

**HBC Traffic & Transport:** - The proposed shared surface carriageway is acceptable. Provision needs to be made for Street lighting. In a shared surface carriageway street lighting is usually positioned in the residents' gardens.

The signs for the 20-mph speed limit on Palace Row should be repositioned to the west side of the development junction. This can be done separately through highway legislation.

**National Highways:** - Referring to the consultation on a planning application received 24 November 2022 referenced above, in the vicinity of the A66 that form 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 Highway's 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 activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Further comments received 02/12/2022.

We are nonetheless content that the applications are all such that we do not wish to comment further.

**HBC Engineering Consultancy:** - In response to your consultation on the above application for the approval of the reserved matters of access, appearance, landscaping, layout and scale, we have no objection to proposals in respect of surface water management or contaminated land.

Further comments received 01/12/2022

In response to your additional consultation on the above application we have no further comments to make.

**HBC Ecology:** - This is a reserved matters application, and I note that the Habitats Regulations Assessment (HRA) for increased recreational disturbance was approved as fit for purpose at outline approval (Ref: H/2017/0028).

The scheme, however, does need a HRA for nutrient neutrality and supporting information has been submitted. A Nutrient Neutrality Statement has been prepared by Kane Architectural Services.

I have assessed the Nutrient Neutrality Statement and have prepared a nutrient budget calculation and a HRA stage 1 screening report (submitted separately).

There will be zero additional nutrients and no mitigation is required. All likely adverse effects on European Sites are screened out and the HRA process is complete.

**Natural England:** - Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

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

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

**HBC Public Protection:** - I have no objections to this application and would just ask that conditions 17 and 27 from the original application H/2017/0028 are still attached to any further permission.



**HBC Heritage & Open Spaces:** - There are no listed buildings, conservation areas or locally listed buildings in close proximity to this site. No objections.

**Tees Archaeology:** - Thank you for the consultation on this application. The site has previously been subject to archaeological investigation and no further archaeological work is required.

**HBC Countryside Access Officer:** - There is no data that implies that there are any records of any recorded or unrecorded public and/or permissive rights of way running through, abutting to or being affected by the proposed development of this site. However I would like to see a new footway to a new road crossing, from the development to the existing footway into Hart village as well as improvements to the existing footway itself - surface and width. This would provide safer and improved links to services, schools and recreational access within the village and from there to the town.

**Cleveland Police:** - Thank you for allowing me the opportunity to comment on the proposal for the erection of up to 13 dwellings at Glebe Farm, Worset Lane, Hartlepool. I've read through the Design and Access statement, and couldn't find any reference made by the applicant, regarding any consideration to designing out crime, as part of their proposal. I would be delighted to work with the developer in order for them to achieve the police approved Secured by Design standard, which can be used to help market the site and is completely free of charge to enrol in. My details can be found via the Secured by Design website under the Cleveland Police heading National Network of Designing out Crime Officers ([securedbydesign.com](https://securedbydesign.com))

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

**HBC Building Control:** - I can confirm that a Building Regulation application will be required for the work described.

**Northern Gas Networks:** - Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location. Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your

guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue. If you have any further enquires please contact the number below.

Repeated comments were also received 30/11/2022.

**Northern Powergrid:** - (summarised with advice appended as informative) Thank you for your enquiry dated 11/11/2022 concerning the above. The enclosed mains records only give the approximate location of known Northern Powergrid apparatus within the area. Great care is therefore needed and all cables and overhead powerlines must be assumed to be live.

Repeated comments were also received 24/11/2022.

**Northumbrian Water:** - Thank you for consulting Northumbrian Water on the above proposed development. In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. I refer you to our original response to the application (H/2017/0028), dated 2nd March 2017, and can confirm that at this stage we have no additional comments to make. I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Further comments received 28/11/2022.

Thank you for consulting Northumbrian Water on the above proposed development. In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Drainage Strategy". In this document it states that foul water will discharge to the agreed manhole 7801 and surface water will discharge to manhole 7802 at a

restricted rate of 5 l/sec if it is proven that there is no other option for the disposal of surface water. We request that the following approval condition is attached to a planning approval, so that the development is implemented in accordance with the above named document:

**CONDITION:** Development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Drainage Strategy” dated “December 2016”. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 7801 and ensure that surface water discharges to the surface water sewer at manhole 7802. The surface water discharge rate shall not exceed the available capacity of 5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority..

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

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developer’s approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option. They are not part of any approval process for determining whether the proposed drainage layouts / design put forward at the planning stage satisfies the adoption criteria as set out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where it is their intention to offer SuDS features for adoption. For Information Only Please note that the site lies within drainage area 11-D24. This drainage area discharges to Seaton Carew Sewerage Treatment Works, which is not named on the Nutrient Neutrality Budget Calculator. I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

**Durham County Council:** - I have reviewed the information submitted as part of the subject application and can confirm that Durham County Council raise no objection in this instance.

**Hart Parish Council:** - Thank you for consulting HPC on this application. Councillors have no objection to the 13 dwellings proposed but ask that it is a condition of planning approval the developer is required to give consideration to pedestrians crossing the road and to ensure that wheels of construction traffic are clean when leaving the site, so as to avoid mud etc on village roads.

**Hartlepool Rural Plan Working Group:** - Thank you for consulting Hartlepool Rural Neighbourhood Plan Group with regard to the above application. The following Neighbourhood Plan Policies are considered relevant and the Group make the following comments based on these policies.

## POLICY GEN1 – DEVELOPMENT LIMITS

Within the Development Limits as defined on the Proposals Map, development will be permitted where it accords with site allocations, designations and other policies of the development plan. Development within the Green Gaps shown on the Proposals Map will be permitted only in exceptional circumstances where it does not compromise the openness of the countryside between the villages, Hartlepool and Billingham. The application site is within the development limits of Hart village and is not within the Green Gaps. The application is generally in line with this policy regarding site allocation but must also be judged in respect of the other following policies.

