

GRANT OF PLANNING PERMISSION

Town and Country Planning Act 1990



PART I - PARTICULARS OF DEVELOPMENT

Application No	H/2019/0275
Proposal	Energy recovery (Energy from waste) facility and associated infrastructure
Location	LAND TO THE SOUTH OF TOFTS ROAD WEST GRAYTHORP HARTLEPOOL
Applicant	GRAYTHORP ENERGY LTD

PART II - PARTICULARS OF DECISION

The Hartlepool Borough Council hereby give notice in pursuance of the provisions of the above Act that **PLANNING PERMISSION HAS BEEN GRANTED** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans made valid on 01/10/2019 subject to the following condition(s) and reason(s):

1. The development to which this permission relates shall be begun not later than five years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following approved plan(s) and details;

3162-10-12 Rev E (Roof Plan As Proposed),
3162-10-14 Rev C (Weighbridge Office North),
3162-10-15 Rev D (Weighbridge Office South),
3162-10-17 Rev A (Ground floor level as proposed),
3162-10-18 Rev A (Floor Plan As Proposed At level +12.7 AOD),
3162-10-19 Rev A (Floor Plan As Proposed At level +15.0 AOD),
3162-10-20 Rev A (Floor Plan As Proposed At levels +19.18, +23.28 & +27.38 AOD),
3162-10-21 Rev A (Floor Plan As Proposed At level +31.48 AOD),
3162-10-23 (Administration Block Plans, Elevations & Section),
3162-10-24 Rev A (Workshop, stores & staff welfare illustrative internal layouts Elevations & Section),

3162-20-01 Rev D (Section A-A),
 3162-20-02 Rev E (South East & South West elevations),
 3162-20-03 Rev H (North East & North West elevations),
 3162-20-05 Rev E (Main building South West elevations),
 3162-20-06 Rev E (Main building North East elevations),
 3162-20-07 Rev E (Main building NW & SE Elevations),
 3162-20-08 Rev B (Cooling Tower Elevations),
 3162-20-09 Rev F (Aux Transformer, NPG Metering Building, Emergency Gen and Pump House),
 3162-20-10 Rev D (Cycle shelter),
 3162-20-11 Rev B (Waste Reject Area),
 3162-20-12 Rev C (Sections B-B, C-C & D-D),
 3162-20-15 Rev B (Fire Water Ammonia & Fuel Oil Tank Elevations),
 3162-20-16 Rev B (Process Water and RWH Tank Elevations),
 3162-20-17 Rev A (Fuel Oil Tank Elevations)
 received 16th September 2019 by the Local Planning Authority;

3162-10-00 Rev D (Site Location Plan),
 3162-10-02 Rev E (Overall Layout Site Plan),
 3162-10-10 Rev F (Site Plan As Proposed),
 3162-10-22 Rev A (Site external areas as proposed)
 received 20th November 2019 by the Local Planning Authority.
 For the avoidance of doubt.

3. Prior to the commencement of development, a scheme and timetable for the provision of improvements to the existing level crossing on Tofts Road West shall be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall include the provision of a barrier control interlocked with the existing local plunger arrangement, unless an alternative scheme is otherwise agreed in writing with the Local Planning Authority. Thereafter, prior to the development hereby approved being brought into use, the agreed scheme shall be completed in accordance with the details and timetable for works embodied within the agreed scheme to the satisfaction of the Local Planning Authority. In the interests of highway safety and to protect the safety, operational needs and integrity of the railway.
4. Prior to the commencement of development, a scheme and timetable for the provision of a footway on the southern side of Tofts Road West which will connect the site with the existing footway on Brenda Road shall be submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, prior to the development hereby approved being brought into use, the agreed scheme shall be completed in accordance with the details and timetable for works embodied within the agreed scheme to the satisfaction of the Local Planning Authority. In the interests of highway safety and to accord with the provisions of policy INF2 of the Local Plan.
5. Notwithstanding the submitted information, no development shall take place until a scheme for a surface water management system including the detailed drainage/SUDS design, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the plant and works required to adequately manage surface water; detailed proposals for the delivery of the surface water management system including a timetable for its implementation; and details as to how the surface water management system

will be managed and maintained thereafter to secure the operation of the surface water management system. With regard to the management and maintenance of the surface water management system, the scheme shall identify parties responsible for carrying out management and maintenance including the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the surface water management system throughout its lifetime. The scheme shall be fully implemented and subsequently managed and maintained for the lifetime of the development in accordance with the agreed details.

