

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 28th October 2015

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APPLICATION REF. NO:	15/00673/DC
STATUTORY DECISION DATE:	20 October 2015
WARD/PARISH:	LASCELLES
LOCATION:	Fenby Avenue, Darlington
DESCRIPTION:	Erection of 28 dwellings, comprising 24 apartments and 4 houses plus internal roads, car parking and landscaping.
APPLICANT:	Mr P Wildsmith

APPLICATION AND SITE DESCRIPTION

CONTEXT

As this application is submitted by the Council it has been the subject of an advanced consultation exercise with Ward Members. The purpose of this is to ensure that Ward Members are fully informed with regard to potential Council schemes in a timely way within their Ward.

APPLICATION AND SITE DESCRIPTION

It is proposed to erect 28 dwellings comprising of 4 houses and 24 apartments to be rented out by this Council.

The site is located in the Lascelles area of Darlington approximately 2.0km from the Town Centre. The site is predominantly open space with Tarmac hard standing which was formally the site of the Lascelles Public House and car park. A covenant exists on the car park allowing the retail units the use of the site for parking purposes.

The site is roughly rectangular in shape approx. 0.62 Hectares in area, with entrance onto the site from Fenby Avenue to the South. Open green space and Allotments are to the north with open green space and residential properties to the east and retail shops to the west.

The development will comprise four 2 storey houses and 4 Blocks of 2 ½ to 3 Storey Apartments, similar examples of this style can be found on the nearby Lascelles estate. The elevation treatment will include brickwork with feature banding. There is also a small amount of stonework to be used for sills and brickwork soldier course to the heads of windows.

PLANNING HISTORY

No relevant planning applications received since the demolition of the public house in 2009/10.

PLANNING POLICY BACKGROUND

Darlington Core Strategy Development Plan Document Polices: -

CS1: Darlington's Sub Regional Role and Locational Strategy

CS2: Achieving High Quality, Sustainable Design

CS10: New Housing Development

CS14: Promoting Local Character and Distinctiveness

RESULTS OF CONSULTATION AND PUBLICITY

Local residents were consulted and a notice posted on site. An objection has been received in the form of a letter with an attached list of 34 local residents highlighting the following issues:

- The open space to be built on is used by local people for a variety of activities such as kickabout, cycling, dog walking and picnics.
- Assertion that site is too wet to be used by the public is not correct. It is not a problem in the summer months.
- Original development site was just the area of the demolished pub – not the open space to the rear.
- Is need for more Council housing proven
- Nearby existing properties will lose open aspects over open space
- Other brownfield land is available in Darlington in preference to this greenfield site.

In addition the site has been the subject of Ward Member engagement as mentioned previously in the report.

Police Architectural Liaison Officer – Made comments at the pre application stage which have been incorporated within the application.

Ecology Officer – No objections to the proposals

Environmental Health Officer – Recommends contaminated land condition imposed on any permission granted. Satisfied with submitted construction management plan.

Northumbrian Water – request surface and foul sewage disposal details to be submitted before development takes place.

Parks and Landscape Officer – Suggests more on site landscaping provision.

TRANSCO - **Has** no objection to the proposal.

Tree Officer Has recommended a condition be imposed on any permission to ensure the existing trees on and near the site are protected from damage during construction.

The Highways Engineer Has raised no objections subject to conditions being attached to any permission given. [Condition No. 8]

Flood Risk Management

Part of the site is within an area of surface water flooding. A condition related to surface water discharge is required. [Condition No.6]

PLANNING ISSUES

The main issues to be considered in the determination of this application are: -

- Planning Policy
- Visual Amenity
- Residential Amenity
- Highway Implications and
- Other Matters

Planning Policy

The site is allocated for development within the updated Strategic Housing Land Availability Assessment and funding has been secured from the Homes and Communities Agency [HCA]. In overall residential planning policy terms therefore the proposal is considered to be acceptable. Conformity with relevant policies within the Core Strategy will be considered below as far as they relate to visual amenity and residential amenity.

Visual Amenity

The layout of the scheme has been amended from earlier proposals to retain a large open frontage onto Fenby Avenue. The frontage is now characterised by the two blocks of houses with some low fencing and landscaping. This is considered to be a visual improvement on the nearby Scargill Court shopping arcade.

Behind the frontage housing the existing car park for the shops will be retained and resurfaced. Behind this the four blocks of apartments will be located together with the associated car parking and landscaped areas abutting the residential area to the west. These units are 2.5/3 storey which will reflect the scale of nearby Hornby House but will be of a more attractive design.

In view of the above, it is considered that the visual impact of the development will be positive and enhance the character of this particular locality and be in conformity with policies CS2 and CS14 of the Core Strategy.

Residential Amenity

In view of the degree of separation between the proposed development and existing dwellings, there is not likely to be any loss of amenity to existing residents from loss of light or privacy. Some residents within Hornby House will lose their uninterrupted views over the open space

however a loss of a view is not normally a material planning consideration unless coupled with loss of light or privacy.

Pedestrian access to the open space to the east will be retained via footpaths connecting the new development with the existing.

Highway Implications

No highway objections have been raised to the proposed development.

Other Matters.

Concerns have been raised by local residents regarding a number of issues and these are addressed below.

The loss of open space is acknowledged, however there is an unmet demand for the type and tenure of the proposed new development and it is considered that the remaining open space to the north and east will continue to provide adequate facilities for local residents. On balance it is considered that the benefits of the proposal outweigh the negative impacts.

The site suffers from surface water flooding according to the Environment Agency flood maps. The design of the dwellings will take this into account during construction.

Other sites in and around Darlington are being actively pursued to realise their development potential, this site is one of many included in the Council's updated Strategic Housing Land Availability Assessment. Development of this site will contribute towards providing a five year supply of residential land within Darlington Borough.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS: -

- 1) A3- Implementation Limit
- 2) B5 – Accordance with plans
- 3) B4 - Materials
- 4) E2 – Landscaping

- 5) J2 – Contaminated land
- 6) K7 – Foul and Surface water disposal details
- 7) E11 – Tree Protection
- 8) No development shall be carried out unless and until vehicle swept path analysis has been undertaken to support the movement framework for emergency vehicles refuse and service vehicles, for the internal network and, where appropriate, in respect of the off-site highway proposals, details of which shall be submitted to and approved by the Local Planning Authority.

REASON – In the interests of highway safety.

The applicant is advised that contact be made with the Assistant Director: Highways, Design and Projects (contact Ms. P. Goodwill 01325 388760) to discuss naming and numbering of the development

The Developer is required to submit detailed drawings of the proposed highway works to be approved in writing by the Local Planning Authority and enter into a Section 278/38 agreement before commencement of the works on site. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr S. Brannan 01325 406663) to discuss this matter.

The applicant is advised to contact the Assistant Director: Highways, Design and Projects (contact Mrs. Brenda Bowles 01325 406708) to discuss the introduction of a 20mph zone.

An appropriate street lighting scheme and design to cover the proposed amendments should be submitted and approved in writing by the Local Planning Authority. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr. M. Clarkson 01325 406652) to discuss this matter.