## POLICY GEN 2 - DESIGN PRINCIPLES

The design of new development should demonstrate, where appropriate:

1. how relevant village design statements and conservation area appraisals have been taken into account;
2. how the design of new housing scores against the Hartlepool Rural Plan Working Group's Checklist as set out in appendix 4;
3. how the design helps to create a sense of place and reinforces the character of the village or rural area by being individual, respecting the local vernacular building character, safeguarding and enhancing the heritage assets of the area, landscape and biodiversity features;
4. how the design helps to reinforce the existing streetscape or green public spaces by facing onto them
5. how the design preserves and enhances significant views and vistas;
6. how the design demonstrates that it can be accessed safely from the highway and incorporates sufficient parking spaces;
7. how the design uses sustainable surface water management solutions in new developments to reduce all water disposal in public sewers and manage the release of surface water into fluvial water and;
8. how the design ensures that homes are flexible to meet the changing needs of future generations. Unfortunately, Hart does not have a village design statement and is not a conservation area. This despite Hart being one of the most historically important settlements in the area.

Quoting the applicants own Design and Access Statement “The form and proportions of any new buildings would be key elements in the design and determine any visual impact on the landscape. If form and proportion are wrong, then little can be done with any other features to mitigate the impact of a poor design. The most successful rural designs are those which use the simple shapes and forms of traditional buildings. For example, the traditional house has an elongated rectangular plan with wall and door openings on the front and rear walls. The house plan has limited depth with only a porch on the front elevation. The roof is either gable or hipped depending upon the locality and occasionally chimneys are expressed at the gables or along the ridge line. Much of the character and quality of the countryside in this area stems from the presence of a wide range of traditional buildings of local styles and largely local materials. Traditional buildings evolved in response to their setting and their function in the countryside. The new buildings are to respect that long established

link and not attempt, through its siting and design to impose alien or urban standards”.

The above statement is one of the best descriptions of how to design with a care for local character provide with any recent application and would be fully endorsed by the Rural Neighbourhood Plan, however, the application bears no relation to this statement. Unfortunately, the houses proposed in this application are clearly far from the reflection of the character of the traditional village house as described and to be found in the vernacular of Hart. The design of the houses in the actual application has more in common with the flamboyant polychromatic high Victorian urban villas, albeit with modern twists in enlarged window forms. To again quote the applicants design statement, “in practice too many single and two-storey structures have been imposed on the landscape in suburban forms and in a wide variety of styles”, this is the case with this application. The buildings will NOT, by their very nature, be rural in scale and detailing. The failure once again of a developer to embrace the concept of ‘sense of place’ and ‘local distinctiveness’ will result in the further unfortunate overwhelming of the historic character of Hart village. Feedback from the Neighbourhood Plan community consultations suggested a general acceptance that a limited amount of housing development was acceptable provided that new housing was designed to be in keeping with the character of each village. It must be concluded that the application fails to meet policy Gen 2. They even fail to meet the aspirations of their own design statement.

#### POLICY H1 - HOUSING DEVELOPMENT

To assist in meeting the Borough’s housing needs the rural plan area will accommodate a minimum of 170 new dwellings by 2031 excluding the dwellings built on the new developments on the western edge of Hartlepool’s urban area.

Permission will be granted for further new homes on the following site: Hart – Glebe Farm. Approx number allocated 20.

New housing development should provide a mix of house types and tenures on sites of five or more dwellings; the mix should have regard to the latest evidence of housing need applicable at the time.

Para 8.24 in the Rural Neighbourhood Plan states, new housing development in all villages should provide a mixture of house types and sizes, in particular 2 bedroomed starter homes and 3 bedroomed homes suitable for young families to help to retain families in the villages to support village schools. There is evidence from consultation of demand for bungalows and smaller homes suitable for older people to downsize, thus releasing larger family homes. This was supported by a housing needs survey carried out as part of the consultation process required as part of the neighbourhood process.

Local Plan Policy HSG2 supports the Rural Neighbourhood Plan Policy. HSG2 states that new housing provision identified in policy HSG1 and on the Policies Map will be required to deliver a suitable range and mix of house types which are appropriate to their locations and local needs. For the developments in Hart village, it is stated in the Local Plan that a full range of house types are required. The

application is on an allocated site, albeit it one added to comply with a site added by the Local Plan. As all 13 proposed houses are large, detached houses, all but one being 6 bedroom the application fails to provide a mix of types and tenures. The number of dwellings proposed being 13, which is more than 5 stated in the policy, there must be a greater mix. It is therefore considered that the application is contrary to Policy H1.

## POLICY H2 - AFFORDABLE HOUSING

1. Affordable housing will be required in applications for residential development that consist of a gross addition of six or more dwellings. For schemes of between 6 and 10 units, financial contributions in lieu of on-site provision can be made and any commuted sums received must be used for the provision of affordable housing within or adjacent to the villages in the plan area.

2. Developers will be required to deliver 18% affordable housing in a bid to contribute to the delivery of this. The affordable provision and tenure and mix will be negotiated on a site-by-site basis, having regard to the economic viability of the development and the most up-to-date evidence of housing need, aspiration and the local housing market. The affordable homes provided must be of a tenure, size and type to help meet identified local housing needs and contribute to the creation of mixed, balanced and inclusive communities where people can live independently for longer.

3. Market and affordable homes on sites should be indistinguishable and achieve the same high design quality.

4. It is expected that affordable housing will be delivered through on-site provision and where appropriate, be pepper-potted throughout the development. However in certain circumstances it will be acceptable for provision to be made off-site, preferably within the same village, where:

- applicants can provide sound, robust evidence why the affordable housing cannot be incorporated on-site; and/or
- Hartlepool Borough Council and the Parish Council is satisfied that off-site provision will benefit the delivery of affordable housing in the Rural Plan area.

5. Other than in exceptional circumstances all affordable units will be delivered in partnership with a Registered Provider by means of a Legal Agreement, and appropriate provision to secure long term availability.

6. Where the scheme's viability may be affected, such that an adequate amount of affordable housing cannot be provided, developers will be expected to provide viability assessments which will be submitted as an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future. The application being for 13 dwellings, the policy requires on-site provision of affordable housing either rented or discounted. No such provision is indicated. The application is therefore not in compliance with Policy H2. Both Policy H1 and H2 have low thresholds for the

provision of both variety and affordability to address the serious problem in the villages where developments tend to be much smaller than in urban areas. Invariably developers seek to cash in on an external demand for very large and expensive properties to the exclusion of many rural residents. Those seeking a perceived rural idyll actually destroy the communities they seek to join. It is apparently all too easy for such developments to get around the provision of smaller and more affordable homes. The Rural area is reliant on the support of the planning system and our unitary authority upholding the policies of the Rural Neighbourhood Plan which attempts to address this serious problem.