To prevent the increased risk of flooding, and to ensure underground tanks have the capacity for the carriage way and residential plots and ensure future maintenance of the surface water drainage system.

6. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

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

7. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and/or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. To take into account the position of the buildings and the associated impact on adjacent properties and the visual amenity of the area.

8. Prior to the commencement of the development, a construction method statement for the implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. This should include details of the proposed method of construction (including operation of heavy plant and machinery, cranes, and any earthworks in the vicinity of the railway boundary etc.), details of any external illumination of the site during the construction phase (including full details of the method of external illumination, siting, angle of alignment, light colour, luminance etc.), a risk assessment in relation to the adjacent railway and a construction traffic management plan. Thereafter the works shall take place in accordance with the approved details.

To protect the safety, operational needs and integrity of the railway.

9. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The submitted CEMP shall include measures to manage and control the impacts of the construction of the development in accordance with the advice contained in the submitted noise and air quality assessments; a method statement setting out reasonable avoidance measures to prevent harm to great crested newts; and mitigation measures to avoid inadvertent damage or disturbance to retained habitats (including retained scrub planting and the existing ditch). The development shall thereafter be carried out in accordance with the approved details.

In the interests of the occupiers of adjacent and nearby premises and ecology.

10. Prior to the commencement of development, a Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority, to

agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation and construction works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing measures to reduce mud on highways, roadsheeting of vehicles, offsite dust/odour monitoring, communication with local residents and measures to prevent the queuing of construction vehicles prior to the opening of the site. In the interests of the occupiers of adjacent and nearby premises and highway safety.

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

In the interests of the amenities of neighbouring land users and highway safety, and to protect the safety, operational needs and integrity of the railway.

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

1. Site Characterisation

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

a. human health,

b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

c. adjoining land,

d. groundwaters and surface waters,

e. ecological systems,

f. archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and

remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority. There shall be no development works carried out within parts of the site subject to remediation until such time as the Local Planning Authority has given its approval in writing.

4. Reporting of Unexpected Contamination

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

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

5. Long Term Monitoring and Maintenance

Subject to the outcome of the previous requirements of this condition and subject to any residual risks being present as agreed with the Local Planning Authority, the Local Planning Authority may require that subsequent periodic contamination monitoring reports are prepared and submitted for approval to the Local Planning Authority in accordance with a scheme of monitoring agreed by the Local Planning Authority to demonstrate that remediation objectives have been achieved.

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

13. Notwithstanding the submitted information and prior to commencement of works above ground level on site, details of all external finishing materials shall be submitted to and approved by the Local Planning Authority, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of visual amenity.

14. Prior to the development hereby approved being brought into use, final details of all walls, fences and other means of boundary enclosure shall be first submitted

to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

For the avoidance of doubt and in the interests of visual amenity.

15. Prior to the development hereby approved being brought into use, a scheme for the provision of electric vehicle charging apparatus to serve the development shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details, prior to the first use of the development.

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

16. Prior to the development hereby approved being brought into use, full details of the proposed Great Crested Newt (GCN) ponds (as shown on ES plan Figure 5.5 (Illustrative Landscape Design Rev A) received 25th October 2019 by the Local Planning Authority), including depth and any marginal or aquatic planting, and a scheme for their long term maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The ponds shall be deep enough to hold water for the spring and summer seasons (at least), shall not be stocked with fish and should avoid planting of fast spreading species such as common reed (*Phragmites australis*), reedmace (*Typha latifolia*) and branched bur-reed (*Sparganium erectum*). The ponds shall thereafter be provided in accordance with the approved details, prior to the first use of the development, and maintained thereafter in accordance with the agreed scheme.

To provide appropriate ecological mitigation measures and to enhance biodiversity in accordance with paragraph 170 of the NPPF.

