

# PLANNING COMMITTEE AGENDA



**Wednesday, 18<sup>th</sup> April, 2007**

**at 10.00 a.m.**

**in**

**The Council Chamber  
Civic Centre, Hartlepool**

## MEMBERS OF PLANNING COMMITTEE:

Councillors Akers-Belcher, D Allison, R W Cook, S Cook, Henery, Iseley, Kaiser, Lauderdale, Lilley, Morris, Payne, Richardson, M Waller, R Waller, Worthy and Wright.

Also to Councillor Griffin (substitute for Councillor Iseley)

### 1. APOLOGIES FOR ABSENCE

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

### 3. MINUTES

3.1 To confirm the minutes of the meeting held on 4<sup>th</sup> April 2007 (*to follow*)

### 4. ITEMS REQUIRING DECISION

4.1 Planning Applications – *Assistant Director (Planning and Economic Development)*

1. H/2007/0046 Opposite 16 to 21 Milbank Close, North of A179
2. H/2007/0097 Cricket Club – Mast
3. H/2007/0150 1-30 Town Wall – railings
4. H/2007/0147 152 Raby Road
5. H/2006/0856 Thornton Street

4.2 Officer Delegation Scheme – *Director of Regeneration and Planning and Chief Solicitor*

- 4.3 Update on Current Complaints – *Assistant Director (Planning and Economic Development)*
- 4.4 Complaint Files to be closed – *Assistant Director (Planning and Economic Development)*
- 4.5 Land at 27 Seaton Lane – *Assistant Director (Planning and Economic Development)*
- 4.6 Appeal Ref APP/H0724/A/07/2039498/NWF H/2006/0441 – Erection of a two-storey lounge, hall, garage, bathroom and bedrooms (2) Extension at Amerston Hill, Coal Lane, Hartlepool– *Assistant Director (Planning and Economic Development)*
- 4.7 Appeal by R Jackson, 53 Applew ood Close – *Assistant Director (Planning and Economic Development)*
- 4.8 Appeal Ref APP/H0724/A/07/2039548/NWF – H/2006/05839 – Change of use to a hot food takeaway shop, 132 Oxford Road, Hartlepool – *Assistant Director (Planning and Economic Development)*
- 4.9 Appeal by Mr T Howood – *Assistant Director (Planning and Economic Development)*
- 4.10 Appeal by Tyne Valley Developments, Site at Shu-Lin, Elwick Road, Hartlepool – *Assistant Director (Planning and Economic Development)*
- 4.11 Woodburn Lodge – *Assistant Director (Planning and Economic Development)*
- 4.12 Conservation Policy Review – *Assistant Director (Planning and Economic Development)*

**5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

**EXEMPT ITEMS**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985”.

**6. ITEMS REQUIRING DECISION**

- 6.1 Enforcement – The Front – *Assistant Director (Planning and Economic Development)*
- 6.2 Enforcement Action – Mayflower Close – *Assistant Director (Planning and Economic Development)*

6.3 Enforcement Action – Tempest Road – *Assistant Director (Regeneration and Planning)*

6.4 Enforcement Action – Grange Road – *Assistant Director (Regeneration and Planning)*

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

8. **FOR INFORMATION**

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of Monday 14<sup>th</sup> May 2007 at 9.30 am

Next Scheduled Meeting – Wednesday 16<sup>th</sup> May 2007

# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

4 April 2007

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

**Present:**

Councillor Rob Cook (In the Chair)

Councillors Stan Kaiser, Geoff Lilley, Dr George Morris, Carl Richardson, Maureen Waller and Edna Wright.

Also Present: In accordance with Council Procedure Rule 4.2;  
Councillor Jonathon Brash as substitute for Councillor R Waller  
Councillor Sheila Griffin as substitute for Councillor Iseley  
Councillor John Marshall as substitute for Councillor D Allison  
Councillor Dennis Waller as substitute for Councillor S Cook.

Officers: Peter Devlin, Legal Services Manager  
Richard Teece, Development Control Manager  
Roy Merrett, Principal Planning Officer  
Chris Roberts, Development and Co-ordination Technician  
David Cosgrove, Principal Democratic Services Officer

### **157. Apologies for Absence**

Councillors Akers-Belcher, D Allison, S Cook, Iseley, Payne, R Waller and Worthy.

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

None.

### **159. Confirmation of the minutes of the meeting held on 21 March 2007**

Confirmed.



## 160. Planning Applications *(Assistant Director (Planning and Economic Development))*

The following planning applications were submitted for the Committee's determinations and decisions are indicated as follows:

<b>Number:</b>	H/2006/0338
<b>Applicant:</b>	Mr W Morgan
<b>Agent:</b>	B3 Burgess, 3rd Floor, Grainger Chambers, 3-5 Hood Street, New castle Upon Tyne
<b>Date received:</b>	03/05/2006
<b>Development:</b>	Erection of a 50 bed residential carehome and 4 blocks of apartments comprising 30 dwellings for occupation by people aged over 55
<b>Location:</b>	On The Corner of The Wynd, Wynyard, Billingham
<b>Representations:</b>	Mr W Morgan (applicant) and Mr Heath (objectors representative) addressed the Committee.
<b>Decision:</b>	<b>Members reaffirmed their earlier decisions that they were minded to APPROVE this application subject to a legal agreement under S106 of the Planning Act to secure a travel plan aimed at transporting staff to the site and the occupiers of the care home and apartments for the purpose of any social leisure and/or health related visits to nearby centres, a restriction on the occupancy of the apartments to people 55 and over, securing the proposed care elements for occupiers of the apartments in perpetuity, a requirement for the additional parking spaces to be put in place in the future should the Local Planning Authority decide this to be necessary and the following condition(s) with the addition that some provision be made for the use of the available transport for visitors to the home or apartments within the legal agreement.</b>

### CONDITIONS AND REASONS OR REASONS FOR REFUSAL

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. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.

- In the interests of visual amenity.
3. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.  
In the interests of visual amenity.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.  
In the interests of visual amenity.
5. The kitchen windows serving the specific type B apartments shown on the attached plan shall be obscure glazed.  
In order to protect the privacy of residents.
6. The car parking scheme hereby approved shall be completed prior to the development hereby approved being brought into use.  
In the interests of highway safety.
7. The development hereby permitted shall not be commenced until: a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority. If identified as being required following the completion of the desk-top study, b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority, c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority, d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme, e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.  
To ensure that any site contamination is addressed.

8. No development shall take place until a scheme for the protection during construction works of all trees to be retained on or adjoining the site, in accordance with BS 5837:2005 (Trees in relation to construction - Recommendations), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes 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 preserved tree(s).
9. A detailed scheme for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented before the development hereby approved is brought into use.  
In the interests of visual amenity.
10. The cycle parking facilities hereby approved shall be made available for use before the care home is brought into use.  
To ensure facilities for means of transport other than the car are available on site.

**Number:** H/2007/0056

**Applicant:** Persimmon Homes Teesside, Hilton Road, Aycliffe Industrial Estate, Newton Aycliffe

**Agent:** Persimmon Homes, Teesside Persimmon House, Hilton Road, Aycliffe Industrial Estate, Newton Aycliffe

**Date received:** 18/01/2007

**Development:** Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey apartments and associated works

**Location:** AREA 7C, MIDDLE WARREN, MERLIN WAY, HARTLEPOOL

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

### **161. Ship Dismantling – Graythorp Dock** *(Assistant Director (Planning and Economic Development))*

The Development Control Manager advised Members that having taking into account the time limit for appealing against planning decisions, i.e. 6 months, it is possible that in the very near future appeals may be lodged in relation to the Committee's decision to refuse planning permissions and a hazardous substances consent for ship dismantling and various related works at Graythorp dock.

As Members were aware, planning officers had recommended approval of the applications in question. This entails that officers could be compromised in being able to defend the Local Planning Authority's position, particularly under cross-examination at a Public Inquiry. Accordingly, it was considered that planning officers of the authority should not be in a position to prepare and present the LPA's case on this occasion.

It is therefore recommended to the Committee that planning consultants are appointed to prepare and present the LPA's case should the developer, Able UK, decide to appeal the planning decisions.

In anticipation that Members are agreeable to this course of action and taking into account the tight timescales for submission of appeal related documents to the Planning Inspectorate, and after consultation with the Chair of the Committee, a number of consultancies have already been invited to tender (on a without prejudice basis), to act on behalf of the Local Planning Authority.

Members discussed the merits of employing consultants to represent the authority on the potential appeals. Members' discussions entered areas that the Legal Services Manager advised would be best dealt with in closed session. The appropriate resolution in relation to the exclusion of the press and public was therefore proposed.

### **162. Local Government (Access to Information) Act 1985**

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

Minute 193 (Para. 5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**163. Ship Dismantling – Graythorp Dock** *(Assistant Director (Planning and Economic Development))*

The Committee continued to discuss the proposal to employ consultants to represent the LPA should appeals be received and an inquiry called. In relation to the appointment of such consultants, Members suggested that a small sub committee be consulted as part of the appointment process.

**Decision**

1. That authority be given to contest the appeals should they arise.
2. That authority be given to the appoint consultants to prepare and present the LPAs case in relation to any appeals lodged, following an appropriate tendering process.
3. That a sub committee consisting of three members (Chair, Vice-Chair and one other, or Vice-Chair and two others, the additional members being appointed at the discretion of the Chair or Vice-Chair and with appropriate political balance being applied).
4. That the Planning Committee be subsequently advised as to the appointment of consultants and the outcome of any Appeal.

CHAIRMAN

**No:** 1  
**Number:** H/2007/0046  
**Applicant:** Mr P Jenkins Brewery Farm Hart Village  
**Agent:** GLC Construction Services 1A Hillcrest Grove Elwick  
 Hartlepool TS27 3EH  
**Date valid:** 18/01/2007  
**Development:** Erection of 2 stables and storage room (resubmitted  
 amended application )  
**Location:** Opposite 16 to 21 MILBANK CLOSE NORTH OF THE  
 A179 HART HARTLEPOOL HARTLEPOOL

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## The Application and Site

1.1 Detailed planning permission is sought for the erection of a stable block to accommodate 2 horses and the storage of ancillary equipment associated with the horses such as hay and tack.

1.2 The site comprises a triangular shaped grassed field between the southern edge of Hart Village and the A179 road. The field lies outside the village envelope of Hart. The proposed building which would be sited adjacent to the northern boundary of the field, has been repositioned further to the east to take account of objections from residents of Milbank Close regarding proximity to the rear of their properties. It would be accessed by a new vehicular track.

1.3 The footprint of the proposed building would measure some 9 metres by 3.6 metres. The building would have an overall height of 3.2 metres.

## Publicity

1.4 The application has been advertised by way of neighbour letters (6) and a site notice. To date, there have been 2 letters of objection with respect to the amended plans raising the following concerns:

- i) The building will be used to store motorised vehicles such as quad bikes. This will cause a fire hazard and noise nuisance.
- ii) Loss of outlook from residential properties.
- iii) Noise/smell caused by horses.
- iv) Noise from vehicles attending the stables.
- v) There could be further applications to extend the stables for business purposes.
- vi) Dangerous location as vehicles might be driven through hedge.
- vii) Young people may congregate in the field and cause problems.

The period for publicity expires before the meeting.

Copy letters A

### **Consultations**

1.5 The following consultation replies have been received:

**Highway Engineer** – No highway implications subject to a highway crossing.

**Head of Public Protection** – No objections. Recommends a condition to prevent burning of manure.

**Northumbrian Water** – No comments received.

**Hart Parish Council** – No comments received.

**Environment Agency** – No objection. Comment that there should be no discharge of foul or contaminated water entering and polluting surface or underground waters.

**Tees Archaeology** – Recommend condition to allow site excavations to be recorded.

### **Planning Policy**

1.6 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

GEP7: States that particularly high standards of design, landscaping and woodland planting to improve the visual environment will be required in respect of developments along this major corridor.

Rur14: States that proposals within the Tees Forest should take account of the need to include tree planting, landscaping and improvements to the rights of way network. Planning conditions may be attached and legal agreements sought in relation to planning approvals.

Rur16: States that proposals for outdoor recreational developments in rural areas will only be permitted if the open nature of the landscape is retained, the best agricultural land is protected from irreversible development, there are no new access points to the main roads, the local road network is adequate, the amount of new building is limited and appropriately designed, sited and landscaped, there is no disturbance to nearby occupiers, countryside users or nature conservation interest and adequate car parking can be provided. Within the Tees Forest area, planning conditions and obligations may be used to ensure planting of trees and hedgerows where appropriate.

Rur3: States that expansion beyond the village limit will not be permitted.

Rur7: Sets out the criteria for the approval of planning permissions in the open countryside including the development's relationship to other buildings, its visual impact, its design and use of traditional or sympathetic materials, the operational requirements of agriculture and forestry and viability of a farm enterprise, proximity of intensive livestock units, and the adequacy of the road network and of sewage disposal. Within the Tees Forest area, planning conditions and obligations may be used to ensure planting of trees and hedgerows where appropriate.

### **Planning Considerations**

1.7 The main issues for consideration in this case are policy issues, the visual impact of the building on the surrounding landscape and impact on residential amenity.

#### Policy Issues

1.8 The principle of a small stable building just outside the village envelope is considered to be acceptable subject to environmental improvements in the form of additional planting.

#### Visual Impact

1.9 The building would be a relatively small construction of single storey height. It would be offset from the rear elevation of properties on Milbank Close (the nearest property 16 Milbank Close is some 45 metres away) and substantially screened from the A179 road by a mature perimeter hedge. A landscaping condition could be imposed to gain further planting within the site.

1.10 A condition should be imposed to prevent the placement in the field of any structures associated with equestrian leisure activities such as jumps and barriers.

1.11 The development is not considered likely to result in an unacceptable visual impact on the surrounding landscape.

#### Residential amenity

1.12 The building would be offset from the rear elevation of properties on Milbank Close and would be sufficiently far away not to cause harm to outlook. There is no



objection from the Head of Public Protection on grounds of noise or smell related nuisances from animals.

1.13 It would be possible to impose a condition preventing the burning of manure on site and also limit the use of the building to stabling and ancillary purposes. The question of the general use of the field for motor sport purposes would need to be investigated should it occur but is not a matter that would form part of the consideration of this planning application. With a suitably worded condition to prevent the use of the field for certain temporary uses that might otherwise benefit from permitted development rights any further development would be subject to the requirement of planning permission.

1.14 The development is not considered likely to attract a significant amount of traffic and as such there would not be expected to be harm to the amenities of local residents resulting from vehicles attending the site.

### Other

1.15 It would be possible for horses to graze in the field without the need for planning permission so any concerns about animals escaping from the field in the event of the hedge being breached for whatever reason is not considered to be a sustainable reason to refuse planning permission.

1.16 Concerns about the stable building leading to nuisance from social gathering is considered to be unfounded and an unsustainable refusal reason.

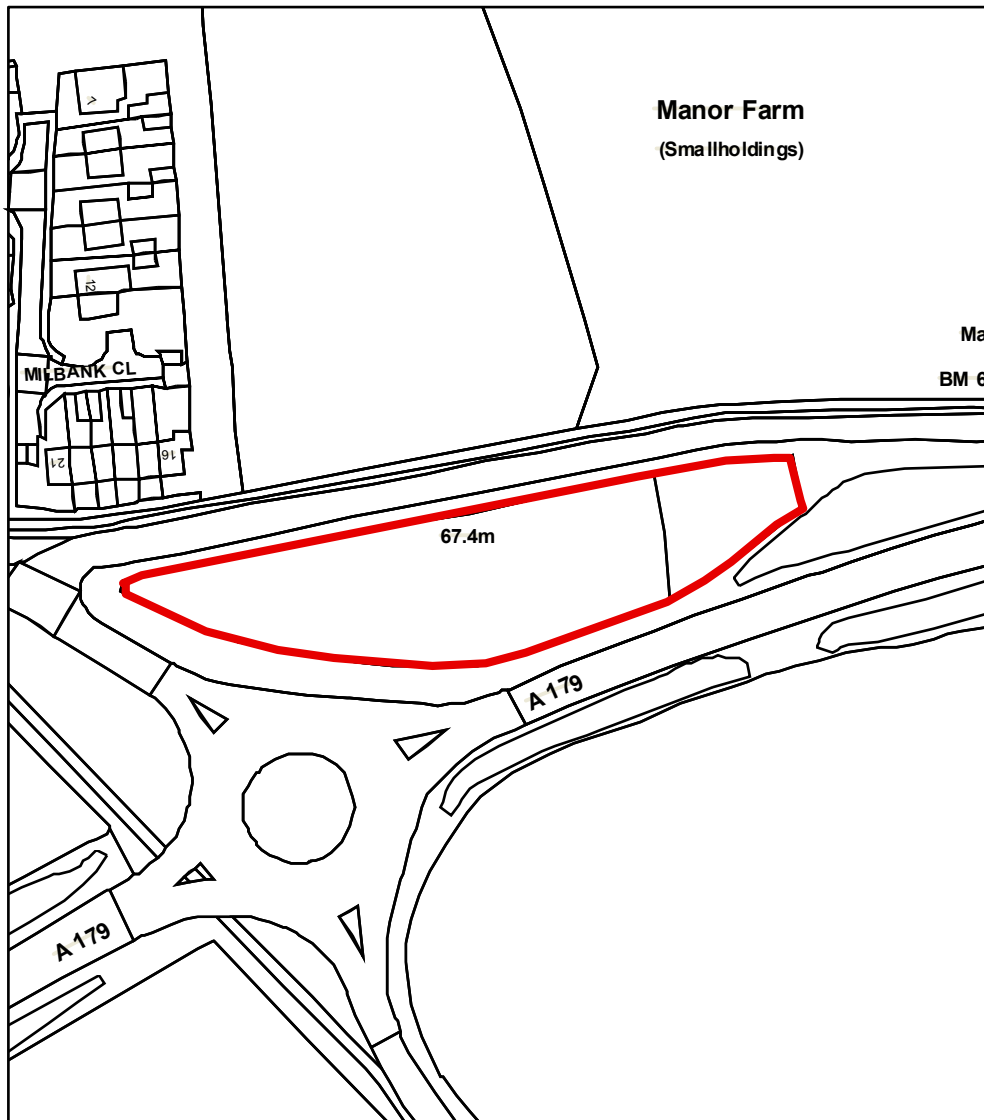
**RECOMMENDATION** – APPROVE subject to the following conditions and subject to no further objections materially different to those referred to above being received before the publicity deadline:

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

## 4.1

4. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.  
In the interests of visual amenity.
5. The proposed development shall be for the stabling of privately owned horses and the storage of ancillary equipment only and shall not be used for livery or any other commercial purposes.  
In the interests of highway safety and the protection of the amenities of the area.
6. There shall be no burning of manure or any other materials whatsoever on site.  
In order to protect the amenities of the area.
7. The developer shall give two weeks notice in writing of commencement of works to Tees Archaeology, Sir William Gray House, Clarence Road, Hartlepool, TS24 8BT, Tel: (01429) 523458, and shall afford access at all reasonable times to Tees Archaeology and shall allow observation of the excavations and recording of items of interest and finds.  
The site is of archaeological interest
8. A carriageway crossing serving the proposed new access track shall be constructed prior to the stables being brought into use.  
In the interests of the highway safety.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the site shall not be used for any of the purposes permitted by virtue of Schedule 2 Part 4 Class B.  
To enable the Local Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
10. There shall be no equestrian activity related structures including barriers and jumps erected nor any equestrian related events held within the site.  
In the interests of visual and residential amenity.