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

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

1. improvement of the A179/A19 junction
2. the dualling of the A179
3. improved village approach roads and junctions to the A179, A689 and A19
4. alleviating the impact on the villages of the increase in traffic arising from new development in Hartlepool
5. appropriate measures to discourage traffic related to any new development on the edge of Hartlepool from using minor roads through the villages in the Plan
6. Measures that promote good driver behaviour, such as speed cameras. The above improvements must be designed, as far as possible, to be in keeping with the rural setting.

The needs highlighted in policy T1 have been identified by the Rural Neighbourhood Plan during the consultation process with the communities involved. The Group expects these to be addressed and funding sought where appropriate via section 106 agreements. Highway contributions obtained from this development must be directed to improvements within the rural area. In this instance the improvements should be primarily directed to improving traffic conditions in the vicinity of Hart village. The most pressing, and directly affecting this site, is the junction with the western access to Hart village from the A179.

#### POLICY C1 - SAFEGUARDING AND IMPROVEMENT OF COMMUNITY FACILITIES

Priority schemes include: 1. Improvements to Dalton Piercy Village Hall 2. A new equipped children's play area at Dalton Piercy 3. New car park to serve Elwick Church and other heritage assets 4. Improvements to Greatham Community Centre. 5. Improvements to Greatham Sports Field 6. A new multi-purpose community open space with equipped play area, sports pitch, wildlife area, dog walking area and allotments at Hart. Contributions will be sought from new housing development towards the improvement of leisure, community and recreation facilities and open spaces serving the settlement where it is shown that the need for the facility, open space or the contribution towards the improvement of existing facilities is directly required as a result of the proposed development.

## POLICY PO1: PLANNING OBLIGATIONS - CONTRIBUTIONS TOWARDS MEETING COMMUNITY INFRASTRUCTURE PRIORITIES

Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development. Developer contributions will be determined on a site by site basis in accordance with Hartlepool Borough Council's Supplementary Planning Document on Planning Obligations and due consideration should be given to priorities listed in Appendix 5. Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future. In 2019 Members were minded to approve the outline application for this site, and secured the developers willingness to a legal agreement (s106) for contributions to the following :-

- £3,250.00 for built sport facilities at Hart Primary School
- £15,467.00 for play facilities adjacent to Hart Primary School playing field (pro-rata contribution)
- £3,042.77 for maintenance of the playing pitch at Hart Primary School
- £741.26 for tennis courts at Town Moor, Headland
- £64.61 for bowling greens (off site)
- £3,250.00 for green infrastructure improvements to new and existing footpaths to the south of the A179
- £38,376.45 for primary school provision
- £25,101.56 for secondary school provision
- £53,651.00 Pro-rata contribution towards highway mitigation works
- An obligation relating to the provision and implementation of ecological mitigation measures;
- An obligation relating to securing a training and employment charter/local labour agreement;
- The provision and maintenance of highways and landscaping to an adoptable standard

Should the £15,467.00 for play facilities adjacent to Hart Primary School not be achievable the money should remain in Hart to provide the much needed play facilities. The new open space to be provided as part of the new development across the road from this application would be a good alternative. There are needs identified in the Rural Neighbourhood Plan (see appendix 5) and repeated in this consultee submission. The Group expects these to be addressed and funding sought where appropriate via section 106 agreements. It is expected that these contributions, particularly relating to Hart and the rural area, be honoured.

## POLICY NE1 - NATURAL ENVIRONMENT

The rural plan will seek to protect, manage and enhance the area's natural environment.



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.
- 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.

The Landscape Plan for this application shows attractive planting. Particularly welcome is the native hedge planted around the perimeter. The Materials Plan also shows a 1.8m fence around the perimeter. It is not clear how these two elements relate to each other, or how the hedge will be maintained when accompanied by the fence. The hedge should be on the outside of the fence in the interests of meeting the screening/landscape enhancement and visual amenity from the countryside. Planning conditions will be needed to secure the improvement of the proposed native hedgerow is planted at the earliest opportunity and to secure its maintenance.

While this site is compliant to policy Gen 1, the policy states that “development will be permitted where it accords with site allocations, designations and other policies of the development plan”. The application as presented does not accord with policies Gen 2, H1 and H2. Therefore, the Rural Neighbourhood Plan Group objects to this application.

**HBC Estates:** - No comments received.

**Ramblers Association:** - No comments received.

**HBC Waste Management:** - No comments received.

**HBC Community Safety & Engagement:** - No comments received.

**HBC Housing:** - No comments received.

**HBC Housing Management:** - No comments received.

**HBC Housing Standards:** - No comments received.

**National Grid:** - No comments received.

**Hartlepool Water:** - No comments received.

## PLANNING POLICY

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

### Local Policy

#### HARTLEPOOL LOCAL PLAN (ADOPTED MAY 2018)

2.17 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
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
HSG8	Hart Village Housing Developments
HSG9	Affordable Housing
NE1	Natural Environment
NE2	Green Infrastructure
NE3	Green Wedges
NE7	Landscaping along main transport corridors

#### HARTLEPOOL RURAL NEIGHBOURHOOD PLAN (2018)

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

2.19 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

### National Planning Policy Framework (NPPF)(2024)

2.20 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 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 strong 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

PARA039: Decision making

PARA048: Determining applications

PARA057: Planning conditions and obligations

PARA058: Planning conditions and obligations

PARA061: Delivering a sufficient supply of homes

PARA111: (Active Travel) Promoting sustainable transport

PARA115: Considering development proposals

PARA116: Considering development proposals

PARA124: Making effective use of land  
 PARA125: Give substantial weight to the value of using suitable brownfield land.  
 PARA129: Achieving appropriate densities  
 PARA131: Achieving well-designed places  
 PARA135: Achieving well-designed places  
 PARA161: Meeting the challenge of climate change, flooding and coastal change  
 PARA164: Planning for climate change  
 PARA170: Planning and flood risk  
 PARA187: Conserving and enhancing the natural environment  
 PARA192: Habitats and biodiversity  
 PARA231: Implementation  
 PARA232: Implementation  
 PARA233: Implementation

2.21 **HBC Planning Policy:** - Thank you for alerting Planning Policy on the progress of this application. The principle of residential development has already been established and thus in principle Planning Policy have no objections to the proposal.