17. Notwithstanding the submitted information, a detailed scheme of soft landscaping (including any hedge(s), tree(s) and shrub planting) and a scheme for its long term maintenance and management shall be submitted to and approved in writing by the Local Planning Authority before occupation of the building(s) or completion of the development (whichever is the sooner), hereby approved. The scheme shall be in general conformity with ES plan Figure 5.5 (Illustrative Landscape Design Rev A) received 25th October 2019 by the Local Planning Authority, unless a similar alternative scheme is otherwise agreed in writing with the Local Planning Authority. The scheme must specify sizes, types and species of planting, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. Thereafter the approved soft landscaping scheme shall be maintained in accordance with agreed scheme, for the lifetime of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

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

18. Prior to the development hereby approved being brought into use, vehicular and

pedestrian access connecting the proposed development to the public highway shall be constructed to the satisfaction of the Local Planning Authority. In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area.

19. Notwithstanding the submitted details and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details, confirming materials, colours, finishes and fixings. Permeable surfacing shall be employed for hardstanding areas where possible, to provide additional attenuation storage. The agreed scheme shall be implemented prior to the development hereby approved being brought into use. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.
In the interests of visual amenity and to prevent the increased risk of flooding from any sources in accordance with the NPPF.
20. Demolition and the clearance of any vegetation, including trees and hedgerows, shall take place outside of the bird breeding season. The bird breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority. Unless the site is first checked, within 48 hours prior to the relevant works taking place, by a suitably qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the Local Planning Authority confirming this.
In the interests of protecting breeding birds.
21. The development hereby approved shall be carried out in accordance with the submitted Framework Travel Plan (Doc Ref: 2379-01-TP01) received by the Local Planning Authority on 14th June 2019.
For the avoidance of doubt and in the interests of encouraging sustainable travel.
22. The car parking areas hereby approved shall be laid out in accordance with the approved plans and in compliance with the HBC Design Guide and Specification.
In the interests of highway safety.
23. With the exception of the emergency use of the identified Waste Reject Area (as described in the supporting statement 'EXPLANATION OF THE PURPOSE AND FUNCTION OF THE WASTE REJECT AREA' received 19th August 2019 by the Local Planning Authority), at no time shall any waste material be stored externally or outside of the 'Proposed Energy Recovery Facility' building hereby approved (annotated on plan 3162-10-02 Rev E (Overall Layout Site Plan) received 20th November 2019 by the Local Planning Authority) for the lifetime of the development hereby approved.
In the interests of visual amenity and the amenities of neighbouring land users.
24. The site shall only operate as an energy recovery (energy from waste) facility and for no other purpose.
For the avoidance of doubt and in order to control the development under the terms on which permission is granted.
25. Prior to the commencement of development, the applicant shall notify the Local Planning Authority and the UK DVOF & Powerlines at the Defence Geographic Centre of the following information:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. Details of aviation warning lighting fitted to the structure(s)

A copy of the information provided to the Defence Geographic Centre and confirmation that this was sent shall also be submitted to the Local Planning Authority before the commencement of development.

In the interests of aviation safety and in accordance with policy QP5 of the Hartlepool Local Plan 2018.

Date of issue: 10/07/2020

Signed:



Director (Regeneration and Neighbourhoods)

Please note - The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Hartlepool Local Plan 2018 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

National Planning Policy Framework (2019)

PARA 002: Permission determined in accordance with development plan

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 009: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA038: Decision-Making

PARA047: Determining Applications

PARA091: Promoting healthy and safe communities

PARA124: Achieving well-designed places

PARA127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA153: Planning for Climate Change

PARA212: Implementation

Hartlepool Local Plan 2018

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

CC1: Minimising and adapting to climate change
CC4: Strategic Wind Turbine Developments
EMP4: Specialist Industries
LS1: Locational Strategy
NE2: Green Infrastructure
NE7: Landscaping Along Main Transport Corridors
QP1: Planning Obligations
QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP5: Safety and Security
QP6: Technical Matters
QP7: Energy Efficiency
SUS1: The Presumption in Favour of Sustainable Development

INFORMATIVES

INFORMATIVE 01 - STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

INFORMATIVE 02 - NETWORK RAIL METHOD STATEMENT

Network Rail has advised that Method Statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

Tony Rivero BSc (Hons) MRTPI
Town Planning Manager EM & LNE
George Stephenson House
Toft Green, York, YO1 6JT
T 01904 389678 Internal 085 33678
E tony.rivero3@networkrail.co.uk

For more information please visit: www.networkrail.co.uk/property

INFORMATIVE 03 - ENVIRONMENTAL PERMITTING

The Environment Agency has confirmed that this development will require a permit, under the Environmental Permitting (England and Wales) Regulations