## A179 Hart



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>07/03/07</b>
	SCALE <b>1:1250</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0046</b>	REV

**No:** 2  
**Number:** H/2007/0097  
**Applicant:** T Mobile (UK) Ltd Hatfield Herts AL10 9BW  
**Agent:** Turner And Partners Templar House 1 Sandbeck Court  
 Sandbeck Way LS22 7BA  
**Date valid:** 05/02/2007  
**Development:** Construction of telecommunications installation  
 comprising 15.3m flagpole with shrouded trisector  
 antenna radio equipment cabinet and ancillary  
 developments and removal of existing flagpole.  
**Location:** HARTLEPOOL CRICKET CLUB PARK DRIVE  
 HARTLEPOOL

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### The Application and Site

2.1 The proposal seeks consent for the erection of a telecommunications installation which incorporates a 15.3m high flagpole. An equipment cabinet and AC cabinet to be enclosed by a 2.1m high close boarded timber fence are also proposed. The proposal includes the removal of an existing 8.7m high flagpole upon the site.

2.2 The proposed mast will measure 219mm in width at the base and decrease in width as it rises; at approximately 9m in height it will be 168mm wide.

2.3 The site to which this application relates is directly to the east of the single storey pitched roof clubhouse located at the Hartlepool Cricket Club on Park Drive within the Park Conservation Area. The Cricket Club ground has residential properties adjoining it to the west and south and is detached from Ward Jackson Park to the east by Elwick Road and the residential properties to the north by Park Drive.

2.4 The proposed mast and ancillary equipment is to be located 13m from the eastern boundary of the site, which bounds Elwick Road. The proposed mast is to be located approximately 80m away from the housing directly to the north and south of the application site.

### Publicity

2.5 The application has been advertised by way of neighbour letters (31), press notice and site notice (3). To date, there have been 245 letters of objection, a 54 signature petition, 1 letter of support and 3 letters of no objection.

2.6 The concerns raised are:

1. 50ft Mast would be an inappropriate intrusion into the Park Conservation Area. The Park has been restored at great expense and a high tech phone mast would be out of place in this attractive area, which is an asset to the town.

## 4.1

2. The value of the house in the area surrounding the park would be adversely affected by this development 'reductions in the value of 20 – 30% have been suggested in some cases'
3. Mounting evidence that long-term exposure to radiation from phone masts can be detrimental to the health of many people.
4. If residents have a fear that there could be adverse health effects then that itself is a planning consideration.
5. The recent Government White Paper and Sustainable Communities Bill (which will be discussed in parliament very soon) seeks more power for local communities to decide how they want their local environment to be developed
6. With regard to the Stewart Report:-
  - 'whilst there is no provable health risk, the lack of research suggests that a precautionary approach to the siting of the masts should be implemented'
  - 'also found there is a potential adverse health effect, particularly for children under the age of 11, from the biological effects of the mast'.
  - 'there is now scientific evidence which suggests that there may be biological effects occurring at levels below official guidelines'
  - 'we conclude therefore it is not possible at present to say that exposure to radio-frequency radiation, even at low levels below guidelines is totally without potential adverse health effects, and that gaps in knowledge are sufficient to justify a precautionary approach.'
7. 'there is evidence from Spain indicating that the reproductive health of ducks and other resident wildlife of Ward Jackson park would be adversely affected'
8. The beams of greatest intensity could be in the centre of the main green where children play for extended periods.
9. 600 High Tunstall Pupils pass the cricket ground up to four times per day and will be exposed to the radiation.
10. 'I don't want to be looking at a 50ft white pole'
11. Park Drive is one of the most popular cricket grounds in the north of England to which many families come in the belief that their children can play in safety.
12. If permission is granted a dangerous precedent will be set.
13. 'the erection of a third mobile phone mast in close proximity to others – one existing at High Tunstall Farm, one planned opposite Aldi- means that the college and its students are exposed to a triangle of radiation'
14. Research into the health implications has not been carried out over a long enough period to be 100% sure.
15. The location is inappropriate in that the proposed site lies at the lowest geographical position within West Park and as a consequence the range will be compromised.

2.7 One of the objections makes reference to case law in particular the "Bardsey Case" Nunn, R (on the application of) v First Secretary of State & Ors. This case did not determine any matter of principle regarding the health and valuation issues arising from siting of a telecommunications mast. The circumstances were that following a prior approval application, in relation to which the applicant submitted an objection, the LPA determined that their approval would be required, but failed to notify the operator of the fact within the statutory 56 days. The point at issue was whether the human rights of the applicant had been infringed

by the failure of the LPA to apply the statutory process in a manner which allowed those issues to be tested in a fair and independent hearing – such would have occurred had the LPA given the operator notice within the 56 day period. The high court agreed that the objector's human rights had been infringed as she had been denied a fair trial of the issues raised in her representations, but that did not affect the fact that by the operation of the GDO (General Development Order) planning permission had been granted.

2.8 It is important to note that every application is determined on its own particular merits. Given the nature and content of the objections received the advice of the Chief Solicitor has been sought in this instance.

2.9 The period for publicity has expired. Should any additional letters of objection be received before meeting an update report will be created.

### Consultations

2.10 The following consultation replies have been received:

**Head of Traffic and Transportation** – Has indicated that there are no major highway implications with this application.

**Head of Public Protection and Housing** – No objection

**Landscape Planning and Conservation Manager** – Has raised no objection to the proposal. Whilst acknowledging the mast will be higher than the trees on site, does not feel that it will dominate the area or appear incongruous and ham the conservation area. Also feels that providing the ancillary equipment is appropriately screened it would be unlikely to have an adverse impact on the Conservation Area.

### Planning Policy

2.11 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

HE1: States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity. Matters taken into

account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

HE2: Encourages environmental improvements to enhance conservation areas.

PU8: Seeks to find the optimum environmental solution for telecommunications developments and states that proposals within areas of particular environmental importance should be sensitively designed and sited. The policy also sets out the requirements to be submitted with an application in respect of ICNIRP guidelines, minimisation of visual impact, possibility of sharing masts and of erecting equipment on existing structures.

### **Planning Considerations**

2.12 The main considerations in this instance are the appropriateness of the proposal in terms of National Planning Policy and the policies and proposals held within the Hartlepool Local Plan including visual amenity, health issues, perceived health fears and highway safety.

#### Planning Policy Guidance

2.13 National Planning Policy Guidance Note 8 (Telecommunications) and Local Plan Policy PU8 are particularly relevant to the consideration of this planning application.

2.14 PPG8 states that the government's policy is to facilitate the growth of new and existing telecommunications system whilst keeping the environmental impacts to a minimum.

2.15 PPG8 and PU8 highlight the need for operators to provide evidence regarding the need for the proposal and that new applications show evidence that mast and site sharing has been explored.

2.16 The supporting plans indicate the coverage that would be achieved from the development in relation to the existing coverage. It would appear from the information provided that there is a need for the development in order to increase both the urban/commercial coverage and the suburban/residential coverage of the West Park area. Supporting documentation demonstrating that the applicant has explored the possibility of site sharing, alternative sites and the possibility of erecting equipment on or within existing buildings or structures has been submitted. This information is attached as appendix A.

2.17 A statement has accompanied the application from the operator stipulating that the proposed installation when operational will not exceed the ICNIRP (International Commission on Non-Ionizing Radiation) guidelines for public exposure. Health risks and perceived health risks will be discussed further in the report.

2.18 A photomontage has been submitted to demonstrate the relationship of the installation upon the existing clubhouse. The merits of the proposal in terms of its potential visual impact will be discussed in detail further in the report.

2.19 Given the supporting information submitted regarding a demonstration of need and the exploration of existing site and mast sharing along with the potential use of alternative sites, it is considered that the provision of a telecommunications installation upon the proposed site is, subject to the discussion below, acceptable in principle in terms of the policy PU8 of the Hartlepool Local Plan and PPG8.

### Visual Amenity

2.20 It is acknowledged that due to its height the proposed flagpole installation will be visible from the surrounding public highways, Ward Jackson Park and the residential properties bounding the site.

2.21 The proposed mast has been designed to look like a flagpole and will replace a smaller flagpole that exists on the site. It is considered that a flagpole would appear appropriate in the context of a sports ground. The supporting documentation indicates that the installation will be fitted with a halyard and blocks so that a flag can be flown in the traditional manner. The main issue is whether at approximately 15m it would appear out of keeping.

2.22 The proposed installation would be set back approximately 13m from the Elwick Road frontage with a number of mature substantial trees running close to the boundary of the site to the east. It is not considered that an imitation flagpole at this height or location would appear overly dominant or incongruous upon the street scene or the character of the Conservation Area in general.

2.23 The Landscape Planning and Conservation Manager has raised no objection to the proposal and considers that providing the associated equipment will be appropriately screened it would not have an adverse impact upon the Conservation Area. The proposed plans indicate the provision of a 2.1m high close-boarded timber fence to screen the ancillary equipment. A planning condition requiring final details can be attached to any approval to ensure it is suitable within the context of the area.

2.24 The effect of the proposal upon the outlook enjoyed by the residents of the surrounding residential properties has been raised as an objection to the proposal. Given the associated separation distances between the proposed installation and the surrounding residential properties is in excess of 80m and the design of the installation it is not considered a refusal could be sustained on detrimental outlook grounds.

### Health and Safety and Perceived Fear of Health and Safety

2.25 Numerous concerns have been raised from the nearby residents and users of Ward Jackson Park regarding the potential health and safety risks from such an installation particularly for children. Both actual health risks and the perception of adverse health effects are material considerations and are relevant to the determination of this planning application.



2.26 As stated previously the applicant has submitted a statement confirming that the proposed installation when operational will not exceed the ICNIRP guidelines from public exposure. This is part of the precautionary approach highlighted by the Independent Expert Group On Mobile Phones investigation into Mobile Phones and Health, also known as the Stewart Report.

2.27 The applicant has submitted a summary of the estimated radio frequency and electromagnetic energy levels on ground level emitted from the proposed installation. It would appear that at 50m away from the antenna the % of the ICNIRP ref level will be 1.55%, this is the highest reading of the estimated levels associated with the proposal. A table of the estimated radiofrequency (RF) electromagnetic energy (EME) levels on ground level emitted from the proposed installation is attached as appendix 2 below.

2.28 As the exposures are to be less than the maximum tolerance specified within the ICNIRP guidelines, PPG8 therefore states:-

*'It is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a Local Planning Authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them'* (Para 30. PPG 8 – Telecommunications)

2.29 Given that the guidelines draw no distinction between the general public and children and the fact that the Head of Public Protection has raised no objection to the proposal it is not considered that a refusal could be sustained on health effects of the proposed equipment.

2.30 In determining an appeal for a proposed 15m installation of slim design and headgear at the junction of Merlin Way and Hart Lane in 2005 the Inspector stated the following about the fears expressed by local residents over potential adverse health effects:-

*'In this instance I accept that the proposed mast would be visible to some people more regularly than others, but that most local residents would inevitably notice it on occasion. However, even though I have found that it has not been shown to my satisfaction to be the most acceptable solution, it is also my view that the development would not be so intrusive that it would act as a constant reminder of its presence in such a way as to materially effect living conditions of local residents'* (Appeal ref: APP/H0724/A05/1177098)

2.31 Whilst it is acknowledged that this proposed installation will be visible from the rear of the surrounding residential properties, public highways and the Ward Jackson Park to the east, it is considered that given the separation distances involved and the relatively unobtrusive design of the mast, which will be disguised as a flagpole within the context of a sports ground, it is unlikely that it would act as a constant reminder

of its presence in such a way to materially effect the living conditions of local residents. In conclusion it is not felt a refusal could be sustained on the ground of the fear of adverse health risk.

### Highway Safety

2.32 The Head of Traffic and Transportation has raised no objection to the proposed installation on highway safety grounds. The installation is not be sited upon the existing car park and therefore the parking provision of the site will remain the same.

### Conclusion

2.33 While acknowledging the level of public opposition to this scheme, for the reasons stated above, the application is recommended for approval subject to the conditions outlined below.

### **RECOMMENDATION** – Approve subject to conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 5th February 2007, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt
3. Notwithstanding the details submitted the colour of the flagpole and approved ground based cabinets shall be agreed in writing with the Local Planning Authority prior to their erection on site. The development shall thereafter be carried out in accordance with the approved details.  
In the interests of visual amenity.
4. Notwithstanding the information submitted final details of the fenced compound including details of any staining shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby approved is commenced. The development shall thereafter be carried out in accordance with the approved details.  
In the interests of visual amenity.
5. In the event that the equipment becomes obsolete or redundant it shall be removed and the site reinstated to the satisfaction of the Local Planning Authority within 3 months of it becoming redundant.  
To minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory standard.

## **APPENDIX A – Site search alternatives and discounted sites**

### **6. Site Search Alternatives and Discounted Sites**

The extent of the search area is highlighted on the 'Search Area Map' attached at Appendix 1. Ideally a site should be located within this search area in order to achieve optimal coverage and avoid the need for additional base stations.

The characteristics of the target area have placed certain restrictions on our search for a suitable site.

The search area comprises a pleasant environment made up of residential properties, interspersed with mature trees, amongst which suitable site options are very limited. The surrounding land is open, undulating agricultural land, with limited tree screening.

Land levels rise gently due north and more sharply to the north west, forming a basin at the centre of the search area and rising again gradually to the south and south east.

There are few commercial properties in the search area which might offer an opportunity for a roof mounted installation.

In the western half of the search area there is the grade II listed "Ward Jackson Park", a quiet, leafy leisure facility where telecoms development could not reasonably be considered as appropriate.

In looking for a suitable site for a base station the following search priorities have been applied; firstly the potential for sharing existing base stations has been investigated, secondly consideration has been given to utilising existing structures and buildings that could support antennas at an appropriate height and thirdly appropriate locations for a new freestanding installation have been explored.

Whenever it is practicable T-Mobile seeks to utilise and share existing telecommunications sites and structures, in order to limit the proliferation of base stations.

#### **a) Potential for site sharing**

Unfortunately this particular coverage objective cannot be met by upgrading any of the existing T-Mobile base stations in the area. This is due to a number of factors including the distance of the existing base stations from the coverage hole and the characteristics of the local topography.

The Ofcom "Sitefinder" mast register has been examined and the area has been surveyed to identify any existing telecommunications installations that might be able to accommodate the required equipment. A plan indicating the position of all the sites investigated is attached at Appendix 3, the following existing base station sites were considered:

- i. **T-Mobile cell 95912, High Throston Golf Club, Hart Lane**  
This is an existing 11m high T-Mobile installation. It is sited well to the north of the search area. A site in this location would be too far from the search area to achieve satisfactory coverage. The plots attached at Appendix 2 show the coverage currently available from this site and the coverage hole that remains to the south. Increasing the height of the installation at Throston Golf club might result in marginal improvements in coverage to the south, but it could not resolve the entire coverage hole. Unfortunately increasing the height of the installation would also spread the signal from this base station in other directions, which would be likely to cause interference with adjacent cells to the north and north-west. It follows therefore that balanced coverage could not be achieved from this site and the use of the site to meet the coverage objective must therefore be discounted.
- ii. **H3G cell TS0605, High Throston Golf Club, Hart Lane**  
This H3G installation is located immediately adjacent to the above T-Mobile base station and would suffer from the same technical flaws. The use of the site must therefore be discounted.
- iii. **Orange cell CLV0049, High Tunstall Farm, off Valley Drive**  
This 15m Orange tower is located some distance north-west of the search area. A redevelopment of the site with a larger shared tower might be capable of providing some coverage to the west of the area, but a major part of the identified coverage hole is located to the east of the search area and comprehensive coverage could not be achieved from this site. In any case, the site owner has indicated a reluctance to enter into discussions, due to the difficulties that arose when Orange constructed their mast. The proximity of the nearby school having apparently led to some concerns being expressed

by neighbours and parents. For the above reasons the use of this site must be discounted.