2.22 Local Plan policy HSG2 and Neighbourhood Plan policy H1 seek a suitable range and mix of house types from sites of 5 or more dwellings and although this has not been proposed. Planning Policy are of the view that, this application is only for 13 units and although all are large, detached dwellings, this number is not significant enough to exacerbate any imbalance in the housing stock and Planning Policy do not object to this element of the scheme.

2.23 The design and layout of the scheme as a whole will provide what will become a high-quality living environment and Planning Policy have no objection with regard to the design of the scheme as a whole.

## PLANNING CONSIDERATIONS

2.24 The principle of residential development has already been established through the approved extant Outline planning permission (H/2017/0028). The application site is located within the development limits of Hart, as defined by Local Plan policies LS1 and Rur2 and as illustrated on the Local Plan Policies Map. Condition 4 of the Outline planning approval limits the number of dwellings to 13, whilst condition 5 of the permission requires the details submitted at Reserved Matters stage to be in 'general conformity' with the indicative layout plan submitted and considered as part of the outline planning approval. The submitted scheme is considered to meet the requirements of these two planning conditions of the Outline planning approval.

2.25 Having regard to these considerations, 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, flood risk and drainage, ecology and nature conservation, heritage assets and archaeology.

These and all other planning and residual matters are set out and considered in detail below.

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

2.26 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. The requirements of this policy are echoed in policy GEN2 of the Hartlepool Rural Neighbourhood Plan.

2.27 Paragraph 131 of the NPPF (2024) 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.

2.28 Comments were received through the public consultation exercise stating that the proposal would result in significant harm to the historic character of Hart Village and would result in the loss of an important vista. Comments were also received by the Hartlepool Rural Neighbourhood Plan Working Group, raising objections in relation to the scale, design and mix of the proposed dwellings, stating that the proposals do not reflect the vernacular of the rural village setting. Whilst the comments of the Rural Neighbourhood Plan Working Group are noted, it is of note that the Outline planning approval had had regard to matters such as scale and layout, resulting in condition 5 which required the reserved matters to come forward in 'general conformity' with a layout plan that had been submitted as part of the outline application.

### *Scale, Appearance, Landscaping and Layout*

2.29 Condition 24 of the Outline planning approval stipulates that the overall height of the proposed dwellings shall not exceed 10 metres. The proposed scheme would meet these requirements. In addition, it is noteworthy that whilst comments have been received that the proposed scheme would be out of keeping with Hart Village, a similar development for 15 dwellings in both scale, design and appearance has been approved and is under construction (with a number of dwellings built and occupied) at the opposite, eastern end of the village (named Manor Park). The applicant's agent has submitted a range of finishing materials, which are considered to be both varied and complementary to the proposed scheme. The Council's Planning Policy section raise no objections to the proposed development in this respect. Furthermore, it is notable that the current western edges of Hart village is

made up from late to mid-late 20<sup>th</sup> century cul de sacs of no prominent architectural merit or one that would dictate the style of this development.

2.30 Whilst comments received have suggested that the proposed scheme does not provide a strong housing mix, it is noteworthy that the adjacent sites immediately to the east and north are allocated for housing, although are currently undeveloped, with no formal planning permission in place for either site. Notwithstanding this, the application site is viewed within the context of the future development sites, where a range of housing can be sought through the number of developments at the west of Hart Village.

2.31 Through the course of the planning application, revisions were sought to both landscaping proposals and boundary treatment scheme. The approach to the application site and Hart Village from the west is considered to be an important vantage point and transition from the open countryside towards the village. Changes to the proposed boundary treatments were achieved to provide a low wall (with pillars) and railings to the front (north) and side (west), with a boundary hedge that would be visible beyond, which is considered to assist in creating a more verdant character in this area of the application site. It is noted that the comments of the Hartlepool Rural Plan Working Group request that a hedge makes up the external boundary, although in this instance, the combination of an external boundary wall and railings with a hedge beyond is considered an attractive feature. In addition, it is noted that beyond the site to the west, a hedgerow/planting does exist that is understood is to be retained, which further assists with respect to the verdant entrance to the village setting.

2.32 Having regard to the proposed development meeting the requirements of scale as set out within the Outline planning approval and given the similar nature of an approved and built development at the opposite end of the village, taking account of landscaping and boundary treatments, the proposed development raises no significant issues and the proposed development is, on balance, considered acceptable in this respect.

2.33 In terms of layout and as noted above, Condition 5 of the Outline planning approval requires the proposed development to be in 'general conformity' with the indicative layout considered under the approved Outline scheme. The proposed layout, as submitted through the Reserved Matters application is very similar and is considered to be in general conformity with the Outline approval. Throughout the course of the Reserved Matters application, changes to the proposed scheme were sought and achieved in order to improve the appearance of the application site, which is at the entrance to the village from the west. The proposal also includes frontage onto Palace Row and careful consideration has been given to boundary treatments and landscaping, particularly when approaching the village from open countryside from the west. These matters are covered as above, although the cul de sac development is considered to be in general conformity with the agreed layout of the associated Outline approval and subject to satisfying the appropriate planning conditions associated with the parent permission, no issues are raised and the proposed development is considered acceptable in this respect.

2.34 In terms of other landscaping matters, the Reserved Matters application is supported by an Arboricultural Impact Assessment and Method Statement (received during the course of the application at the request of the HBC Arboricultural Officer) and a proposed landscaping layout. Further comments received from the Council's Arboricultural Officer confirm agreement with the recommendations of the Arboricultural Impact Assessment and Method Statement, where low quality species of trees would be removed from the site. At the request of the HBC Arboricultural Officer, the submitted proposed landscaping scheme would re-provide trees on site of a better quality and of a more resilient species.

2.35 The proposed scheme is considered to soften the proposed development in this sensitive location at the edge of the development limits. The Council's Landscape Architect was consulted on the application and raises no objections and subject to the revised planting scheme, the Council's Arboricultural Officer is satisfied with the proposed scheme.

2.36 Details of proposed soft landscaping works are also required to be agreed by virtue of condition 9 of the associated Outline planning approval.

2.37 Notwithstanding the above and consideration of the submitted Arboricultural Impact Assessment, following the changes to the proposed boundary treatments during the course of the application, the Council's Arboricultural Officer has advised that there is a requirement for an updated tree/hedge protection plan to be submitted (and the measures once agreed implemented on site) and a pre-commencement condition is recommended accordingly.