2016 (as amended), from the Environment Agency. Receiving pre-application advice will help the Applicant submit a good quality application that can be processed (determined) smoothly and quickly. If the Applicant wishes to request either basic (free), or enhanced (chargeable) pre-application advice, they should complete the pre-application advice form (available from the Environment Agency's planning department: planning.nane@environment-agency.gov.uk). Whilst the EA has no objections to this application, they would like to draw the Applicant's attention to the following informative comments: the latest Waste Incineration Best Available Techniques Reference (BREF) document and inclusive BAT Conclusions (BATC's) will be published before the date of permit issue for the proposed development. Therefore the permit for the proposed development will need to be compliant with the latest BATC's and revised emission limits from the date of permit issue.

INFORMATIVE 04 - ENVIRONMENT AGENCY PILING INFORMATIVE

The Environment Agency would like to refer the applicant to their groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out the EA's position for a wide range of activities and developments, including developments with piled foundations.

Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

Groundwater is particularly sensitive in this location because the proposed development site is located upon a principal aquifer (Sherwood Sandstone Group). The thickness and type of superficial geology at the site is considered to provide sufficient protection to the underlying aquifer from activity on the ground above. However, buildings have been located at the site-previously with no knowledge of their function. Therefore, contamination at the site cannot be ruled out and so it should be ensured that any piling does not create pathways to deeper groundwater.

INFORMATIVE 05 - NATIONAL QUALITY MARK SCHEME

The Environment Agency has recommended that any reports to be submitted for approval to the relevant Local Planning Authority are prepared under the National Quality Mark Scheme for Land Contamination Management (NQMS). The NQMS is a system designed by the industry led Land Forum to ensure that land contamination management work meets the necessary standards. It applies in particular to the presentation of environmental information to the regulator in the form of reports setting out both factual and interpretative information. Under the scheme, reports are prepared in line with good practice and signed off by a suitably qualified and experienced person registered under the NQMS who aims to ensure that:

The work has been planned, undertaken and written up by competent people who have relevant experience and / or qualifications in their respective disciplines.

The underlying data has been collected in line with established good practice

procedures and its collection has been subject to control via established quality management systems.

The data have been processed, analysed and interpreted in line with established good practice and any specific advice provided by the relevant regulatory authorities or regulatory bodies.

The reports set out recommendations or conclusions that are substantiated by the underlying data and are based upon reasonable interpretations.

Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations. Reports prepared under the National Quality Mark Scheme aims to provide greater confidence to the regulator that land contamination issues have been appropriately identified and suitably investigated. It also demonstrates that all necessary information has been included and reported to a sufficiently high standard for regulatory decisions to be made.

INFORMATIVE 06 - NWL PRIVATE DRAINS AND SEWERS

Northumbrian Water has advised that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on their records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

INFORMATIVE 07 - NWL FOUL DRAINAGE ADVICE

Northumbrian Water has advised that if sewer is the only option for foul drainage management then the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre-planning enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/services/developers/developer-sewerage-services/pre-planning-enquiries/> or telephone 0191 419 6559.

INFORMATIVE 08 - CEPU ADVICE

Cleveland Emergency Planning Unit (CEPU) has advised that the proposed development is within the consultation Distance/ Public Information Zone of the Conoco Philips Tank Farm, Fine Organics and Venators Control of Major Accident Hazard (COMAH) Regulation Top Tier Sites.

Information regarding the possible effects of incidents at this site and the actions to take in the event of an incident is included in the regulation 18 letters which can be provided if required.

The site is also in close proximity to the Northern Gas Networks Gas Pipeline.

The site is currently outside the Nuclear Power Stations Detailed Emergency Planning Zone but the regulations have changed and going forward it might be

included in the zone. The main difference being that staff need to be aware of what to do in an emergency and have access to countermeasures.

For more information, please contact Robin Beach (CEPU Senior Emergency Planning Officer) on 01642 301515 or e-mail robin.beach@hartlepool.gov.uk.

INFORMATIVE 09 - NORTHERN GAS NETWORKS ADVICE

Northern Gas Networks has advised that there is High Pressure apparatus in the vicinity. It essential that no work or crossings of this high pressure pipeline are carried out until detailed consultation has taken place.