**iv. Vodafone cell 35868, H3G cell TS0010, O2 cell 018195 (proposed), Herring & Sons, Summerhill Road**

This site lies to the south of the search area and as such is not ideally located to provide balanced coverage.

There are two existing operators located at this site on two 15m masts (Vodafone and H3G). A third mast has been proposed by O2, located between the two existing structures. Unfortunately, with three towers already planned at the site, there is insufficient space (within the area that the site owner was willing to lease) to design an installation with adequate horizontal separation from the existing and proposed towers. Antenna separation is required to ensure that the signals from the base stations do not interfere with each other.

Consideration was given to designing a taller installation that could support one set of antennas at 15m and another at 20m, thereby achieving vertical separation of the antenna systems. However, following consultation with the planning authority (Christine Pipe), it was determined that a taller mast in this location would appear incongruous and might draw additional attention to the existing towers at the site.

Paragraph 68 of the Appendix to PPG8 advises: *"In considering alternative sites, an authority should be mindful of the potential impact on the local environment of development on those sites. This will be particularly important where an alternative site would involve the redevelopment of an existing mast for shared use. In certain circumstances the shared use of an existing mast might necessitate an increase in the height or structural capacity, and therefore the visibility, of that mast. Depending on the characteristics of the location, site sharing as opposed to mast sharing may be more appropriate. Authorities will need to consider the cumulative impact upon the environment of a number of masts sharing a site. In other cases technical and design considerations may point to a new site. Local planning authorities and operators should seek together to find the optimum environmental and network solutions on a case-by-case basis."*

In this instance, it was considered that the cumulative impact of sharing this location would be more harmful than developing a separate site. For this reason site sharing at this location has been discounted.

As the appropriate level of service cannot be achieved from existing installations, it is necessary to identify a suitable location for a new installation.

**b) Potential to use existing structures**

The survey of the locality has sought to identify potential existing structures and buildings that might be utilised to support telecommunications apparatus.

Unfortunately, most of the buildings in the area are in residential/domestic use and are unsuitable for supporting antenna systems, due to their pitched roofs and their inability to accommodate the physical weight and wind loadings associated with a telecommunications installation.

Only two commercial buildings of any height were identified in the area:

**i. White House Public House, Wooler Road**

This building is a public house on the north western edge of the search area. Although the building is large, it is domestic in form, with a hipped roof. A flagpole installation mounted on the end wall of the pub might appear out of place in the context of this buildings character. It is considered that the flagpole design at the cricket ground would appear more in keeping with its setting than a similar structure at these premises. The owners have been written to, but have not responded to our enquiry. Having regard to the character of the building and the lack of response from the land owner, this site is not the preferred location to meet the coverage objective. A copy of the letter to the owner is attached at Appendix 8.

**ii. Pangbourne House Nursing Home, Park Avenue**

This is a large Grade II listed residential building that has been utilised as a nursing home, it is located close to the centre of the search area. The building is three storeys high with a four storey tower. Although Pangbourne House has the required height, adding antennas to the exterior of this attractive building may well be detrimental to its appearance and the design of the building does not lend itself to any methods for disguising the antennas. The owners have been written to, but have not responded to our enquiry. Having regard to the character of the building and the lack of response from the land owner, this site is not the preferred location to meet the coverage objective. A copy of the letter to the owner is attached at Appendix 8.

As no existing buildings or structures were viable we have endeavoured to identify a location for a freestanding base station.

**c) Potential locations for a freestanding installation**

Sites suitable for a freestanding installation were investigated at:

**i. Ward Jackson Park**

Ward Jackson Park is a Registered Garden. In the English Heritage register it is listed grade II. As such it is considered that the park is a highly sensitive environment, where a telecommunications installation is unlikely to be well received. Furthermore, the trees surrounding the park would require any installation to be of considerable size, thus making the installation more conspicuous within this sensitive setting. It is considered that the proposed site at the cricket club is a better location, which would have less visual impact and as such Ward Jackson Park is not the preferred location for the proposed base station.

**ii. The Parade**

A potential site for a streetworks installation was investigated adjacent to the bus stop at The Parade. Unfortunately there are tall trees in the area and a large installation would be required to elevate antennas above the surrounding clutter. Furthermore, the pavement in this location is not very wide and it is likely that an installation here would unduly restrict pedestrian movement. Having regard to the close proximity of Ward Jackson Park and the potential impact of a large streetworks structure in the street scene, this location was not the preferred site for a base station.

**iii. Elwick Road**

The potential for a streetworks installation was considered on Elwick Road, unfortunately there are tall trees in this area and in order to lift the antenna above the trees a mast would be required that would be disproportionate to street furniture in the locality. Also, because of the narrow pavements in this locality the opportunities to identify a viable location were limited and a site could not be identified that was large enough to accommodate an installation without being detrimental to the outlook from adjacent dwellings.

**iv. Land Behind Ambulance Station Elwick Road**

This site was suggested as a possible location by Councillor Morris and an enquiry was undertaken with the Hartlepool Borough Council Estates department, as landowner of the site, on 23 November 2006. The officer (James Cuthbert) indicated in a telephone conversation that there were plans to dispose of adjacent land for development and that the area behind the ambulance station might be developed for housing in the future. As such the land was not available. A copy of the email enquiry is attached at Appendix 8. No written response has been received from the Council.

**v. Dunston Road/West Park**

This site is located at the junction of Dunston Road and West Park, immediately outside High Tunstall Comprehensive School. The site is adjacent to a stream and it was considered that an installation in such close proximity to the stream might be detrimental to the stability of the stream bank. Furthermore, it was considered that an installation by the roadside would be visually more intrusive than the proposed site at the Cricket Club. The site is located close to a school and during previous discussions with planners it has been indicated that locations adjacent to schools are considered undesirable. Whilst there are no technical reasons for not locating near to schools, we are aware of the public concern on this issue and, where alternative sites exist, our client would wish to avoid locating immediately adjacent to a school. For this reason this site is not the preferred option.

**vi. West Park/Park Drive**

There is a triangular area of land at the junction of West Park and Park Drive. This area is essentially an island within the road junction. Due to the height of the trees in the area, a mast in excess of 15m would be required, which would be out of keeping with the scale of other street furniture in the locality (generally lamp columns and telegraph poles in this area are approximately 8m tall). For this reason this is not the preferred site.

**vii. Valley Drive/Egerton Road**

Consideration was given to locating a streetworks type installation at the junction of Valley Drive and Egerton Road. Again, a tall mast would be required to elevate the antennas above the surrounding trees. Such a structure would be considerably higher than other street furniture in the locality. It was considered that an installation by the roadside would be visually more intrusive than the proposed site at the Cricket Club. For this reason this site is not the preferred option.

**viii. Parkland Way/Auckland Way**

This site is located on the extreme western edge of the search area. Even with a tall streetworks structure, it is likely that a further installation would be required on the eastern side of the search area to enable comprehensive coverage of the area. In order to provide any sort of reasonable coverage from this fringe location a tall mast in excess of 15m would be required. It is considered that such a structure would appear out of place in the street scene and would be out of keeping with other street furniture in the locality. The use of the site has therefore been discounted.

**ix. Summerhill Outdoor Activities Centre, Summerhill Road**

This land is owned by Hartlepool Borough Council and is maintained as a nature reserve and country park. The site is relatively open with little tree cover and an installation in this location would appear prominent. In view of the public usage of the park it is doubtful that land would be made available by the Council, but in any case the land is too far to the south of the search area to provide comprehensive coverage. The use of this land has therefore been discounted.

**x. Quarry Farm, Elwick Road**

This site lies some distance to the north west of the search area. From this distance, it would not be possible to provide comprehensive coverage to the target area and additional installations would be required to provide coverage to the south east part of the coverage hole. In the interests of avoiding the proliferation of masts, the use of this site has been discounted.

**xi. Field House Farm, Dalton Piercy**

Field House Farm lies some distance to the west of the search area. A site on this farm would be unable to provide comprehensive coverage to the target area and additional installations would be required to provide coverage to the eastern half of the coverage hole. In the interests of avoiding the proliferation of masts, the use of this site has been discounted.

**xii. Tunstall Farm**

Tunstall farm lies to the south west of the search area and is too far from the target area to provide comprehensive coverage to the area. Additional installations would be required to provide coverage to the north eastern half of the coverage hole. In the interests of avoiding the proliferation of masts, the use of this site has been discounted.

**xiii. Southbrook Livery, Summerhill Road**

These stables lie to the east of the Herring and Sons site on Summerhill Road. The landowner was unwilling to discuss an installation on the land. In any case the land is too far to the south of the search area to provide comprehensive coverage. The use of this land has therefore been discounted.

**xiv. Petersbrook Riding stables, Dalton Piercy**

These stables lie beyond the search area to the south-west, immediately to the south of Field House Farm. The landowner was unwilling to discuss an installation on the land. In any case, a base station sited here would be unable to provide comprehensive coverage to the target area and therefore additional installations would be required to provide coverage to the eastern half of the coverage hole. In the interests of avoiding the proliferation of masts, the use of this site has been discounted.



**xv. Hartlepool Cricket Club**

The cricket club lies at the centre of the search area and is ideally placed to provide the required coverage. There are large trees throughout the area and surrounding the club and as such a height of 15m would be required, however it is considered that a flagpole design would appear appropriate within the context of this sports ground. There is an existing flagpole at the site which can be replaced, thereby minimising the proliferation of tall structures in the environment.

Having considered all of the above options, in our opinion, the proposed site at Hartlepool Cricket Club represents the best practicable option for providing the required service. The site provides a level of coverage, which is acceptable from a technical perspective, and it is considered to have the least material impact on amenities and the character of the area.

## APPENDIX 2 – Detailed EMF/PFD Assessment Report

### Summary of Estimated RF EME Levels around the T-Mobile (UK) Limited Mobile Phone Base Station

Cell:95489

Site Name: Hartlepool CC

Site Address: Park Drive, West Park, Hartlepool

#### Introduction

This report summarises the estimation of radiofrequency (RF) electromagnetic energy (EME) levels on ground level emitted from the proposed T-Mobile (UK) Ltd. Mobile Phone Base Station antennas.

EME levels estimated are for various distances from the base station antennas.

Reference levels are expressed by International Commission on Non-Ionizing Radiation Protection (ICNIRP) as Power Flux Density (PFD) levels in a given space, measured in units of Watts per square metre ( $W/m^2$ ).

The ICNIRP [1] reference level for RF exposure to the general public is  $9W/m^2$  at 1800MHz and  $10W/m^2$  in the frequency range 2GHz to 300GHz.

#### Table of Predicted Power Flux Density (PFD) levels

The following tables show an estimation of Power Flux Density (PFD) levels for various distances from antennas.

Distance from antenna (m)	Power Flux Density ( $W/m^2$ )	Times less than ICNIRP ref. level ( $9W/m^2$ )	% of ICNIRP ref. level
50	0.1395	64	1.55
100	0.1127	80	1.25
150	0.0670	134	0.74
200	0.0378	238	0.42
250	0.0242	372	0.27
300	0.0168	536	0.19
400	0.0095	952	0.11
500	0.0060	1,490	0.07

### Note:

The above estimations are calculated at point 1.5 metres above ground level and based on worst case assumptions and flat terrain. The EME predictions in this report assume a worst-case scenario, i.e. base station transmitters operating at maximum power (no automatic power reduction). The estimated levels do not include possible radio signal attenuation due to buildings and the general environment. The actual Power Flux Density (PFD) levels will generally be significantly less than predicted due to path losses and the base station automatically adjusting transmitter output power to serve established phone calls.

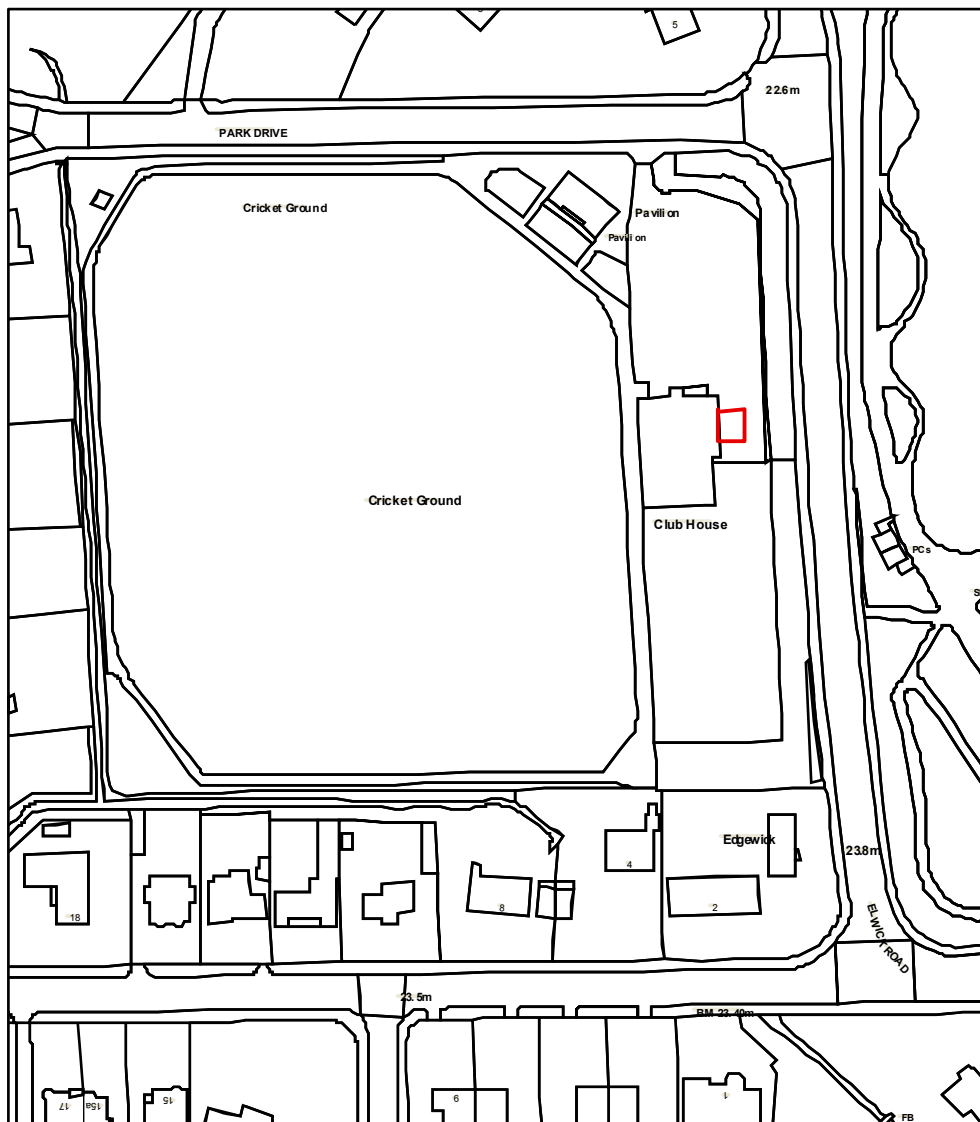
### Summary

It is confirmed that planned equipment is in full compliance with the requirements of radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP).

### Reference

- [1] *ICNIRP Guidelines for Limiting Exposure to Time-Varying Electric, Magnetic and Electromagnetic Fields (up to 300GHz): Health Physics, Vol. 74, No. 4, pages 494-522, April 1998.*

## Park Drive Cricket Club



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>07/03/07</b>
	SCALE <b>1:1250</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0097</b>	REV

**No:** 3  
**Number:** H/2007/0150  
**Applicant:** MR BRENDON COLAROSSO HANSON HOUSE  
 HANSON SQUARE, LYNN STREET HARTLEPOOL  
 HARTLEPOOL TS24 7BT  
**Agent:** HARTLEPOOL BOROUGH COUNCIL ENGINEERING  
 CONSULTANCY HANSON HOUSE, HANSON SQUARE  
 LYNN STREET STRANTON HARTLEPOOL TS24 7BT  
**Date valid:** 26/02/2007  
**Development:** Erection of two section of ornate fencing in association  
 with environmental improvement works (opposite 28 and  
 29 Town Wall and west of 2 Town Wall)  
**Location:** 1-30 TOWN WALL HARTLEPOOL

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### The Application and Site

3.1 The application site is an area of public footpath, in the Headland Conservation Area, which abuts the Headland Town Wall.

3.2 The Town Wall itself is a Listed Building and an Ancient Monument.

3.3 The proposal is part of ongoing refurbishment works which seeks to replace existing precast concrete paving and coping, and replace existing steps with an access ramp. These works do not need permission in themselves. There is also provision of two small sections of ornate fence/handrail to the carriage side of the footpath to prevent falling onto the carriageway/falling while using the ramp.

### Publicity

3.4 The application has been advertised by way of neighbour letters (28). To date, there have been 4 letters of no objection and 5 letters of objection received.