2.38 In view of the above, the proposals are considered to be acceptable with respect to matters of landscaping subject to the identified and recommended planning conditions.

#### *Character & Appearance Conclusion*

2.39 Overall, the proposed dwellings are considered to be of a good design, and it is considered that the scale and appearance, layout and landscaping of the dwellings would not be significantly out of keeping with dwellings that exist within the village. In view of the above, on balance, 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, when considered against the policies of HLP, HRNP and the NPPF.

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

2.40 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.

2.41 Policy QP4 of the HLP 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*

2.42 The proposed scheme comprises a cul-de-sac layout, situated off the vehicular highway of Palace Row, which runs past the application site into and from Hart Village. Through the course of the application, a number of minor amendments were requested and achieved to the layout and the proposals are considered to be in conformity with the minimum separation distances for internal relationships as set out in the policy QP4 of the Local Plan (and the aforementioned SPD), across the site.

2.43 It is noted that there are instances of gable elevations where bathroom or landing (non-habitable room) windows face one another at limited separation distances, however, there are no minimum separation distance policy requirements with respect to these relationships. Notwithstanding this, 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. In addition, there are a number of ground floor windows and doors within side elevations that would be present along shared boundaries, although it is considered not necessary to condition such openings given the ground floor level and presence of boundary treatments that would sufficiently screen the proposed openings to suitably manage any significant overlooking/loss of privacy related matters.

2.44 Condition 11 of the Outline planning approval requires the applicant to discharge the proposed site levels. Subject to the requirements of the associated levels condition, no issues are raised in this respect.

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

2.46 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*

2.47 As detailed above, application site is largely situated away from any existing immediate residential occupiers, set within the existing farmstead, with open fields immediately surrounding the application site to the north, east, west and south. The closest existing residential properties to the application site are those to the east, at the entrance of Hart Village, being the properties located on Buckingham Avenue at an approximate distance of 120 metres from the application site. Those residential properties further to the north and east would be at a greater distance from the application site. To the north-west, located within the street of Nine Acres are residential properties at an approximate distance of 150 metres away. These surrounding residential occupiers would be considerably in excess of the required separation distances, as detailed within the above recognised HLP Policy QP4 and Residential Guide SPD requirement.

2.48 To the south beyond the open field is the arterial route of the A179, with no immediate residential occupiers within proximity to the application site. Any residential properties beyond those detailed above are considered not to be impacted significantly by the proposed development.

2.49 Immediately to the north and east of the application site are the allocated housing sites within the adopted Hartlepool Local Plan of Nine Acres and Glebe Farm (Local Plan Policy HSG8). Whilst both sites are proposed for residential development, and have previously been subject to planning applications that were subsequently withdrawn, neither site has an approved layout/scheme at the time of writing and therefore any future scheme at the respective sites would be required to take account of the current application site as well as the site specific policies of the HLP that cover both of the allocated sites as well as the relevant policies of the HRNP. It is therefore considered that the proposals would not lead to any unacceptable impact on the allocated housing sites to the north and east, where such relationships would be considered in due course as and when those developments come forward. Notwithstanding this, it is considered appropriate to treat first floor windows in the gable side elevation of the plots (2 and 12) which sit on the eastern boundary (particularly plot 2) to prevent the adjacent allocated site being unreasonably constrained. A planning condition is recommended accordingly.

2.50 Comments were received during the public consultation exercise that the proposal would lead to unacceptable disturbance during the construction period. With respect to the consideration of the construction phase, 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 27 (Construction activity/demolition and deliveries restrictions) and condition 17 (Construction Management Plan) of the Outline Planning approval, which would manage associated impacts from the construction phase of the proposed development. Subject to these conditions, the proposed development raises no issues in this respect. This view is supported by HBC Public Protection.

2.51 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 SAFETY RELATED MATTERS

2.52 Comments were received through the public consultation exercise claiming that the proposal would lead to severe parking and traffic issues in the immediate and wider surrounding area. As detailed within the above section considering character, the scheme under consideration is considered to be in general conformity with the layout as illustrated within the parent Outline planning approval. Planning conditions of the Outline planning approval control a number of highway safety related matters:

- Condition 19 relates to the footway at the entrance to the application site;
- Condition 20 relates to roads, junction radii, footpath and crossings;
- Condition 21 relates to internal highway network of roads, footpath and verges; and
- Condition 22 relates to vehicle and pedestrian access.

2.53 In addition, a pro-rata financial contribution (£53,651) towards junction improvement works to the A179/Palace Row junction to the west of the application site are also required (and secured) to support the proposed development.

2.54 The Council's Traffic & Transport section have considered the submitted Reserved Matters scheme in the context of the abovementioned planning conditions and planning obligations and raise no objections or concerns to the proposed scheme in terms of highway safety and vehicular parking related considerations.

2.55 The Council's Traffic & Transport section notes the requirement for the placement of street lighting to be addressed and this can be considered and agreed through the appropriate condition of the Outline planning approval.

2.56 The Traffic & Transport section also note the need for a change in speed limit along the highway of Palace Row to the north of the application site (including associated signage), which can be dealt with through the appropriate highways' legislation.

2.57 With respect to the impact of the proposed development on the strategic network, National Highways were consulted and comments of no objection have been received.

2.58 In view of the above, taking account of the respective comments and considerations, 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.

## FLOOD RISK & DRAINAGE RELATED MATTERS

2.59 Comments were received through the public consultation exercise claiming that the proposal would lead to an increase in flooding and that there wasn't sufficient water pressure in the area to support the proposed development.

2.60 The application site lies within flood zone 1, the lowest probability of flooding. With respect to drainage considerations, conditions 6 and 7 of the Outline planning approval require schemes to be submitted and approved for both surface and foul water discharge associated with the proposed development.

2.61 The Council's Engineering Consultancy has considered the Reserved Matters application and raises no objections to the proposed development. Northumbrian Water raise no objections to the proposed development, although have recommended a planning condition requiring the developer to comply with the drainage strategy submitted with the Outline Planning Approval and to comply with the stipulated flow rates. Whilst the recommended condition is noted, as detailed above, conditions 6 and 7 of the Outline planning approval suitably controls surface and foul water, where Northumbrian Water would be consulted at the time of their respective discharge and it is considered that the Reserved matters application is not the appropriate mechanism to impose such additional drainage conditions.