You should also note the presence of Northern Gas Networks Low/Medium/Intermediate Pressure gas main in the proximity to your site. NO mechanical excavations are to take place above or within 0.5 m of the Low pressure system, 2m of the medium pressure system and 3metres of the intermediate pressure system. You should where required CONFIRM THE POSITION of mains using HAND DUG TRIAL HOLES. A colour copy of Northern Gas Networks plans and the gas safety advice card should be passed to the senior person on site in order to prevent damage to Northern Gas Networks plant and potential direct or consequential costs to your organisation. Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services", must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. In addition please follow the advice given on the gas safety card. It must be stressed that both direct and consequential damage to gas plant can be dangerous both for your employees and the general public, repairs to any such damage will incur a charge. Your works should be carried out in such a manner that Northern Gas Networks are able to gain access to their apparatus throughout the duration of your operations. You must contact the pipelines officer before starting work.

For more information, please call 0800 040 7766 or e-mail beforeyoudig@northerngas.co.uk.

INFORMATIVE 10 - CLEVELAND FIRE BRIGADE ADVICE

Cleveland Fire Brigade has advised that Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2:2019, Section B5 for buildings other than Dwellings. It should also be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2.

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

Further comments may be made by Cleveland Fire Brigade through the

building regulation consultation process as required.

INFORMATIVE 11 - AVIATION SAFETY

The Defence Infrastructure Organisation (DIO) (Ministry of Defence) has advised that whilst they have no safeguarding objections to this application, the height of the development will necessitate that aeronautical charts and mapping records are amended. DIO Safeguarding has therefore advised that the developer must notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information prior to development commencing:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. Details of aviation warning lighting fitted to the structure(s)

This information can be sent by e-mail to the Defence Geographic Centre at: dvof@mod.gov.uk or by post to:

D-UKDVOF & Power Lines
Geospatial Air Information Team
Defence Geographic Centre
DGIA
Elmwood Avenue
Feltham
Middlesex
TW13 7AH

NOTES FOR APPLICANTS

1. This permission refers only to that required under the Town and Country Planning Act and does not include any consent or approval under any other enactment bylaw, order or regulation. Any other Statutory consent necessary e.g. Building Regulations approval must be obtained from the appropriate authority.
2. **Failure to adhere to the details of approved plans or to comply with conditions attached to this permission is a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.**
3. If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, you may appeal to the Secretary of State for Communities and Local Government in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 further details are included below.
4. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the District in which the land is situated, a purchase notice requiring that Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
5. In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. Under the provisions of Section 76 of the Town and Country Planning Act 1990 the Local Planning Authority is required to draw your attention to the provisions of the Chronically Sick and Disabled Persons Act 1970 which makes provisions for the needs of disabled people.
7. Your proposal may also be subject to the Building Regulations and the provisions of Section 5 of the County of Cleveland Act 1987. You are advised to check this before progressing the development with the Council's Building Control Section.

Regeneration& Neighbourhoods

Level 1, Civic Centre
Victoria Road
Hartlepool TS24 8AY

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



Compliance with planning conditions

You should be aware that planning permission is often granted conditionally, and the conditions are set out in the decision notice. A number of conditions (referred to as “conditions precedent”) require the submission of additional information to the Council before development can commence on site; these might include, for example, the submission of finishing materials. A development that is commenced without compliance with conditions may be at risk of being invalidated.

Please be aware that the Government has introduced new fees for the discharge of planning conditions. The new procedures apply with regard to all requests made to the Council to discharge conditions imposed on planning approvals or requests seeking confirmation of compliance with such conditions. The request can be made in any written form, which is clear, understandable and identifies the relevant permission and conditions concerned. Alternatively, the Government has provided a new form to be used for the submission of details to discharge a planning condition. The form is available at:

<http://www.planningportal.gov.uk/uploads/appPDF/H0724Form027.pdf>.

The fee payable for requests is £34.00 for conditions on householder developments and £116.00 on all others. The fee must be submitted at the same time the request is made. Requests that are received without the appropriate fee will be returned unanswered.

The fee is payable for each request made. A single request may seek to discharge more than one condition. If you later decide to change the details of an agreed condition a new payment is required.

The local planning authority will seek to respond within eight weeks. A longer period of time may be required where ongoing discussion and correspondence are necessary. If the authority fails to provide confirmation or notification that confirmation cannot be provided within twelve weeks of the date of receipt, the fee will be refunded.

Yours faithfully

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application or for a minor commercial application if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- In all other cases if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/government/organisations/planning-inspectorate> .
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted

planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.