3.5 The concerns raised are:

- a) spoil environmental appearance
- b) railings not needed, no one fallen off wall
- c) replacement paving stones should be flat with no raised pattern, otherwise they are a trip hazard
- d) will make a historical Town Wall look an eyesore with 2 pieces of fencing
- e) On the grounds of health and safety, couldn't the footpath be lowered so it would not require railings, or heighten tarmac on road
- f) No record of anyone falling off footpath
- g) On the seating area people have to stand on a road to read the plaque this is more of a safety issue
- h) Should look at alternative options before you try and make street look an eyesore yet again

- i) Our local independent councillor said that if the residents did not want the railings outside they did not have to have them
- j) Dangerous for children to climb on
- k) Unsightly
- l) Will look wrong with the character of the area because of the length of the proposed railings.

(Copy letter C)

The period for publicity has expired.

### **Consultations**

3.6 The following consultation replies have been received:

**Traffic & Transportation** - No objection

**Headland Town Council** - No comments received

**English Heritage** - Awaited

### **Planning Policy**

3.7 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

HE1: States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity. Matters taken into account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

HE13: States that developments which adversely affect the site and setting of a scheduled monument or protected wreck will not be permitted.

HE2: Encourages environmental improvements to enhance conservation areas.

HE8: States that traditional materials and sympathetic designs should be used in works to listed buildings and to adjoining or nearby properties affecting the setting of the building. These should be in keeping with the character and special interest of the building. Those internal features and fittings comprising an integral part of the character of the building should be retained where practical. Alterations to part of a listed building will only be approved where the main part of the building is preserved or enhanced and no significant features of interest are lost.

### **Planning Considerations**

3.8 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan and the effect upon the visual amenities of the area.

3.9 Most of the works involved in the scheme benefit from permitted development rights (works by local authorities). However Ancient Monument consent was required for some of the works, which was granted by the Secretary of State. It was agreed that the proposed works are sensible and warranted, and will not significantly compromise the integrity of the monument, nor prejudice its longer-term preservation.

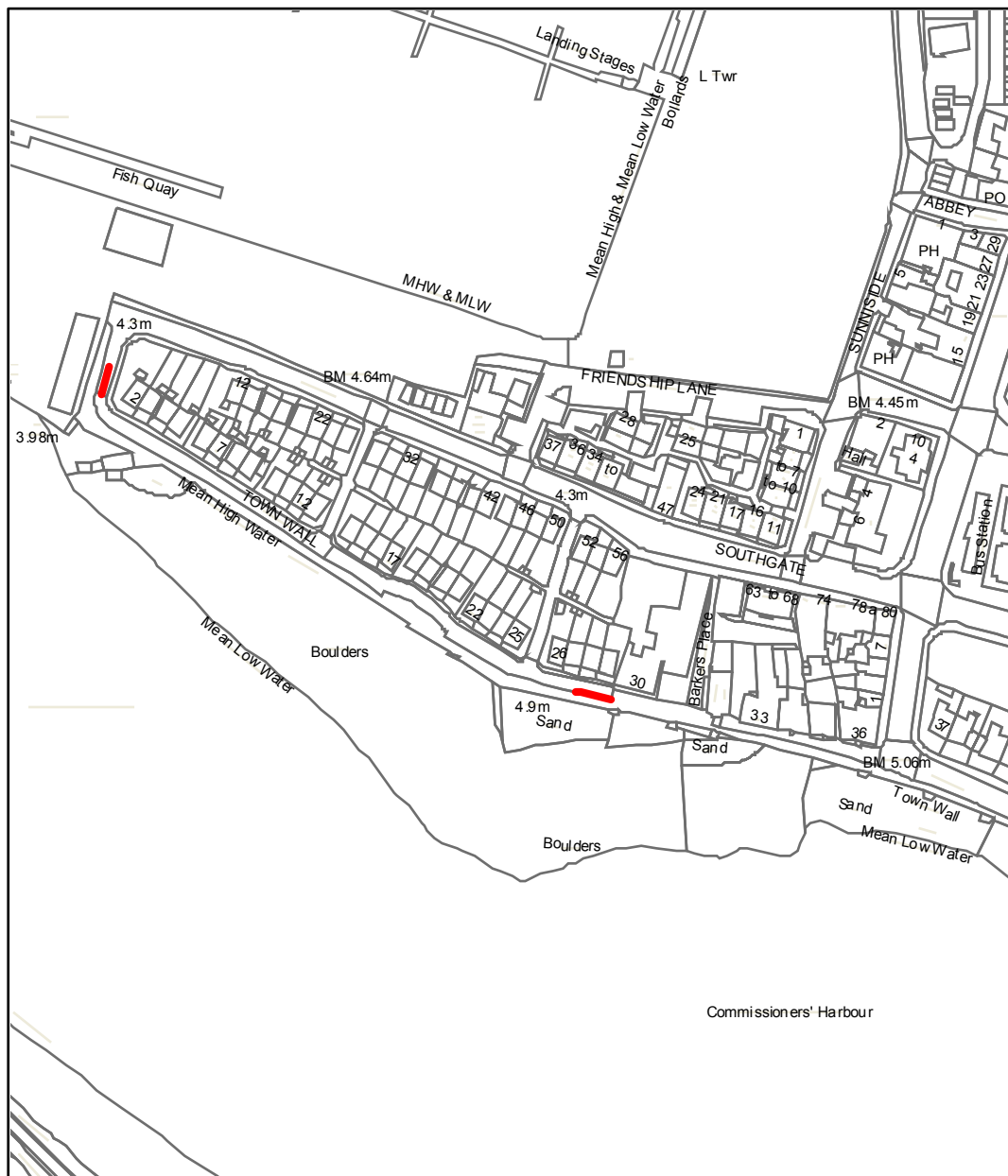
3.10 The two sections of railings that are greater than 1m in height fronting a highway require formal planning permission. These railings are required for Health and Safety reasons.

3.11 There are existing railings on the east side of the Town Wall and the proposed railings will be in keeping with these. The design of the railings is considered satisfactory. Further it would be difficult to sustain an objection, given the Health and Safety issues.

**RECOMMENDATION** – subject to no objections from English Heritage approve subject to the following condition(s)

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

## Town Wall



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<b>HARTLEPOOL</b> BOROUGH COUNCIL	DRAWN <b>JT</b>	DATE <b>18/04/07</b>
	SCALE <b>1:1250</b>	
Department of Regeneration and planning Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT	DRG.NO <b>H/2007/0150</b>	REV



**No:** 4  
**Number:** H/2007/0147  
**Applicant:** MR H NIJJAR 10 CHESTER ROAD HARTLEPOOL TS24 8PR  
**Agent:** SJR Architects & Interior Designers Suite 101 The Innovation Centre Venture Court Queens Meadow Business Park Hartlepool TS25 5TG  
**Date valid:** 26/02/2007  
**Development:** CHANGE OF USE FROM TV REPAIR SHOP TO HOT FOOD TAKEAWAY  
**Location:** 152 RABY ROAD HARTLEPOOL

---

### The Application and Site

4.1 The application site is a former TV repair shop with two bedroom flat above. The property is currently vacant, and is located on the east side of Raby Road at its junction with Perth Street and Raby Road. To the rear (east) of the premises is a small yard beyond which are residential properties fronting Perth Street. To the west on the opposite side of Raby Road is a residential terrace. Adjoining to the south are a terrace of residential properties. To the north the end of Perth Street has been blocked off to vehicles and there is allowance for on street parking, beyond is a vacant plot enclosed by a high fence and advertisement hoardings. Further to the north are a pair of residential properties and a Pet Fish Shop. Further north again, approaching Brougham Terrace, are a number of other commercial properties including an Indian Takeaway, a Pizzeria, a hairdressers, a bookmakers, a tattooists and a jacket potato shop.

4.2 It is proposed to change the use of the premises to a hot food takeaway. It is understood the applicant intends to open a Fish & Chip Shop. The proposed opening hours are 09:30 to 22:30 Monday to Sunday. The floor plans submitted with the application indicate that the two bedroom flat will be retained at first floor. At ground floor existing stores and a retail area will accommodate a public area, a frying area including range and preparation areas, a ground floor WC will be retained in its existing position. The applicant has advised that external alterations will be the subject of a separate application should permission be granted, the floor plans indicate a new shop front will be provided and a side window fronting Perth Street will be blocked up.

4.3 In support of the application the applicant's solicitor has advised

- 1) the applicant's existing premises, on Chester Road are being acquired by the council under their Compulsory Purchase Powers as part of the Regeneration of the area.
- 2) The business will be relocated and the upper floors refurbished to accommodate the applicant and his family.
- 3) Whilst the area is predominantly residential the premises already have a retail use and have been used for commercial purposes for many years.

- 4) The applicant will install necessary equipment to eliminate nuisance to neighbouring houses and is willing to accept reasonable hours restrictions.
- 5) Car parking can be accommodated at end of the Perth Street. However, the vast majority of existing customers are local and visit on foot and as the application site is only a couple of hundred metres from the existing premises it is anticipated that this will continue to be the case.
- 6) The application will replace an existing takeaway and therefore will not increase the number of takeaways in this part of the town.

### Publicity

4.4 The application has been advertised by site notice and neighbour notification (18). The time period for representations has expired. Seven representations were received. One letter of no objection and six letters of objection. The objectors raise the following issues:

- 1) Litter
- 2) Congestion
- 3) People especially youths congregating at the site/juvenile disturbance.
- 4) Noise
- 5) Smell
- 6) Takeaway will exacerbate existing situation which is already a major problem for the police.
- 7) Lack of parking/congestion on major road and bus route.
- 8) Opening hours too late.
- 9) No need enough takeaways in area already.

Copy letters **B**

### Consultations

4.5 The following consultation replies have been received:

**Head Of Public Protection** - This premises is located in a predominantly residential part of Raby Road and is not part of any of the commercial blocks. It is located in very close proximity to residential properties. There is therefore considerable potential for nuisance to local residents from this type of use and I am therefore of the opinion that this application should be resisted.

**Traffic & Transportation** – Given the previous use of the property it would be very difficult to sustain an objection on highway grounds. There is no Traffic Regulation Order outside the front of the shop. There are no major highway implications with this application.

### Planning Policy

4.6 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

Com12: States that proposals for food and drink developments will only be permitted subject to consideration of the effect on amenity, highway safety and character, appearance and function of the surrounding area and that hot food takeaways will not be permitted adjoining residential properties. The policy also outlines measures which may be required to protect the amenity of the area.

Com13: States that industrial, business, leisure and other commercial development will not be permitted in residential areas unless the criteria set out in the policy relating to amenity, design, scale and impact and appropriate servicing and parking requirements are met and provided they accord with the provisions of Com8, Com9 and Rec14.

Com6: States that the Borough Council will encourage environmental and other improvement and enhancement schemes in designated commercial improvement areas.

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

### **Planning Considerations**

4.7 The main planning considerations are Policy, impact on the amenity of neighbouring properties and highways.

### **POLICY**

4.8 The application site lies outside the Raby Road local centre. The area surrounding the site is predominantly residential in character and the proposal adjoins a residential property. Policy Com 12 Food and Drink in the Local Plan specifically states that such uses will not be permitted where this is the case. It is considered that the proposal is contrary to Policy Com 12. In addition it is considered the proposal conflicts with policies Com13 and GEP1 of the Local Plan.

### **IMPACT ON THE AMENITY OF NEIGHBOURING RESIDENTIAL PROPERTIES**

4.9 The site is located in a predominantly residential area and is surrounded by and adjoins residential properties. A number of objections have been received from occupiers of these properties on nuisance grounds (noise, smell, litter, congestion, people congregating at the site and antisocial behaviour). It is acknowledged that certain measures can be undertaken to limit some of these problems to some extent, however it would be *'virtually impossible to eliminate cooking smells, no matter how good the equipment'* (Development Control Practice Manual). There are also particular concerns regarding the proximity of the proposal to residential properties in terms of noise, general disturbance and nuisance from movements both pedestrian and vehicular to and from the site. This disturbance would extend late into the night. These concerns are reflected in the views of the Head of Public Protection who considers there is considerable potential for the use to cause nuisance to local residents and has recommended that the application be refused.

### HIGHWAYS

4.10 The site accommodates no off street parking and customers travelling by car would need to park on street in order to visit the premises. Given the previous shop use however Highways have advised that they would have no objections to the proposed use on highway grounds.

### OTHER MATTERS

4.11 It is unfortunate that the applicant's existing premises on Chester Road are in the process of being compulsorily purchased in order to facilitate the regeneration of the Chester Road Area. It is also unfortunate that the applicant has chosen to purchase the property without first obtaining the necessary planning permission. However, it is not considered that these matters would outweigh the concerns regarding the impact the proposal would have on living conditions of the residential properties neighbouring the site. Prior to the application being submitted the applicant received informal planning advice on the proposal and was advised that any application submitted "would be met with a strong policy resistance and may not be acceptable".

### Conclusion

4.12 The site lies outside the Raby Road local centre in a predominantly residential area. Given the sites close relationship with neighbouring residential properties it is considered that the proposal would have a detrimental impact on the living conditions of the occupiers of those properties particularly in terms of noise, general disturbance and nuisance from movements both pedestrian and vehicular to and from the site. This disturbance would extend late into the night. The proposal would be contrary to policies GEP1, Com 12 and Com 13 of the Hartlepool Local Plan 2006.

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

1. The site lies outside the Raby Road local centre in a predominantly residential area. Given the sites close relationship with neighbouring residential properties it is considered that the proposal would have a detrimental impact on the living conditions of the occupiers of those properties particularly in

## 4.1

terms of noise, general disturbance and nuisance from movements both pedestrian and vehicular to and from the site. This disturbance would extend late into the night. The proposal would be contrary to policies GEP1, Com12 and Com13 of the Hartlepool Local Plan 2006.

### 152 Raby Road



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<b>HARTLEPOOL</b> BOROUGH COUNCIL	DRAWN <b>JT</b>	DATE <b>18/04/07</b>
	SCALE <b>1:1250</b>	
Department of Regeneration and planning Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT	DRG.NO H/2007/0147	REV

**No:** 5  
**Number:** H/2006/0856  
**Applicant:** Ms Alex Ross 41 Park Road Hartlepool TS24 7TW  
**Agent:** Anthony Walker and Partners St Josephs Businesss  
 Centre West Lane Killingworth Village Newcastle upon  
 Tyne NE12 7BH  
**Date valid:** 24/11/2006  
**Development:** Formation of a linear park and associated works including  
 alley gates and boundary walling  
**Location:** THORNTON STREET HARTLEPOOL

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### **Purpose of this report**

5.1 At the meeting of the Planning Committee on 21<sup>st</sup> February 2007 Members approved planning permission for the formation of a linear park and associated works including alley gates and boundary walling at Thornton Street.

5.2 The details then submitted by the applicant were limited. For example details of all gates and boundary treatments were not included. Condition 2 and 5 attached to the permission required the submission of final details for approval and members asked that further details of the scheme be reported to them when received.

5.3 Further details have been received. These include:

- 1) Details of the alley gates
- 2) Details of boundary walls, gates, bollards and railings.
- 3) Landscaping proposals.
- 4) A coloured plan which shows the extend of soft and hard landscape areas for clarification.
- 5) Paving/surfacing materials details and schedule.

### **Consultations**

5.3 The following consultees have been re-consulted in relation to the submitted details.

**Police** - No objections

**Traffic & Transportation** - No objections.

**Landscape & Conservation** - No objections

### **Planning Considerations**

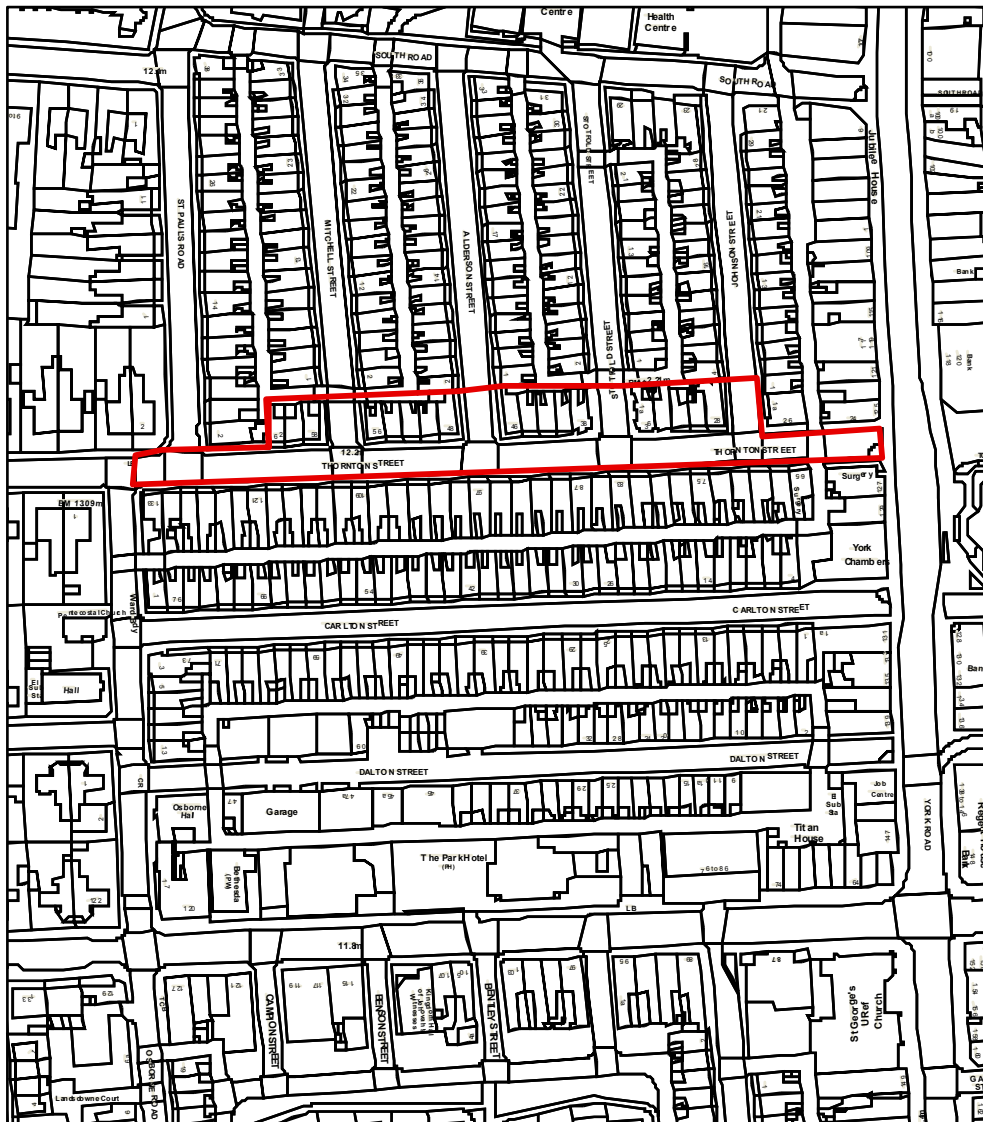
5.4 The details received which will be displayed at the meeting are considered acceptable and it is recommended that they are approved.