2.62 Consequently, subject to an informative advising the applicant on flow rates and subject to the existing conditions of the Outline planning permission, the proposed development raises no issues with respect to flood risk and drainage related issues and the proposed development is considered acceptable in this respect.

## ECOLOGY & NATURE CONSERVATION

2.63 Comments were received during the public consultation exercise that the proposals would impact on wildlife. The impacts of the proposals with respect to ecology and nature conservation were comprehensively considered during the consideration of the original outline planning application. Planning obligations were also secured requiring the provision and implementation of a scheme of ecological mitigation measures (household information packs) and a scheme for the provision, maintenance and long-term management of landscaping.

2.64 As part of the current Reserved Matters application, 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 has raised no objections or comments to the proposed soft landscaping scheme.

2.65 It is noteworthy that as part of the approved Outline planning permission, a Habitat Regulations Assessment (HRA) was carried out that considered 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 these findings are applicable and that no further works are required in respect to Recreational Disturbance. As part of the current Reserved Matters scheme, the Council's Ecologist has completed a HRA for Nutrient Neutrality and has confirmed

that there will be zero additional nutrients and therefore no mitigation is required. Consequently, all likely adverse effects on European Sites are screened out and the HRA process is complete. No objections were received from Natural England in this respect and details of their standing advice can be relayed to the applicant by way of an informative.

2.66 It is of note that the original outline approval predates mandatory Bio-diversity Net Gain, which was introduced in February 2024, and therefore these requirements do not apply to this application.

2.67 In view of the above, matters concerning ecology and nature conservation are addressed and it is considered that the proposals would not result in any adverse impact on protected species or designated sites, and this Reserved Matters application is considered to be acceptable in ecological terms.

## OTHER PLANNING MATTERS

### *Contaminated Land*

2.68 The Council's Engineering Consultancy has considered the Reserved Matters application in respect to contamination related issues and raises no objections to the proposed development. It is noted that condition 8 of the Outline planning approval would deal with any contamination related issues through the respective discharge of condition application and this reserved matters application raises no issues in this respect.

### *Crime/Anti-Social Behaviour*

2.69 Policy QP5 (Safety and Security) of the HLP (2018) seeks to ensure that all new development is safe and secure, and designed in a way that minimises crime and the fear of crime in adherence to national safety and security standards. Cleveland Police have confirmed no objections to the proposals overall, however recommended that the applicant make contact with Cleveland Police in order to consider implementing the use of Secured By Design principles into the proposed development should it be approved. This has been relayed to the applicant's agent who has confirmed willingness to work with Cleveland Police on a Secure By Design approach and the advice is also recommended via an informative. No objections or comments were received from the Council's Community Safety section. Subject to the informative advice, no issues are raised in this respect.

### *Public Right of way*

2.70 The Council's Countryside Access Officer has requested a new footway to a new road crossing linking the development to the existing footway into Hart village. As per the Council's Traffic and Transport sections comments above, a footway around the site entrance and a new dropped crossing will need to be implemented and is a planning condition of the Outline planning approval, although it is considered not necessary in highway and pedestrian safety terms to provide a new footway on the southern side of Palace Row.

2.71 As detailed above a planning obligation is required to secure contributions towards Green Infrastructure to improve the site connectivity and to ensure a sustainable form of development. It is understood that this will take the form of a new footpath link to the south of the A179 whereby the new access would link two existing public footpaths and provide safe and enjoyable linking access for walkers to use. The contribution is secured via the Section 106 legal agreement and the scheme therefore is acceptable and raises no issues in this respect.

### *Archaeology and Heritage*

2.72 Tees Archaeology have been consulted and have confirmed that they have no objections to the application and no issues are raised in respect to archaeology. With respect to heritage considerations, Hart Village is not a conservation area, although there are a number of listed buildings within the village. The Council's Head of Service for Heritage and Open has considered the application and confirmed no objections to the proposals. Having regard to these considerations, the application is considered to be acceptable in respect of the impact on heritage assets and archaeology and in accordance with the relevant policies of the development plan and relevant paragraphs of the NPPF.

### *Planning Obligations*

2.73 Comments have been received by the Hartlepool Rural Neighbourhood Plan Working Group with respect to the requirement for planning obligations. The outline permission is subject to a section 106 agreement, which secures the following contributions towards off-site infrastructure (the obligations were devised on a 'per dwelling' basis given the status of the outline application was for 'up to 13 dwellings' and therefore the sums below confirm what would be secured based on the 13 dwellings proposed as part of this reserved matters application):

- Primary education (£38,376.45)
- Secondary education (£25,101.56),
- Built sports provision (£3,250),
- Play facilities (£15,467),
- Playing pitches (£3,042.77),
- Tennis courts (£741.26),
- Bowling greens (£64.61),
- Highway mitigation works (£53,651) and
- Green infrastructure/footpath links (£3,250), and
- Obligation requiring the provision and implementation of a scheme of ecological mitigation measures (household information packs);
- Securing a local labour agreement;
- A scheme for the provision, maintenance and long term management of landscaping.

2.74 The agreement also secured provision for approval of an Open Space Scheme (in the event any such areas form part of the final layout), a Training and Employment Management Plan and an Ecology Information Pack. Such matters concerning Planning Obligations cannot be revisited through this Reserved Matters

scheme, which is limited to matters of access, appearance, landscape, layout and scale.

### *Affordable Housing*

2.75 The Hartlepool Rural Neighbourhood Plan Working Group also raise the matter of affordable housing provision in their comments. For the avoidance of doubt, the associated outline permission has already established that no affordable housing is to be provided (either on-site or as an off-site contribution) as part of this development. This issue cannot be reconsidered through this Reserved Matters application.

### *Construction Activity*

2.76 Hart Parish Council were consulted and have raised no objections to the proposed development, although, among other matters, they have requested that the development give due consideration to wheel washing in order to prevent dirt on the highway. The matter is addressed by condition 17 of the Outline Planning approval, where there is a requirement for a Construction Management Plan to be submitted and adhered to. The Council's Public Protection section also raise no concerns, although note the requirements of condition 17 of the Outline Planning approval and subject to the condition of the Outline permission, no significant issues arise in this respect.

## OTHER MATTERS

### *Utilities*

2.77 Northern Gas Networks and Northern Powergrid were consulted and raise no issues or concerns with respect to any infrastructure located within the immediate area of the application site, although a number of informatives are recommended to provide the applicant with the appropriate details/information with respect to each utility operator and any associated nearby infrastructure to make the applicant aware of their responsibilities in this respect.