5.5 In relation to the external materials (Paving, walling, copings etc) condition 6 of the approval required samples of these be provided for approval. It is recommended that the final approval of the external materials be delegated to the Development Control Manager.

**RECOMMENDATION – APPROVE** submitted details final approval of the external materials to be delegated to the Development Control Manager.



## Thornton Street



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>07/02/07</b>
	SCALE <b>1:2000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2006/0856</b>	REV



**OMITTED REPORT**

2

**Number:** H/2007/0056

**Applicant:** Persimmon Homes Teesside Hilton Road Aycliffe  
Industrial Estate Newton Aycliffe Durham DL5 6EN

**Agent:** Persimmon House Hilton Road Aycliffe Industrial Estate  
Newton Aycliffe DL5 6EN

**Date valid:** 18/01/2007

**Development:** Approval of reserved matters for the erection of 56, 2  
storey houses, and 21, 3 storey, apartments and  
associated works

**Location:** AREA 7C MIDDLE WARREN MERLIN WAY  
HARTLEPOOL Hartlepool

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**The Application and Site**

2.1 The application was deferred at the last meeting of the Committee for a Members' site visit. This is due to take place immediately before the meeting.

2.2 The application site is allocated for residential development within Middle Warren. The site is bounded to the west and south by existing housing (Primrose Road and Bluebell Way), to the north by Merlin Way with a site currently being developed by Charles Church adjacent, Merlin Way also bounds the site to the east with future residential development allocated beyond.

2.3 The application proposes the erection of 56, 2 storey properties, 3 bedroom properties, (a mixture of semi-detached and detached), and 2 blocks of 3 storey apartments to house 21, 2 bedroom units. The proposed access to this site is via Primrose Road, and accommodates a sewer easement to the southern boundary.

**Publicity**

2.4 The application has been advertised by way of site notices (3) neighbour letters (28). To date, there have been 13 letters of objection, 2 from the same person, 1 letter of comment and 1 letter of no objection.

The concerns raised are:

1. Too many houses and apartments
2. Amount of parking provision for existing properties
3. Lack of open space for children
4. Type of housing/apartments proposed and types of people they will attract
5. Primrose Road being used as a throughfare
6. Design of apartments 3 storey too high
7. De-valuation of existing houses
8. Increase in litter, noise and traffic
9. Landlords will rent to anyone
10. Access onto Primrose Road, should be via Merlin Way

11. Condition of existing apartments which look tired and unkempt, concerns regarding more apartments
12. Health and safety concerns regarding access onto Primrose Road
13. Inadequate road widths
14. Access for emergency service vehicles
15. Safety for children
16. Heavy congestion
17. Amount of parking proposed is not sufficient
18. Current speed limits and road layouts are not clearly detailed in the surrounding area, adding to possibility of accidents occurring
19. More accesses from site onto Merlin Way should be explored
20. More landscaping required
21. Density of dwellings
22. No highway verges shown on the plan
23. No traffic calming measures
24. The easement should be under the road rather than in residential gardens
25. Access currently from Bluebell Way onto Primrose Road is a blind 90 degree corner, this will become a traffic black spot
26. Does not want their view of the coast being blocked

The letter of comment disagreed with the suggestions from other residents that Bluebell Way should continue onto Merlin Way.

Copy letters A (attached)

The period for publicity has expired.

### **Consultations**

2.5 The following consultation replies have been received:

**Head of Public Protection** - no objection

**Head of Traffic and Transportation** - no objection

**Engineering Consultancy** - a site investigation is required

**Cleveland Police** - comments regarding secured by design initiative

**Northumbrian Water** - no objection

**Neighbourhood Services** - awaiting response

### **Planning Policy**

2.6 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be

located on previously developed land within the limits to development and outside the green edges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

Hsg5: A Plan, Monitor and Manage approach will be used to monitor housing supply. Planning permission will not be granted for proposals that would lead to the strategic housing requirement being significantly exceeded or the recycling targets not being met. The policy sets out the criteria that will be taken into account in considering applications for housing developments including regeneration benefits, accessibility, range and choice of housing provided and the balance of housing supply and demand. Developer contributions towards demolitions and improvements may be sought.

Hsg9: Sets out the considerations for assessing residential development including design and effect on new and existing development, the provision of private amenity space, casual and formal play and safe and accessible open space, the retention of trees and other features of interest, provision of pedestrian and cycle routes and accessibility to public transport. The policy also provides general guidelines on densities.

Tra8: States that safe and convenient pedestrian routes linking new housing to local facilities and amenities should be provided.

## **Planning Considerations**

2.7 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan 2006, the impact of the proposals upon neighbouring properties and surrounding area and highway safety considerations. The principle of residential development has already been established through the outline permission.

### Effects on neighbouring properties and surrounding area

2.8 In terms of siting and design the proposed dwellings meet the Council's separation distances and have adequate garden areas.

In terms of the proposed apartments, these are proposed to face onto Merlin Way adjacent to existing flats (Waterlily Court), the proposed apartments are 3 storey in height similar to others approved on Middle Warren. It is considered it would be difficult to sustain an objection on siting and design grounds. Although the houses are generally slightly smaller than recent development in the area, they are not considered out of keeping with the surrounding area, given the mixture of types of housing through out the Middle Warren area. The layout is not dissimilar to others on the estate where apartments have been approved.

2.9 Concerns have been raised in terms of the amount of open space within Middle Warren, however the Master Plan identifies open space in terms of pockets of open space, the neighbourhood park, the green wedge and structured planting which are being incorporated into the relevant areas. The Master Plan does not identify an area of open space in this part of the estate.

2.10 Cleveland Police provided comments in relation to the proposed layout, which were passed onto the developer, the comments included types of means of enclosures, landscaping, access routes, lighting, internal security measures and car parking. The developer has amended the layout to omit 2 pedestrian links in accordance with Police comments, means of enclosure and landscaping can be controlled via condition, and the car parking for the apartments has the surveillance necessary.

#### Highways

2.11 The access is proposed from Primrose Road, which accords with the Master Plan. There was no access proposed on the Master Plan (for this area) to be accessed via Merlin Way. Although indicative it was always envisaged that access to this site would be via a secondary road, and the estate road pattern has been designed accordingly.

2.12 Although there have been a number of objections raised to this entrance the Head of Traffic and Transportation has no objection to the scheme. It is considered that one access in and out of the site is acceptable on highway safety grounds and having regard to the need to design out the potential for crime. An emergency access has now been identified on this basis. The Head of Traffic and Transportation is satisfied that the access arrangements meets the Council's Design Guide Specification.

2.13 Adequate parking facilities are proposed within the development, the proposed houses each have a garage and driveway. The Council's maximum parking standard for higher density development (such as apartments) is generally 1.5 spaces per dwelling, which in this instance would be a maximum of 33 parking spaces. The developer has shown 27 spaces, and in this instance given secure cycle parking is also provided, the Council's Traffic and Transportation team consider this acceptable.

2.14 There were concerns from the Head of Traffic and Transportation regarding the width of the internal road layout of the site, however an amended plan has been

submitted showing a 5.5m wide road and this is considered acceptable by the Council's Highways Engineers.

### **Conclusion**

2.15 It is considered that the proposed development is appropriate for the site, and accords with the Master Plan.

### **RECOMMENDATION - APPROVE**

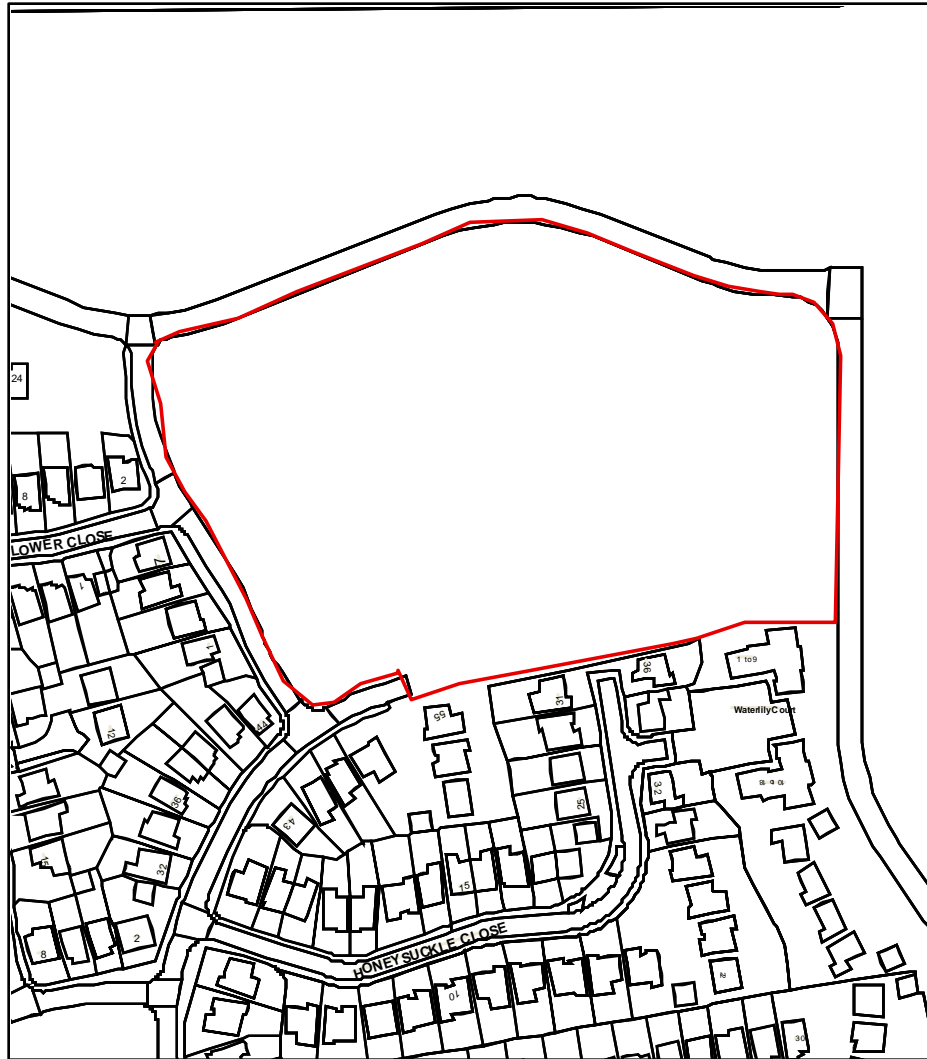
1. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.  
In the interests of visual amenity.
2. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.  
In the interests of visual amenity.
3. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 18th January and 8th March 2007, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt
4. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.  
In the interests of visual amenity.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.  
In the interests of visual amenity.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.  
To enable the Local Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of

enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.

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

8. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the finished floor levels submitted on the 8th March 2007.  
To ensure the site is developed in a satisfactory manner.
9. Notwithstanding the submitted details a scheme detailing the proposed cycle storage and refuse storage shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the apartments. Thereafter the scheme shall be carried out in accordance with the approved details.  
In the interests of visual amenity.
10. A scheme for access in connection with the building of this site (via Merlin Way) shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on site. Thereafter the site will be carried out in accordance with the approved details.  
In the interests of the amenities of the occupants of neighbouring properties.
11. The development hereby permitted shall not be commenced until: a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority. If identified as being required following the completion of the desk-top study, b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority, c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority, d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme, e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.  
To ensure that any site contamination is addressed.

## Area 7C Middle Warren



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>07/03/07</b>
	SCALE <b>1:1500</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0056</b>	REV

Application No H/2007/0056

Proposal Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works

Location AREA 7C MIDDLE WARREN MERLIN WAY

Case Officer Chris Pipe

52757

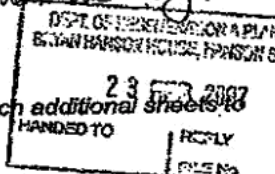
~~/We~~\* have received your letter and want to object/~~do not want to object~~\* to the proposal.

/We\* want/do not want\* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

We have concerns about the amount of apartments that are being built in this area of middle warren we bought our house on an executive area - and are finding that we are being surrounded by apartments - not detached properties as we were told would be built when we bought our house.

If you need more space, please continue over or attach additional sheets to this letter.



Name (Please print)	MRS D ANDERSON	Mr/Mrs/Miss/Ms*
Address	61 BLUEBELL WAY	
Date	21/2/07	
Telephone number		
Email address		

Nb - It is not essential that we have your telephone number but it will help us if we need to contact you

\* Please delete as appropriate

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No objections	
Objections	
Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
Entered in computer	



Application No H/2007/0056

Proposal Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works

Location AREA 7C MIDDLE WARREN MERLIN WAY

Case Officer Chris Pipe

~~We~~\* have received your letter and want to object/~~comment~~ to the proposal.

~~We~~\* want/~~comment~~\* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

I bought this house last May. Prior to signing for the house I visited the planning dept several times to check what was going to be built on the land nearby. I told it was Charles Church houses which meant that no flats, shops, pubs etc would be near. I bought the house. I believe this will seriously de-value the house. In fact I have put it up for sale. The first thing people ask is what is planned for the land at the end of the road. Traffic will increase, flats attract young people therefore they will probably use the house.

If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)		Mr/Ms/Miss/Ms
Address	53 BLUEBELL WAY	SCANNED
Date		02 MAR 2007
Telephone number		
Email address		

Nb - It is not essential that we have your telephone number but it will help us if we need to contact you

\* Please delete as appropriate

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No objections	
Objections	
Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
Entered in computer	

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5 of 6

road as a cut through late at night. The flats that are already up (much further away) can be seen from a fair distance away despite only being 3 storey they are an eyesore.

This estate is jam-packed as it is the houses are too close together and the appearance of the whole estate is becoming shabby and unattractive. This will make it so much worse.

Should you go ahead with this you must be prepared to lower all of the current council tax bands as you will have de-valued what should be an exclusive place to live for families in a certain "income bracket". I now fear it will be an estate full of undesirables who park anywhere (as there is already a severe lack of parking facilities).

Increase in litter, noise and traffic. Landlords will rent to anyone - you will be turning this estate into a less desirable place to live - like most of the rest of Hartlepool !!

A

Application No HI/2007/0056

Proposal Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works

Location AREA 7C MIDDLE WARREN MERLIN WAY

Case Officer Chris Pipe



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☒ We\* have received your letter and want to object/do not want to object\* to the proposal.

☐ We\* want/do not want\* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

There are too many houses at present. Most only have single drives which means many parked on roads.

We need open space for a park for children.

If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)	Joanne Lupton	Mr/Mrs/Miss/Ms*
Address	31 HONEYSUCKLE CLOSE	
Date	19.2.07	
Telephone number		
Email address		

Nb - It is not essential that we have your telephone number but it will help us if we need to contact you

\*Please delete as appropriate

SCANNED

02 MAR 2007  
5 of 5

For Official Use Only	
No objections	
Objections	
Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
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From: PublicAccess  
To: DevelopmentControl



\*\*\*\*\*

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Any problems, please contact [infosys@hartlepool.gov.uk](mailto:infosys@hartlepool.gov.uk)

\*\*\*\*\*

Application Reference No. : H/2007/0056  
Site Address: AREA 7C, MIDDLE WARREN , MERLIN WAY, HARTLEPOOL, ,  
Comments by: PAUL WILKINSON  
From:  
34  
BLUEBELL WAY  
MIDDLE WARREN  
HARTLEPOOL

TS26 0WF

Phone: 07967 348100

Email: [wilkohead@lineone.net](mailto:wilkohead@lineone.net)

Submission: Objection

Comments: THIS WILL SERIOUSLY INCREASE TRAFFIC ON BLUEBELL WAY AS THERE SHOULD  
BE ACCESS TO MERLIN WAY BY A MORE DIRECT ROUTE FROM THE PROPOSED DEVELOPMENT.  
I'VE BEEN AT MY ADDRESS FOR 2 YEARS AND WE STILL DON'T HAVE A PROPER ROAD  
SURFACE!