### *Building Regulations*

2.78 The Building Control section have confirmed that Building Regulations will be required for the proposed development. An informative is duly recommended accordingly.

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

### *Additional Public Consultation Comments*

2.80 Within the comments received by the Hartlepool Rural Neighbourhood Working Group reference is made to the current application site being within the development limits and that the current proposal is for 5 dwellings more than stated within HRNP Policy H1.

2.81 In response, it should be noted that the current application site falls outside of the HRNP development limits for Hart but it is within the development limits of the HLP. The HLP has an allocated housing site at Glebe Farm for approximately 20 dwellings (as per HLP Policy HSG8b). The allocated HLP site is actually the land adjacent to Glebe Farm (the current application site). The HNRP also identifies a site at Glebe Farm for 20 dwellings (under HRNP Policy HE1) which is understood to be reflective of the HLP allocation (HSG8b) and not relating to the current application site on Glebe Farm itself.

2.82 Comments were received through the public consultation exercise suggesting that the proposal would result in the loss of use of good agricultural land. Whilst the comments are noted, this is a principle matter that was considered as part of the Outline planning application and is not a consideration of any of the Reserved Matters under consideration through this planning application.

2.83 Objections were received that there is a lack of infrastructure to support the proposed development. Whilst the comments are noted, such considerations form part of consideration at Outline stage and are not pertinent to the current Reserved Matters application.

2.84 Comments were received through the public consultation exercise claiming that the proposal would result in a loss of Green Belt. Whilst the comments are noted, no Green Belt exists within the borough.

### **CONCLUSION**

2.85 The application is considered to be acceptable with respect to the abovementioned relevant material planning considerations and when considered against the relevant policies of the adopted Hartlepool Local Plan (2018), the Hartlepool Rural Neighbourhood Plan (2018) and relevant paragraphs of the NPPF (2024) 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**

2.86 There is no evidence of equality or diversity implications.

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

2.87 There are no Section 17 implications.

## REASON FOR DECISION

2.88 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 plans and details;

Dwg. 16\_02\_P\_500 Rev B (Planning Layout), Dwg. 16\_002\_P\_600 Rev B (Planning Type 1 House Type (AS)), Dwg. 16\_002\_P\_603 Rev A (Planning Type 2 V1 House Type (AS)), Dwg. 16\_002\_P\_601 B (Planning Type 2 House Type A(S)) and Dwg. 16\_002\_P\_602 Rev B (Planning Type 3 House Type) all received 10.07.2023 by the Local Planning Authority;

Dwg. 16\_02\_P\_502 Rev D (Materials Layout) received 29.01.2024 by the Local Planning Authority;

Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan' document, reference ARB/AE/3122 dated May 2023, received 10 July 2023 by the Local Planning Authority;

Dwg. 16\_02\_P\_501 Rev C (Landscape layout); received 09.06.2025 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 Dwg. 16\_02\_P\_500 Rev B (Planning Layout) received 10.07.2023 by the Local Planning Authority) shall first be first submitted to and approved in writing by the Local Planning Authority:

Type 1 House Type (First floor bathroom) plots 02, 06, 08, 12 & 13;

Type 2 House Type (First floor bathroom and first floor en-suite) plots 03, 04, 05, 09, 10 & 11;

Type 2 House Type V1 (First floor bathroom and first floor en-suite) plot 7 and;

Type 3 (First floor bathroom, first floor en-suite and first floor landing) plot 1.

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 or completion (whichever is sooner) 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. Prior to any equipment, machinery or materials being brought onto the site for the purposes of the development and notwithstanding the submitted tree and hedge protection measures identified in the Method Statement contained within the 'Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan', reference ARB/AE/3122, document date May 2023, received by the Local Planning Authority on 10.07.2023), a scheme for the protection of existing hedge and trees present along the southern, eastern and western boundaries of the application site shall be first submitted to and be agreed in writing with the Local Planning Authority. Thereafter and following the written agreement of the Local Planning Authority, the agreed protection measures shall be installed and thereafter retained until completion of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition including the identified construction exclusion zones. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees or hedges which are seriously damaged or die as a result of site works shall be replaced with trees or hedges of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.  
In the interests of the health and appearance of the adjacent existing trees and hedges and the visual amenity of the area.

## BACKGROUND PAPERS

2.89 Background papers can be viewed by the 'attachments' on the following public access page:  
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155672>

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

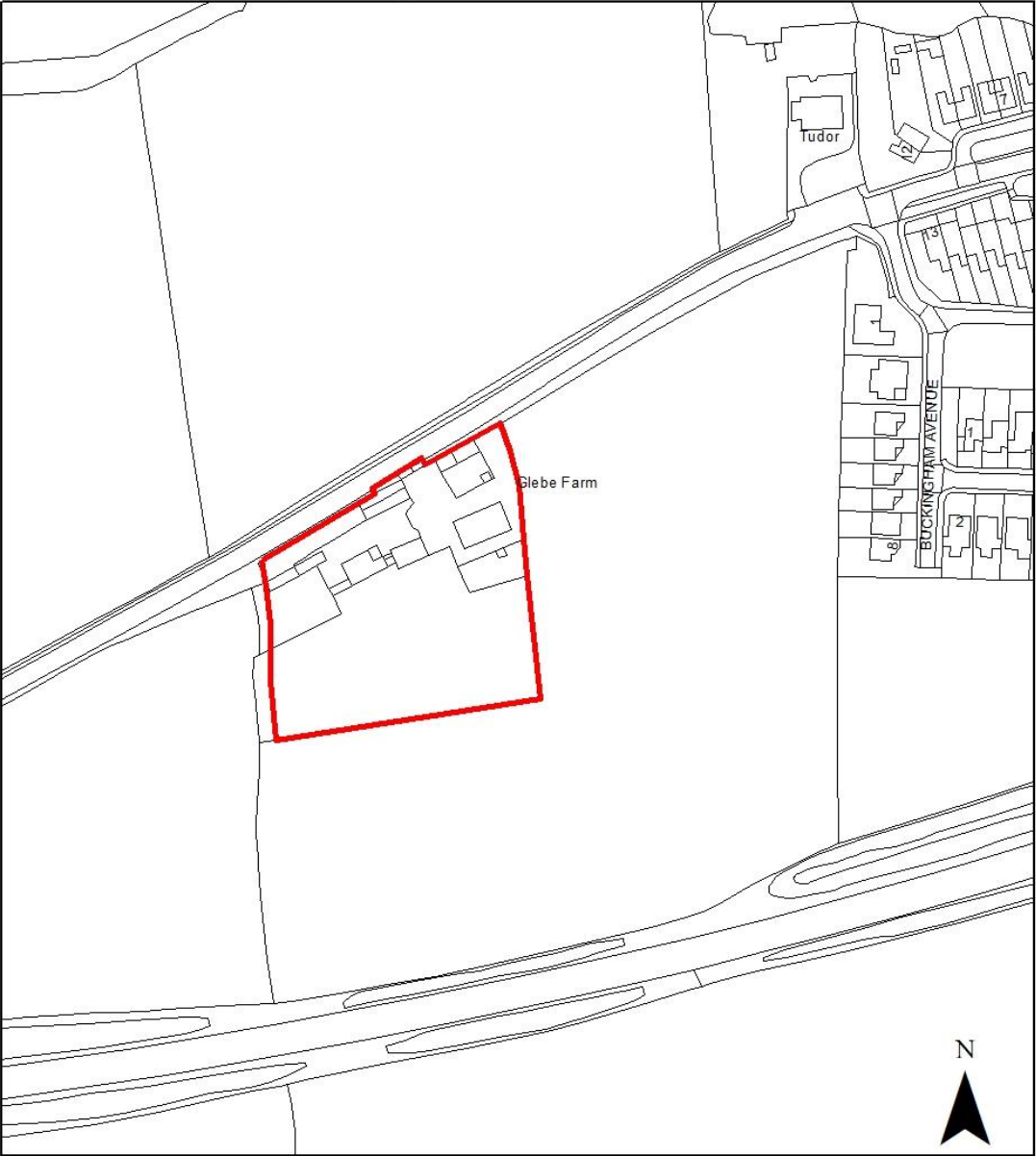
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Glebe Farm, Hart, Hartlepool



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> BOROUGH COUNCIL	DRAWN <b>JB</b>	DATE <b>24.02.2025</b>
	SCALE <b>1:2,000</b>	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO <b>H/2022/0376</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 2018**

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

### **HARTLEPOOL RURAL NEIGHBOURHOOD PLAN 2018**

[https://www.hartlepool.gov.uk/downloads/file/4876/hrnp\\_2016-2031\\_-\\_made version - december 2018](https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018)

### **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) 2024**

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

## ILLUSTRATIVE EXAMPLES OF MATERIAL PLANNING CONSIDERATIONS

Material Planning Considerations	Non Material Considerations
<i>Can be taken into account in making a planning decision</i>	<i>To be ignored when making a decision on a planning application.</i>
<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

25<sup>th</sup> June 2025



<b>Report of:</b>	Assistant Director – Neighbourhood Services
<b>Subject:</b>	Update (for information purposes) on planning application H/2022/0382 and a proposed amendment to condition 30 (off-site highways improvements works at the A19/A689) which has previously been subject to a 'minded to approve' decision by Members at the planning committee meeting of 17/04/2024.
<b>Number:</b>	H/2022/0382
<b>Development:</b>	Erection of 51no. dwellinghouses (Use Class C3) with associated infrastructure, access and landscaping (Amended Acoustic Bund and Noise Assessment received 27.07.23)
<b>Location:</b>	LAND WEST OF WYNYARD VILLAGE, AND SOUTH OF THE A689, WYNYARD, BILLINGHAM, TS21 3JG

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### 1. PURPOSE OF REPORT

- 1.1 This report is for information.

### 2. BACKGROUND

- 2.1 On 17 April 2024, the application was presented to the Planning Committee for consideration with a recommendation for approval subject to both planning conditions and a Section 106 Legal Agreement.
- 2.2 The committee resolved to approve the application subject to the conditions and completion of the Section 106 Legal Agreement.

### 3. UP-DATE

- 3.1 Following the Committee meeting where the application was considered, work commenced in respect of the Section 106 Legal Agreement. Discussions on this continue to be on-going and the formal decision has not yet been issued.
- 3.2 While the legal agreement was being progressed, the applicant / agent undertook work in respect of Condition 30 of the resolution which, as per the resolution, set out;

*Prior to first occupation of any of the dwellings hereby approved, the off-site highway improvement works at the A19/A689 Wolviston junction, shown indicatively on Drawing No. 276864-ARP-ZZ-XX-DR-CH-0101 & Drawing No. 27684-ARP-ZZ-XX-DR-CH-0102 shall be completed as submitted to and approved in writing by the Local Planning Authority in consultation with National Highways.*

*Reason: To ensure the safe and efficient operation of the strategic highway.*

- 3.3 Further to the work undertaken in respect of condition as approved by Committee, the applicant submitted a Travel Plan to National Highways in February 2025 which aimed to demonstrate that by allowing the occupation of up to 15 dwellings, this would help reduce the residual impact of the various highways works required at the same time.

- 3.4 This was submitted along with a request to vary the wording of condition 30 from that set out in paragraph 3.2 above to;

*No more than 15 dwellings may be occupied prior to the off-site highways improvements works at the A19/A689 Wolviston junction, shown indicatively on Drawing No. 276864-ARP-ZZ-XX-DR-CH-0101, Drawing No. 27684-ARP-ZZ-XX-DR-CH-0102 & Travel Plan Dated February 2025, shall be completed as submitted to and approved in writing by the Local Planning Authority in consultation with National Highways.*

*Reason: To ensure the safe and efficient operation of the strategic highway.*

- 3.5 National Highways have raised no objection to this stating ‘the revised travel plan (dated February 2025) is sufficient in reducing the need to travel by private car and, therefore, reducing the residual impact of the development at the A19 Wynyard junction to a level which does not require further assessments or provision of evidence.’ They recommended the wording of the condition to include implementation in accordance with the travel plan.
- 3.6 Officers have considered these elements and consider that the change to the condition would, in this instance, be acceptable.
- 3.7 In turn, the details have been put to the Chair of Planning Committee who acknowledged the works undertaken and the resultant conclusions, and has requested that a report ‘for information purposes’ be put before the Committee to ensure Members are kept up-to-date.

#### **4. RECOMMENDATION**

- 4.1 That members note the report and condition 30 be amended to that set out in para 3.4 above.

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