From: PublicAccess  
To: DevelopmentControl

\*\*\*\*\*



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\*\*\*\*\*

Application Reference No. : H/2007/0056  
Site Address: AREA 7C, MIDDLE WARREN , MERLIN WAY, HARTLEPOOL, ,  
Comments by: Richard Starrs

From:

1

Cornflower Close  
Bishop Cuthbert  
Hartlepool

TS26 0WJ

Phone: 01429 277571

Email: [Richard.starrs@hartlepool.gov.uk](mailto:Richard.starrs@hartlepool.gov.uk)

Submission: Objection

Comments: With reference to the above application I strongly object to the siting of the proposed access and egress into the site from Primrose Road. This development, I believe, is the largest to date on the Middle Warren site, and yet access to it is gained from a minor estate road. Surely it would make sense for access to be gained from Merlin Way, after all this is the main through road on the estate and is designed for such purposes. To have the access on Primrose Road will simply encourage yet more traffic on the already busy Bluebell Way and Primrose Road which in my opinion raises a number of health and safety concerns, all of which could be alleviated by sending the traffic to where it is supposed to go ; ie ; Merlin Way. Please provide me with your reasoning behind accessing this site from Primrose Road rather than Merlin Way.

From: PublicAccess  
To: DevelopmentControl



\*\*\*\*\*

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Application Reference No. : H/2007/0056  
Site Address: AREA 7C, MIDDLE WARREN , MERLIN WAY, HARTLEPOOL, ,  
Comments by: J A Howard  
From:  
1  
Cornflower Close

Phone:

Email:

Submission: Objection

Comments: The access to the new development (7c) raises cause for concern as there does not appear to be adequate access provision for a new development (one of the largest in terms of population on this site to date), the main through road on this estate is Merlin Way, surely it would make sense that an access and egress be provided here rather than the much narrower Primrose Road. Primrose Road is not a main thoroughfare through the estate, Merlin Way is and is designed as such.

I further object to the development of yet more three-story apartments, which are becoming obtrusive. Perhaps two story flats could be a consideration of the Planning Committee, which would make the designs more aesthetically pleasing. There are a number of high rise developments on the estate, which are already starting to look tired and unkept after less than two years of construction. We have absolutely no objection with the provision of apartments on the estate, however design consideration must be taken into account, it seems developers are attempting to squeeze as many properties onto the site as humanly possible.

May I also take this opportunity to express my disappointment that I have not been consulted by Hartlepool Borough Council, I understand that the Planning department has written to a number of residents within the vicinity, but omitted to contact those residents of Cornflower Close (apart from number 2) who will also be directly affected by the proposals.



Mr. Ian Hazlewood  
 1 Primrose Road.  
 The Hawthorns,  
 Bishop Cuthbert.  
 Hartlepool.  
 TS 26 0WL.  
 Tel. (01429) 868078.  
 Mobile. (07939) 920349.  
 Email: ian.hazlewood@hotmail.co.uk

Your Ref: H/2007/0056.

Friday 2<sup>nd</sup> March 2007.

Hartlepool Borough Council  
 Bryan Hanson House  
 Hanson Square  
 Hartlepool  
 TS24 7BT.

Dear Sir/Madam,

I am writing to you regarding your letter, detailing the notification of a planning application in location Area 7C Middle Warren, Merlin Way Hartlepool, and dated 16<sup>th</sup> February 2007.

I would like to log my objections and detail my reasons for these. Could you please ensure that these issues are given due consideration by the Committee of Councillors in reaching their decision to approve or refuse this application?

**1. Issues with Traffic & Congestion.**

- Currently there is a high flow of traffic running through the Hawthorns estate from Bluebell Way through to Primrose Road, then onto Merlin Way, during the peak times of 6am to 9am and 3pm to 6.30pm. The proposed layout will make this significantly worse.
- Adding to this already high traffic flow will be a further 100 or more vehicles, converging onto Primrose Road from the proposed exit at Area 7C and meeting oncoming traffic turning into Primrose Road at a 90 degree blind corner, from Bluebell Way, leading to a strong possibility of accidents occurring.
- Traffic converging into Primrose Road, from the cul-de-sac Area 7C, will have only one method of access/egress, which will in turn lead to heavy congestion within the proposed new development Area 7C.
- The current road widths and layout do not support the expected volume of traffic resulting from the new proposed layout, on completion of Area 7C.
- Current plans show only 28 parking spaces for the 21 flats located in Area 7C. This assumes all apartments; with the exception of 7 have only one vehicle per household. Most families and couples now tend to have at least two vehicles per household.





I believe the points mentioned above will have major implications to both the existing and proposed new developments, these being:

- Too heavy congestion within the estate, particularly in the areas of Primrose Road, Bluebell Way, and Cornflower Close.
- Serious implications if emergency services need to attend properties within the above mentioned areas and the new proposed area 7C.
- With a high number of young families residing in the immediate area, the risks of an injury or fatality will be greatly increased, due to excess traffic.
- Current speed limits and road layouts are not clearly detailed in the surrounding area, adding to the possibility of accidents occurring.
- Parking availability for the apartments is not sufficient and as a result will add to on-road parking, making the possibility of higher traffic congestion within the surrounding area significantly greater.
- Noise levels within the immediate area of my existing property will be greatly increased as a result of one access/egress to area 7C development.

I believe to alleviate these problems, the two blocked accesses/egresses between property 7C16 & 7C17, and 7C33 & 7C34 should be opened to allow access to vehicles onto Merlin Way. This will reduce congestion within Area 7C, the areas of Primrose Road, Bluebell Way and Cornflower Close, whilst providing improved access for all concerned. I would further propose the investigation into the opening of an access/egress to vehicles running from Merlin Way between Properties 7C53-55 & Properties 7C50-52.

I understand that there are financial implications to these proposals, and blocking the two entrances will save Persimmon money on their development plans, but can assure you they will be of significant benefit to the long term future of this estate and the residents occupying it.

A second alternative would be to continue Bluebell Way, from its current end at Primrose Road, through to Merlin Way, alongside the proposed development Area 7C.

## **2. Impact on surrounding Environment.**

- There is minimal landscaping shown in the new proposed plans. Surrounding areas and sections of the estate have landscaped areas interspersed between the built-up areas to give a balance between buildings and greenery.
- There are no proposed plans for open spaces for children to play. With the amount of young families within the surrounding area, this would be extremely important and in my opinion is essential to the estate. Currently the nearest play area is some distance away in Moorhen Road.
- The proposed development Area 7C is too densely populated, in particular the flats, it shows the proposed plans are based purely on packing dwellings into the minimum amount of space to make maximum financial gain, with little thought to the practicalities and issues facing those living in the surrounding area.
- The flat blocks shown on the proposed plan are shown to be 3 storeys high; this will look out of keeping with the rest of the properties in the area.
- There are no verges shown on the proposed layout between the road and the pavements, this would provide adequate additional land for road widening, or off street parking for the residents in the current estate, and new proposed development Area 7C.





I would urge you to look at the following proposals for solutions to these issues:

Review of the flats becoming 2 storeys to blend in with the other properties.

Introducing verges at the roadside for safety and future development purposes.

The development being tailored not just to the building companies financial gains but also taking into account the residents occupying the area, with reference to landscaping, housing layout and young family's needs.

I would like to conclude by urging you to look at the road layouts, as this raises serious concerns for my young family, particularly with the speed in which some of the traffic passing through the estate passes by our property.

I thank you in advance for your help and hope to hear from you in the very near future.  
Yours Sincerely,

Ian Hazlewood.

A

Application No H/2007/0056

Proposal Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works

Location AREA 7C MIDDLE WARREN MERLIN WAY

Case Officer Chris Pipe



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~~We~~\* have received your letter and want to object/~~do not want to object~~\* to the proposal.

~~We~~\* want/~~do not want~~\* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

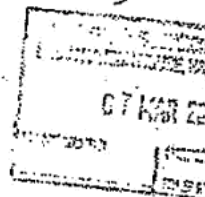
Please use the space below to explain your concerns/reasons for objecting to the proposal.

SEE ATTACHED LETTER

53118

SCANNED

08 MAR 2007



If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)	NEW SYKES	Mr/Mrs/Miss/Ms*
Address	5 PRIMROSE ROAD	
Date	4 <sup>th</sup> March 2007	
Telephone number		
Email address		

Nb - It is not essential that we have your telephone number but it will help us if we need to contact you

\* Please delete as appropriate

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Objections	
Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
Entered in computer	



Planning application H/2007/0056 Site 7C Middle Warren.  
<http://eforms.hartlepool.gov.uk:7777/portal>  
 Basis of Objections.

Means of access is one road only. Why is this? There is no precedent for this and this will be, if not the largest, then certainly one of the largest cul-de-sac entrances on the entire Middle Warren development. Discharge onto Primrose Road will be excessive. Site is too densely populated with properties, flats in particular. Discharge in excess of 100 vehicles at key times. 7-9 am & 4-6 pm. Width of Primrose Road is inadequate to cope with this volume of vehicle discharge. "Bottlenecks" will occur at exit from 7C onto Primrose, Also at Cornflower and Primrose. More particularly at Bluebell into Primrose which already poses difficulties. Bluebell/Primrose is a blind 90 degree corner. Lack, or difficulty in gaining access, for emergency services. Again, caused by inadequate road width, and a tight 90 degree corner into the site. Excess of apartments at high levels these are more of an eyesore on the estate. Shouldn't these be 2 storeys instead of 3, thus preserving the look of the estate whilst maintaining mixed dwelling. There appears from the plans that there are not enough parking spaces around the apartments which are supposed to number 1.5 per dwelling. Congestion may occur at the apartment entrances for road traffic entering and departing. This may well cause problems lower in the site.

#### Generally.

There are no indications of road speeds, traffic calming measures and landscaping in our vicinity. Roads are already congested by lack of adequate road widths and off-street parking. There are no open spaces for children to play. The only space is situated a considerable distance away at Moorhen Road.

Why has it already been stated that the layout should avoid vehicular access to the main distributor road, there is no basis for this, what is the point of a secondary distributor such as Bluebell being introduced if it terminates at a blind right angle for traffic.

There is little or no basis for restricting pedestrian or vehicular access, which is an inconvenience to postal and other workers, and serves no useful security measure as most thieves are fairly agile. The police having found it difficult to attend incidents of theft on the site within reasonable time limits. Though this is probably not wholly their fault most are not kept up to date with new developments and addresses.

Roadside verges have been repeatedly dispensed with. Anywhere else, through the town, these have or can be used in the future to assist in road widening, or off-street parking. This option will not be available when the site is completed.

The easement for the sewer would be better under the road for maintenance purposes than under back gardens.

Solution would have been to continue Bluebell through to Merlin Way, or under the current plans as shown on the Planning website to have the lower cul-de-sac as presently indicated to open up and discharge onto the main Merlin way distribution road. Thus providing, one more access/exit point into to 7C.

Neil Syres  
 5 Primrose Road.

SCANNED

08 MAR 2007

From: PublicAccess  
To: DevelopmentControl

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Application Reference No. : H/2007/0056  
Site Address: AREA 7C, MIDDLE WARREN , MERLIN WAY, HARTLEPOOL, ,  
Comments by: Mr N R Syres.  
From:  
5  
Primrose Road  
The Hawthorns  
Hartlepool

TS26 OWL  
Phone: 01429-861889  
Email: [neilsyres@btinternet.com](mailto:neilsyres@btinternet.com)  
Submission: Objection  
Comments: Objections are on the basis of access problems for vehicles  
at entrance to 7C, the blind corner at Bluebell /Primrose corner. Cornflower  
and Primrose. Volume of traffic, inadequate road widths, Safety for children,  
access for emergency vehicles.



**Application No** H/2007/0056  
**Proposal** Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works  
**Location** AREA 7C MIDDLE WARREN MERLIN WAY  
**Case Officer** Chris Pipe

☒ We\* have received your letter and want to object/~~do not want to object~~\* to the proposal.

☒ We\* want/~~do not want~~\* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

*Please see attached sheet*

SCANNED

08 MAR 2007

If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)	Karen Leighton	Mr/Mrs/Ms*
Address	7 PRIMROSE ROAD	
Date	4.3.07	
Telephone number		
Email address		

*Nb - It is not essential that we have your telephone number but it will help us if we need to contact you*

*\* Please delete as appropriate*

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Objections	
Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
Entered in computer	



**Application No.** H/2007/0056  
**Proposal** Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works.  
**Location** Area 7c Middle Warren Merlin Way  
**Case Officer** Chris Pipe

Dear Miss Pipe,

We are writing in reply to your letter dated the 16<sup>th</sup> of February 2007 regarding the planning application for area 7c Middle Warren Merlin Way. We would like to object to this planning application for the following reasons:

- There is only one access into this area even though this will be the largest development on the site so far.
- This single area will have seventy new dwellings on the site and will contribute an excess of one hundred vehicles at peak times (7-9am & 4-6pm) through one exit.
- The current width of Primrose Road is inadequate to cope with this volume of traffic. This will cause an excess of congestion around the exit onto Primrose Road. This will also affect the exit from Cornflower Close onto Primrose Road. Currently the exit from Primrose Road into Bluebell Way is a blind 90 degree corner; with the planned exit this would cause a traffic black spot.
- There would be great difficulty for emergency service vehicles to gain access to any part of this development, again attributed to the inadequate road width and a number of tight 90 degree corners.
- The proposed site is too densely populated with properties and the area around the flats in particular.
- There appears from the plans there are not enough parking spaces around the apartments which are supposed to number 1.5 per dwelling. Due to this fact congestion may well occur at the apartment entrances for road traffic entering and exiting this area. This may well cause problems around this area as is apparent in other apartments on the same development.
- The apartments planned for this site are all high levels. These are currently an eyesore on the estate. Could these planned apartments be two storeys instead of three? This would preserve the overall appearance of the estate whilst still providing the mixed dwellings needed.

#### General Concerns

There are currently no open spaces or 'green' areas for children to use for play. As the majority of residents in these areas have young families the lack of provision of such areas are worrying. The closest area dedicated to children is situated behind Clavering Road which causes parents and children to cross a very busy dual carriage way in order to use these facilities.



With this in mind there are no indications of road speeds or any kind of traffic calming measures. These two factors are a cause for concern where young children are playing outside. Roadside verges have been repeatedly eroded leaving no areas of landscape. These areas are used through out the town for road widening; this option will not be available when the site is completed.

#### Solution

The solution to this problem would be to open the lower cul-de-sac proposed on the current planning website. This would alleviate the traffic congestion which would occur on Primrose Road.



**Application No** H/2007/0056  
**Proposal** Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works  
**Location** AREA 7C MIDDLE WARREN MERLIN WAY  
**Case Officer** Chris Pipe



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~~We~~\* have received your letter and want to object ~~to the proposal~~ to the proposal.

~~We~~\* want ~~to have the chance to speak to the Committee of Councillors if it is asked to consider this application.~~

Please use the space below to explain your concerns/reasons for objecting to the proposal.

PLEASE FIND OBJECTIONS  
ATTACHED.

SCANNED

08 MAR 2007

07 MAR 2007

If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)	BIRD	Mr/Mrs/Miss/Ms*
Address	3 PRIMROSE ROAD	
Date	2 <sup>ND</sup> MARCH 2007	
Telephone number		
Email address		

*Nb - It is not essential that we have your telephone number but it will help us if we need to contact you*

\* Please delete as appropriate

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Petitions	
No. of signatures	
For/Against	
Wishes to speak	
Entered in computer	





3 Primrose Road  
The Hawthorns  
Hartlepool  
TS26 0WL

Regeneration & Planning Services  
Bryan Hanson House  
Hanson Square  
Hartlepool  
TS24 7BT

Date: February 2007

Re: Planning Application Reference Number H/2007/0056

Applicant: Persimmon Homes Teesside

Dear Sir/Madam,

I am writing as a local resident to object to the above application. I am greatly concerned that the proposal, if it goes ahead, will have significant detrimental effects on the local community. As a local resident this is a matter of concern which affects me and other local residents.

The following points are issues which need to be addressed:

- The means of access into the proposed site is by one road only which, in itself, will increase traffic congestion and create problems of 'bottlenecking'. The discharge onto Primrose Road will be excessive. Already, the traffic is congested between the hours of 7 - 9 am and 4 - 6 pm and this problem will only be heightened if the application goes ahead.
- The increased amount of traffic will cause a concern for safety. The area will not be safe to let our children play out. There are no open spaces for children to play in the vicinity.



- A serious matter to be considered is access for emergency services. The increase in traffic generated by the fact that there is only one exit/entry onto the estate would surely be a cause for concern for anyone needing the services of an ambulance/fire engine etc. Also, the inadequate road width and tight 90 degree corner are matters which should surely set alarm bells ringing?
- In relation to the apartments, the parking spaces allocated to these buildings appears to be inadequate. Therefore, creating more problems with people having to park elsewhere, for example, on the pavement. This adds to the problems that the emergency services will have reaching the people who require their services as they will have to waste valuable time dodging cars which have been parked inappropriately due to lack of space. Also, cars being parked on pavements, highlights yet another safety issue. There could possibly be an increase in accidents due to the fact that people have parked unsuitably.
- Also, there are no signs of traffic calming measures, for example, speed bumps. If there is going to be a vast increase in traffic, there should, without doubt, be measures put in place to ensure that the vehicles using the road should do so at a safe speed? This, again, highlights the safety issue of children being prevented from playing out in case of an accident.
- Roadside verges do not exist on the plans, therefore, they cannot be used in the future to assist in road widening. Thus once the plans have been passed and problems start to occur, the problem will be unable to be rectified.
- From an aesthetic point of view, the apartments which are to be erected appear to be excessively high and will be an eyesore. Surely they do not need to be 3 storey buildings as they will stand out like a sore thumb. The obvious solution would be to make these buildings 2 storey buildings and, thus, preserve the appearance of the estate.

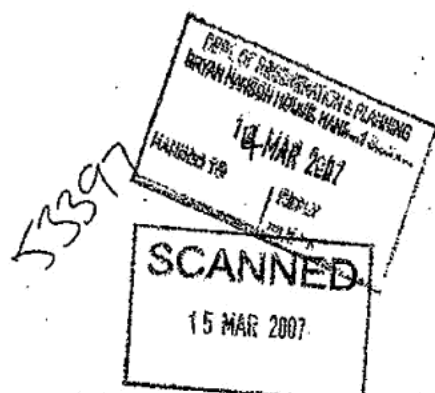


The solution to the above problems would have been to continue Bluebell Way through to Merlin Way. Failing that, the lower cul-de-sac could be opened up, allowing the traffic to flow onto Merlin Way. Thus providing one more access point into 7C. This, in effect, will help the traffic flow problem.

I hope that the matters I have raised will cause you to refuse to grant the application, or failing that to grant the application with the above conditions attached. I look forward to hearing from you.

Yours faithfully

Mr and Mrs DS Bird



Steven GRAY  
36 Bluebell Way  
HARTLEPOOL  
TS26 0WF.

I wish to raise the following objections in relation to Site 7C Middle Warren. H/2007/0056. For information I have not received any correspondence in relation to any plans submitted to the local authority for this phase of the development.

The means of access is only one road. Primrose Road | Bluebell way the width is inadequate to cope with any extra traffic. Already access is difficult for Emergency Services due to road size and vehicles parking in the carriageway and straddling the pavements.

Site will be too densely populated with properties, flats in particular. Other flats under (2) years old already looking untidy and not managed.

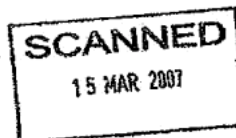
Would it not be better to provide an access point to MERLIN way (the main through road for the site) near to where the flats maybe situated.

Could any flats constructed be only (2) storey rather than (3), as these are less of an eye-sore.?

Submitted for consideration.



If possible could this letter be acknowledged?





53465

Application No H/2007/0056  
 Proposal Approval of reserved matters for the erection of 56, 2 storey houses, and 21, 3 storey, apartments and associated works  
 Location AREA 7C MIDDLE WARREN MERLIN WAY  
 Case Officer Chris Pipe

I/~~We~~ have received your letter and want to object~~do not want to object~~ to the proposal.

I/~~We~~ want~~do not want~~ to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

THE ROADS WILL NOT BE ABLE TO COPE WITH THE TRAFFIC IN/OUT OF THE PROPOSED ESTATE.  
 WE NEED SOME OPEN LAND FOR THE CHILDREN TO PLAY.  
 I DO NOT WANT MY VIEW OF THE COAST BEEN BLOCKED.

SCANNED

19 MAR 2007

 DEPT. OF REGENERATION & PLANNING  
 BRYAN HANSON HOUSE, HANSON SQUARE

16 MAR 2007

HANDLED TO

REPLY

FILE No

If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)	J. NUTTALL	Mr/Mrs/Miss/Ms*
Address	11 PRIMROSE ROAD	
Date	12/3/07	
Telephone number		
Email address		

Nb - It is not essential that we have your telephone number but it will help us if we need to contact you

\* Please delete as appropriate

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Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
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To: DevelopmentControl

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Application Reference No. : H/2007/0056

Site Address: AREA 7C, MIDDLE WARREN , MERLIN WAY, HARTLEPOOL, ,

Comments by: ANDERSON

From:

51

BLUEBELL WAY

MIDDLE WARREN

HARTLEPOOL

TEES VALLEY

TS26 0WF

Phone: 07906 173116

Email: [debbie\\_anderson22@msn.com](mailto:debbie_anderson22@msn.com)

Submission: Neither

Comments: I have been reading with interest the comments of those who have put  
objects towards the access route for the area of 7C. I would like to point out  
that when I bought my property I checked the plans to be told the end of  
Bluebell Way would remain a dead end. I, like those objecting have children  
and I disagree with their comments that Bluebell Way should continue to Merlin  
with as this would mean we would have traffic right next to our house, which at  
present has no walk way of grass verge. Maybe those objecting should think  
about were they wish to redirect their problem.



**No:**  
**Number:** H/2007/0097  
**Applicant:** T Mobile (UK) Ltd Hatfield Herts AL10 9BW  
**Agent:** Turner And Partners Templar House 1 Sandbeck Court  
 Sandbeck Way LS22 7BA  
**Date valid:** 05/02/2007  
**Development:** Construction of telecommunications installation  
 comprising 15.3m flagpole with shrouded trisector  
 antenna radio equipment cabinet and ancillary  
 developments and removal of existing flagpole.  
**Location:** HARTLEPOOL CRICKET CLUB PARK DRIVE  
 HARTLEPOOL

---

### **Update**

Since the creation of the original report a further 2 letters of objection have been received and are attached below. The concerns are similar to those that have been submitted previously and discussed within the original report.

Any further letters of objection, which are received prior to the meeting, will be tabled on the day of the committee.

**RECOMMENDATION:-** The recommendation given in the original report remains the same.



Gill Scanlon/HBCDomino  
28/03/2007 11:34

To Linda Wright  
cc  
bcc  
Subject Fw: Comment Received from Public Access

Gill Scanlon  
Planning Technician  
Ext 284317

----- Forwarded by Gill Scanlon/HBCDomino on 28/03/2007 11:34 -----

PublicAccess  
27/03/2007 20:31

To DevelopmentControl@hartlepool.gov.uk  
cc  
Subject Comment Received from Public Access

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\*\*\*\*\*  
Application Reference No. : H/2007/0097  
Site Address: HARTLEPOOL CRICKET CLUB PARK DRIVE HARTLEPOOL TS25 1TA  
HARTLEPOOL  
Comments by: [REDACTED]  
From:

2  
Egerton Road  
Westpark  
Hartlepool

TS26 OBL

Phone: [REDACTED]

Email: [REDACTED]

Submission: Objection

Comments: I wish to object on grounds that it is against the criteria of  
the local conservation area plan, it is a health and safety risk, I will  
look onto the development and it will spoil my own environment, its set a  
precedent for others who might wish to do similar in the area and the  
conservation area.

*Ack by email  
email returned  
2/4/07  
Issued etc.*

2007/0097 *objection*PROPOSAL TO ERECT A 50ft MOBILE PHONE MAST AT HARTLEPOOL  
CRICKET CLUB.

CANNED

02 APR 2007

DEPT. OF REGENERATION & PLANNING BRYAN HANSON HOUSE, HANSON SQUARE	
30 MAR 2007	
HANDED TO	REPLY
FILE No	

8 THE VALL

Hartlepool,

TS 26.....OAA

Dear Sir,

We, the undersigned, wish to register our objections to the proposal to erect a mobile phone mast at the Hartlepool Cricket Club. These are the principal reasons for our objections:

A 15.3 metre mast would be inappropriate in The Park Conservation Area, where the Ward Jackson Park was recently restored, at great expense, to its original Victorian splendour.

There is mounting evidence from all over the world that long term exposure to radiation from such masts can be detrimental to the health of all people and that young people are especially vulnerable.

There is evidence from Spain indicating that the reproductive health of the ducks and other resident wildlife of Ward Jackson Park would be adversely affected.

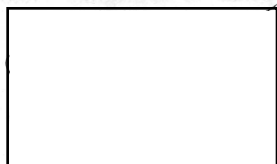
The Government commissioned inquiry into the effects of phone masts known as the Stewart Report concluded that it is not possible at present to say that exposure to radio-frequency radiation, even at levels below national guidelines, is totally without potential adverse health effects, and that gaps in knowledge are sufficient to justify a precautionary approach.

It should also be noted that if residents have a fear that there could be adverse health effects then that itself is a planning consideration. Lord Justice Aldous in Newport,

when looking at the public's concern about health effects stated: "Health considerations and public concern can, in principle, be material considerations in determining applications for planning permission and prior approval."

A recent Government White Paper makes it clear that the views of local communities must be taken into account when decisions are being made on matters that affect them. The Sustainable Communities Bill which will be the subject of discussion in Parliament very soon seeks more power for local communities to decide how they want their local environment to be developed. The power of the giant corporations must be resisted according to the Bill, where local people are unhappy about their activities. Mobile phone masts in unsuitable locations are an example of what the Bill aims to highlight.

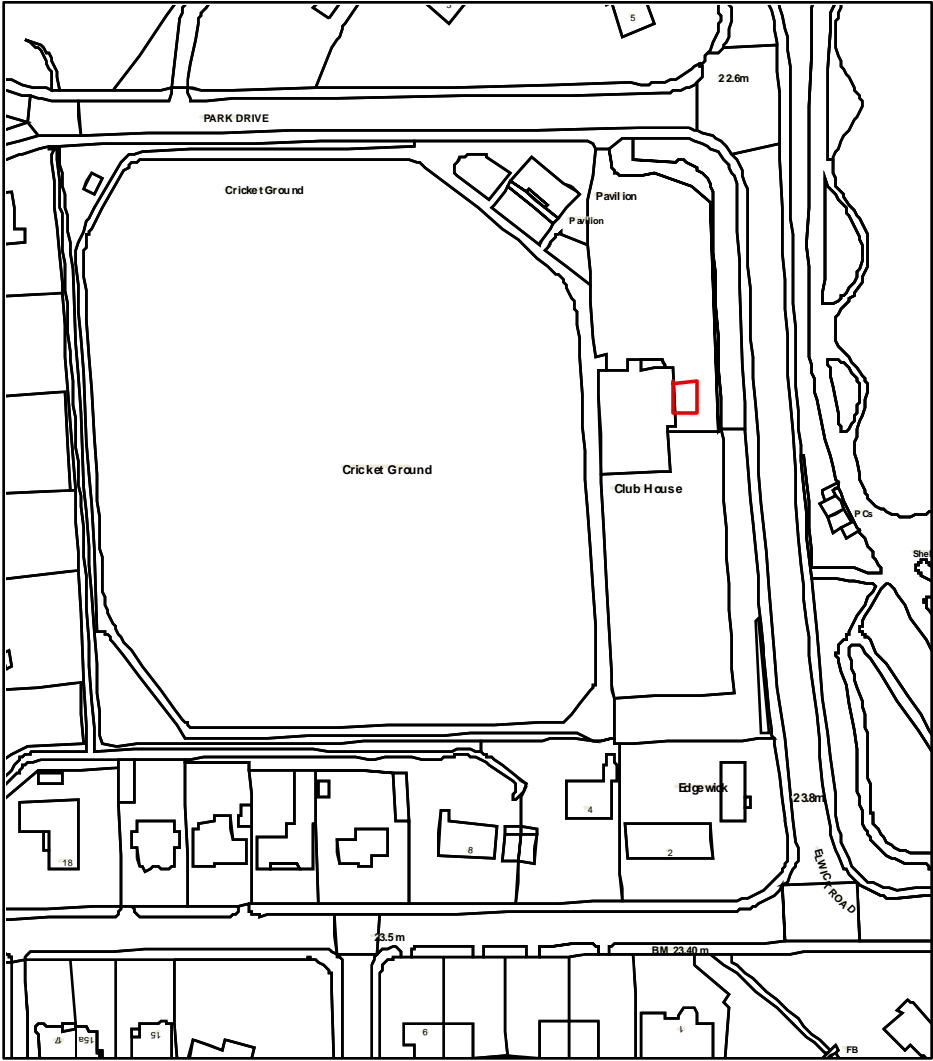
Signed:



Development Control Manager,  
Mr. R. Teece,  
Hartlepool Borough Council,  
Bryan Hanson House  
Hartlepool  
TS24 7BR.



Park Drive Cricket Club



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>07/03/07</b>
	SCALE <b>1:1250</b>	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO <b>H/2007/0097</b>	REV

**PLANNING COMMITTEE**

18 April 2007



**Report of:** Director of Regeneration and Planning and Chief Solicitor

**Subject:** OFFICER DELEGATION SCHEME

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**1. PURPOSE OF REPORT**

To appraise Members as to the current Officer Delegation Scheme, in particular the process of consultation in the determination of planning applications, following a referral from Planning Committee at their meeting on the 21<sup>st</sup> March, 2007.

**2. BACKGROUND**

2.1 At the Committee's meeting on the 21<sup>st</sup> March, 2007, Members requested the compilation of a joint report by the Development Control Manager and the Council's Chief Solicitor to look at the current Officer Delegation Scheme and its impact, through consultation with members of the public, in the determination of planning applications. Accordingly, this report outlines the current system of officer delegation, draws analogies with the practices of neighbouring authorities and concludes that the present scheme continues to be relevant and comprehensive.

2.2 The power for a local authority to arrange for the discharge of its functions through a Committee, Sub-Committee or through an officer of the authority has been a feature of the governance arrangements within local government for a considerable period of time. Indeed, the Local Government Act, 1972, provides for the discharge of functions as described above and also, where applicable, through other local authorities, and through joint arrangements (Sections 101 and 102 refer). The delegation scheme referable to the Council's Planning Committee is recognised within Part 3 of the Council's Constitution. Through a report to Committee dated 11<sup>th</sup> May, 2005, the delegation scheme was reviewed following an "earlier trial period" and it was agreed that only the following matters be referred to Committee:

- Any matters which any Member requests should be referred to Committee for decision, such requests to be received in writing within



21 days of publication of details of the application with an indication of the planning reason for the request,

- Any matter which falls significantly outside of established policy guidelines or which would otherwise be likely to be controversial. For this purpose, controversial would be defined as being any application where more than two separate letters of objection, from the occupiers of different properties, have been received within the prescribed publicity period. Approval of applications where there are up to two letters of objection should only be exercised after consultation with the Chair of the Planning Committee,
- Any applications submitted by the Council in respect of its own land except those relating to operational development where there is no lodged objection,
- Refusal of an application except with the agreement of the Chair of the Planning Committee.

2.3 As indicated within that report, the basis for such delegation was two-fold:

- to stop applications in line with policy or established guidelines being referred unnecessarily to committee,
- to meet government's target ie that 90% of applications be considered by officers under delegated powers, leaving Members to consider major and more contentious applications.

2.4 Members will be patently aware, that local planning authorities are required to seek to determine planning applications within a specified time period; namely 13 weeks for major applications and 8 weeks for minor and other applications. Failure to achieve these key performance indicators, could render a local planning authority being subject to "planning standards" where authorities are placed under more punitive target requirements and can adversely impact upon authorities' qualification for Planning Delivery Grant.

2.5 Although there are some variations in the prescribed consultation periods depending upon the nature of the proposed development, ordinarily a minimum of 21 days is allowed for representations on planning applications. "Neighbour notifications letters" are despatched, for schemes which could affect "immediate" neighbours. In addition, site notices and/or press advertisements, particularly for schemes having a wider significance, can also form part of the overall consultation mechanism. Details as to how information is disseminated, including public engagement/involvement in the planning process, is set out, most notably within the Council's adopted "Statement of Community Involvement: Taking Part in Planning in Hartlepool" (October 2006). The relevant extract relating to planning applications is attached as Appendix A.

2.6 Concern was raised through Committee on 21<sup>st</sup> March, as to the interpretation of "controversial" and its relationship to "any application where more than two

separate letters of objection, from the occupiers of different properties, have been received”. It has been the practice of this Planning Authority to consider “controversial” in the context of the number of letters of objection from occupiers of different properties (even though a letter may contain several signatories) with correspondence from the occupiers of the same residence constituting one objection. This is, in part, to ensure that the interpretation of “controversial” entails objections from two or more different properties/households and recognises that a particular application has attracted local controversy. As indicated, the delegation scheme does not prevent a Member making a request for referral to committee. The scheme also requires that where two letters of objection have been received, that approval under delegated powers, requires consultation with the Chair of the Committee.

- 2.7 However, as indicated above, whilst a scheme of delegation has statutory force, such a scheme also recognises the confines upon which your officers are required to process applications and particularly the principle that delegation be used in the interests of minimising delay. Consequently, a significantly high proportion of applications are required to fall within the delegation system. However this does not detract from the requirement to ensure that the application process should not only be transparent and also accountable, but that the system should be clearly understood, particularly from the perspective of members of the public.
- 2.8 Detailed below are the practices of other neighbouring planning authorities in the operation of their own delegation schemes. Planning authorities do operate schemes of delegation wherein, there is a demarcation upon matters of controversy/such local significance, which warrants determination by the Planning Committee rather than through the scheme of delegation. The Council’s standard consultation letter to neighbours is annexed herewith for information purposes. (see Appendix B). It has been indicated, by a Member of the Committee, that the reply form is misleading insofar as the various occupiers of a property may be under the impression that multiple signatories would be “counted” in their own right, as opposed to a determination as to a solitary registered objection. However the supporting NOTICE OF APPLICATION FOR PLANNING PERMISSION makes it absolutely clear how the planning process works and how the scheme of delegation will apply.

### **3. NEIGHBOURING AUTHORITIES**

Middlesbrough – more than 2 letters from separate households  
 Redcar and Cleveland – 5 or more letters from different households, which are in conflict with the officers recommendation.  
 Stockton – 6 or more letters from separate households.  
 Darlington – 1 letter of objection

#### **4. SUMMARY AND CONCLUSIONS**

It is submitted that the present Officer Delegation Scheme, having been reviewed in May 2005, continues to be relevant in that it serves to minimise delay in the determining of the great majority of applications which are consistent with policy and uncontroversial, but also provides for the more controversial proposals to be considered by Committee. The approach to consultation, in practice, is consistent with the Statement of Community Involvement which was approved by full Council in October 2006. It does lead to significant volumes of comments submitted in relation to particular applications, thereby demonstrating that the publicity of applications is effective.

#### **5. RECOMMENDATIONS**

1. That Members note the contents of this report and agree that the scheme of delegation continues as approved in May 2005.



## APPENDIX A – Extract from the Statement of Community Involvement

## 6 Planning Applications

### a) Background

When people want to carry out building works or change the use of buildings this involves “development”. Successive Governments have put procedures in place to ensure the effects of development are controlled. This takes the form of the need to obtain permission (from the local planning authority ie Hartlepool Borough Council), most commonly called planning permission. Many development proposals require planning permission. Others need different types of permission, eg listed building consent for works to buildings identified as being of architectural and/or historical interest. Some minor developments, however, require no permission at all.

#### Development control involves:

- the provision of informal advice on people’s development proposals;
- the consideration of formal applications for new development, where necessary;
- the monitoring of development as it proceeds; and
- enforcement action where breaches of control take place.

This section of the Statement deals with the first two of these and sets out how the Council will consult the community on new development proposals.

The Government has prescribed minimum standards for publicity on planning applications. This is a legal requirement. It also encourages Councils and developers to undertake pre-application discussions and community involvement on a voluntary basis, particularly on significant applications. This will not, however, be a legal requirement.

### b) Pre-application Enquiries

The Council provides free advice to anyone who wishes to carry out a development proposal (the One Stop Shop (OSS) approach). The OSS aims to give a rapid and comprehensive assessment of the permissions, necessary (if any) to carry out the development, provides clear advice on the merits of the proposal and, where appropriate provides suggestions which would make the proposal more acceptable.

The majority of proposals are relatively minor and pre-discussion sometimes takes place between neighbours before a request for advice is sought. As indicated there is no legal requirement to do this although the Government wishes to encourage community involvement and discussion particularly on significant developments.

Accepting the voluntary nature of this approach the Council cannot be prescriptive but will seek to:

- i) encourage anyone wishing to carry out minor development proposals to discuss them with their immediate neighbours;
- ii) encourage anyone wishing to carry out major development<sup>9</sup> to carry out consultation with the community reflecting the nature and scale of the proposed development including:
  - notifying immediate local residents and businesses by letter of the proposed development;
  - placing an advert in the local newspaper (The Hartlepool Mail) detailing the proposed development;
  - contacting local community groups and interest groups who may have a specific interest in a particular proposal. The Council will provide relevant information. We will make clear to community groups that there is a weekly list of applications on the internet and if they check it and ask to be consulted we will respond accordingly. We will provide copies of the weekly list to any group that requests it. Whilst this system currently works well eg with Hartlepool Access Group, discussions will take place with Hartlepool Voluntary Development Agency (HVDA)<sup>9</sup> to see how improvements could be introduced;
  - contacting relevant ward councillors and Parish Councils by letter detailing the proposed development;
  - providing information on the internet (the Council’s Web site may be available, if necessary); and
  - organising a venue(s) to display and explain material detailing the developer’s proposals.

Developers should also consult organisations such as English Nature, English Heritage, The Highways Agency and the Environment Agency at an early stage to discuss their proposals.

All methods of public/community involvement should seek to give sufficient information for those considering it to fully understand what is proposed and give clear advice on how and when comments can be made (preferably not less than 10 days after the consultation event). In any subsequent planning application the developer should provide a statement of what has been done and how any comments have been addressed.

<sup>9</sup>Hartlepool Voluntary Development Agency (HVDA) are an umbrella voluntary organisation.

- iii) subject to any exceptions provided for in the Freedom of Information Act, ensure its computerised records of development proposals are available for inspection during normal office hours in the first instance and ultimately through the Internet at anytime.

#### c) Planning and Other Applications

As already indicated, the Government specifies for the Council, the minimum standards of publicity for planning applications. These take the form of:

- letters to neighbours (for schemes which could affect immediate neighbours);
  - 1) A minimum of 21 days are normally allowed for representation on planning applications although bodies such as English Heritage will be allowed a longer period of time to comment on a application where this is prescribed by legislation.
  - 2) The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council.
- site notices (for schemes that will affect more than immediate neighbours); and/or
- press adverts (for schemes of much wider significance).

Hartlepool Borough Council employs all these methods to varying degrees, quite often carrying out more than the minimum requirement. It will continue with this practice.

However the Council's Development Control Service is fully available on the Internet through its Public Access Portal. This is available by logging on the Portal at <http://eforms.hartlepool.gov.uk:777/portal>. The site is updated on a daily basis. People can view applications, plans, supporting statements and replies from neighbours and consultees. Anyone can track the progress of an application and/or comment on it via the website.

To ensure that information is widely available and public involvement is encouraged the Council will:

- publish a list of applications received by the Council on a weekly basis which will be circulated to all Councillors, Parish Councils, local press, resident and interest groups (on request using the system described in 6(b)(ii), and made available in main Council offices, libraries and the Council's Development Control web site ([www.hartlepool.gov.uk/planningandbuildingcontrol/developmentcontrol/](http://www.hartlepool.gov.uk/planningandbuildingcontrol/developmentcontrol/)) and from the

Council's Building Control / Development Control sections;

- if possible publish details of applications of major town wide significance in the Council's magazine, HartBeat, which is circulated to all households in the Borough on a quarterly basis;
- make available copies of reports to the Council's Planning Committee in advance, on request, and on the Council's Development Control web site;
- encourage members of the public to comment on applications at the Council's Planning Committee if they wish when the Committee is asked to consider particular applications. Planning Committee normally meets every 4 weeks at 10am in the Civic Suite in the Civic Centre, Victoria Road. The dates are available in advance on the Council's website.
- arrange appointments for Planning Officers to visit neighbours or others, who are unable to get to the office, to explain plans (see Section 9 How to get Advice and Help for contact details).

#### d) Appeals

Where a planning application has been refused, only applicants have a right of appeal. A person or organisation that has objected to a proposal has no right of appeal if an application is approved or refused - ie there is no third party right to appeal a decision.

Everyone the Council originally wrote to or who wrote to object or support the application will be notified in writing of the appeal and how to make their views known. If they had already written to the Council, their letter will also be copied and sent to the Planning Inspectorate.



<sup>1</sup>Major developments are housing developments of 10 or more dwellings or consideration of the principle of residential development on a site of at least 0.5ha, and other development with a floor area of 1000 sq m or a site area of 1ha or more or any development that requires the submission of an Environmental Assessment.

APPENDIX B - Standard neighbour consultation letter

**Regeneration & Planning Services**

Bryan Hanson House  
Hanson Square  
Hartlepool TS24 7BT

Email: [DevelopmentControl@hartlepool.gov](mailto:DevelopmentControl@hartlepool.gov)

Tel: 01429 266522  
Fax: 01429 523599  
DX60669 Hartlepool-1

Our Ref: «Applications\_Ref\_No»

Your Ref:

Contact Officer: «Applications\_CaseOfficer\_Name»  
(«Applications\_CaseOfficer\_WorkTel»)

11 April, 2007



«Communications\_SentToName»  
«Communications\_SentToTitle» «Communications\_SentToForename»  
«Communications\_SentToSurname»  
«Communications\_SentToNameSec»  
«Communications\_SentToNamePri» «Communications\_SentToStreetName»  
«Communications\_SentToLocality»  
«Communications\_SentToTown»  
«Communications\_SentToCounty»  
«Communications\_SentToPostcode»

**Dear Sir/Madam**

**NOTIFICATION OF A PLANNING APPLICATION**

**PROPOSAL:** «Applications\_Proposal»

**LOCATION:** «Applications\_NameSec» «Applications\_NamePri»  
«Applications\_StreetName» «Applications\_Locality»  
«Applications\_Town»

I have recently received the above planning application which may be of interest to you. The attached "Notice of Application for Planning Permission" provides details of how you may see and comment on the application and explains how the planning process works. It also tells you how you can comment on, or object to, the proposal, if you want. If you are not the owner of the property which this letter is addressed to please tell the landlord what this letter says.



To help you, I have enclosed a reply form together with a pre-paid envelope. You need to know that any comments you make will be made available on the Internet where they will be open for anyone to read.

Some applications will be considered by a Committee of Councillors. The majority are however dealt with by officers. The Notice explains how this works.

To keep costs down, we do not acknowledge completed reply forms where people do not object to a proposal. If you do make comments or object we will write to tell you the Council's decision on the application. If you have any queries, please contact my colleague, «Applications\_CaseOfficer\_Name», who is the main person dealing with this application (the case officer)

Finally, please let us know if you have any special requirements (e.g. braille translator, large print or signer etc.) and we will try to help.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Lee', written in a cursive style.

Development Control Manager

Enc

**NOTICE OF APPLICATION FOR PLANNING PERMISSION**

Please note that «**Applications\_ApplicantTitle**» «**Applications\_ApplicantFirstname**» «**Applications\_ApplicantSurname**» is applying to Hartlepool Borough Council for permission for the development described in the letter with this notice.

You can view and comment on the application details via the internet, at <http://eforms.hartlepool.gov.uk:7777/portal>. Alternatively, you can look at the application, the plans and other documents at Bryan Hanson House, Hanson Square, Hartlepool during normal office hours (8.30am – 5pm Mondays to Thursdays and 8.30am – 4.30pm Fridays). If you want to comment on, or object to, this application you need to write or email to the Development Control Manager, Bryan Hanson House, by «**Communications\_RequiredDate**». A reply sheet and pre-paid envelope are enclosed to help you if you do not have access to the internet.

Any comments you make will be considered by «**Applications\_CaseOfficer\_Name**». He/she will look at your comments to see if they can be taken into account. There is often some confusion about what Councils can take into account. It is important to realise that the Council cannot reject a proposal simply because a lot of people are against it. They can only consider objections which are relevant to planning issues. The key question is whether the proposal is acceptable in land use and environmental terms.

Examples of objections which can be taken into account are: the development will appear unduly large and out of keeping, it will affect daylight and/or sunlight to rooms in a neighbouring property; there will be problems from traffic coming to and from the premises and neighbours will be disturbed by noise from the proposed activities.

Examples of objections which cannot be taken into account are: the development will affect the value of a neighbouring property; it will result in the loss of a view from a neighbouring property; the applicant does not own the land. If you have any doubts about what can be taken into account speak to «**Applications\_CaseOfficer\_Name**».

If the case officer thinks your concerns are relevant and justified he/she will consider if there are ways of changing or controlling the development to meet your concerns. This may mean imposing conditions. A condition could for example make a use operate during normal business hours and not at night. If the application cannot be changed or controlled the case officer is likely to recommend refusal.

If the case officer does not think your concerns can be substantiated he/she is likely to recommend approval to the application.

Major or particularly contentious applications will be considered by a Committee of Councillors who will decide whether the application should be approved or refused. Your concerns will be summarised and made known to the Councillors in a written report and made available in full for information. The Council has introduced a procedure where applicants/supporters and objectors will be given the chance to speak to the Councillors before they make a decision on an application they have been asked to decide. Where more than one person wishes to speak for or against a proposal, one person will be expected to represent the others. If you would like to speak to the Committee please complete the relevant section in the reply sheet or say so in your reply. You will be told

later if the application is likely to be considered by the Committee and invited to attend. It is important that you register your comments within the specified time period if you wish to present your case to the Committee.

More straightforward applications where Council policy or guidelines are clear or where there are no more than two letters of objection from the occupiers of different properties do not have to go to Committee for decision. Decisions can be made by the Development Control Manager, sometimes in consultation with the Chair of the Committee. Your concerns will be summarized and made known to the Development Control Manager in a written report and made available in full for information before he/she makes a decision.

It is not normal practice to advise people who have no objections to an application of the decision. Anyone who makes comments will however be told of the decision and given reasons for it.

**The consideration of an application by the Council can take up to 8 weeks.**





**Application No** «Applications\_Ref\_No»

**Proposal** «Applications\_Proposal»

**Location** «Applications\_NameSec» «Applications\_NamePri»  
«Applications\_StreetName»

**Case Officer** «Applications\_CaseOfficer\_Name»

I/We\* have received your letter and want to object/do not want to object\* to the proposal.

I/We\* want/do not want\* to have the chance to speak to the Committee of Council if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

*If you need more space, please continue over or attach additional sheets to this letter.*

<b>Name (Please print)</b>	Mr/Mrs/Miss/Ms*
<b>Address</b>	«Communications_SentToNameSec» «Communications_SentToNamePri» «Communications_SentToStreetName»
<b>Date</b>	
<b>Telephone number</b>	
<b>Email address</b>	

**Nb** - It is not essential that we have your telephone number but it will help us if we need to contact you

\* Please delete as appropriate

For Official Use Only	
No objections	
Objections	
Comments	
Petitions	

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**Report of:** Head of Planning and Economic Development

**Subject:** UPDATE ON CURRENT COMPLAINTS

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**1. PURPOSE OF REPORT**

- 1.1 During this three (3) week period, Twenty three (23) planning applications have been registered as commencing and checked. Twenty one (21) required site visits resulting in various planning conditions being discharged by letter.

**2. BACKGROUND**

- 2.1 Your attention is drawn to the following current ongoing issues, which are being investigated. Developments will be reported to a future meeting if necessary:
1. A neighbour complaint about the change of use from a school playing field into domestic curtilage at a residential dwelling on Catcote Road.
  2. An officer complaint about unauthorised advertisements at a site on Park Road.
  3. A neighbour complaint about the breach of a condition at a site on Stockton Road.
  4. An anonymous complaint about the erection of a rear extension to a property on North Lane.
  5. An officer complaint about untidy land opposite Mainsforth Terrace at Sandgate Industrial Estate.
  6. A neighbour complaint about works to the rear of a shop on Warren Road has been investigated and determined as benefiting from a valid planning permission.
  7. A neighbour complaint about the incorporation of land into domestic curtilage at a property in Kingfisher Close.
  8. A neighbour complaint about the operation of a car repair business from a domestic residence at a property on Meadowgate Drive.
  9. A neighbour complaint about the unauthorised change of use to a warehouse at a site in Greatham has been investigated and determined that on this occasion no breach of planning control has occurred.



10. A neighbour complaint about the erection of a fence at a property on Lawson Road.
11. A neighbour complaint about unauthorised works to a garage in Peakston Close.
12. A neighbour complaint about the erection of a large extension to the rear of a property on Tristram Avenue.
13. Two shops at Tower Street and Park Road operating a cafe service under an A1 (shop) use has been determined as permitted development. A formal change of use does not need to be applied for. Having referred to relevant case law the dominant element of the shop's services remains covered by an A1 use.

### **3. RECOMMENDATION**

- 3.1 Members note this report.

**Report of:** Head of Planning and Economic Development

**Subject:** COMPLAINT FILES TO BE CLOSED

---

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to advise Members of a recommendation to close complaint cases by the Planning Committee.

**2. BACKGROUND**

- 2.1 A property at 39 The Green, Elwick inserted an additional window into the rear elevation. This does not affect the street scene in the conservation area nor does it adversely affect neighbours. This would normally benefit from permitted development rights but there is an Article 4 Direction in place. It is therefore requested that no further action is taken.
- 2.2 The Council at Grayfields recreation ground on Jesmond Gardens erected a fence 2.4 metres in height. This development benefits from a valid planning permission although a turnstile facility was inserted into the fence without the appropriate amendment to the permission. This does not have a detrimental effect on the street scene and therefore it is requested that no further action is taken.

**3. RECOMMENDATION**

- 3.1 After investigation, the case files are to be closed and that no further action be taken.

**Report of:** Assistant Director (Planning & Economic Development)

**Subject:** LAND AT 27 SEATON LANE

---

**1. PURPOSE OF REPORT**

- 1.1 To advise members of a planning appeal.
- 1.2 A planning appeal had been lodged against the refusal of the Local Planning Authority to allow the erection of a detached bungalow at land to the side of 27 Seaton Lane, Hartlepool.
- 1.3 The appeal is to be decided by a hearing and the authority is therefore requested to contest the appeal.

**2 RECOMMENDATION**

- 2.1 Authority be given to officers to contest this appeal.

**Report of:** Assistant Director (Planning & Economic Development)

**Subject:** APPEAL REF APP/H0724/A/07/2039498/NWF:  
H/2006/0441 ERECTION OF A TWO-STOREY  
LOUNGE, HALL, GARAGE, BATHROOM AND  
BEDROOMS (2) EXTENSION AT AMERSTON HILL,  
COAL LANE, HARTLEPOOL TS27 3EZ

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**1. PURPOSE OF REPORT**

- 1.1 A planning appeal has been lodged against the refusal of the Local Planning Authority to allow the erection of a two storey lounge, hall, garage, bathroom and bedrooms (2) extension at Amerston Hill, Coal Lane, Hartlepool.
- 1.2 The appeal is to be decided by written representation and authority is therefore requested to contest the appeal.

**2. RECOMMENDATION**

- 2.1 Authority be given to officers to contest this appeal.