

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 6 February 2008

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APPLICATION REF. NO: 07/01215/FUL

STATUTORY DECISION DATE: 14 March 2008

WARD/PARISH: NORTHGATE

LOCATION: White Bros (Darlington) Limited, Corporation Road, Darlington

DESCRIPTION: Demolition of existing motorcycle repair depot and erection of residential dwellings comprising 6 No. two bedroom apartments, 6 No. single bedroom apartments, with communal staircases, car parking and cycle storage facilities (amended description and plans received 16 January 2008)

APPLICANT: MR DEREK WHITE

APPLICATION AND SITE DESCRIPTION

The site is 760 square metres in area and located on the south side of Corporation Road within the Northgate Conservation Area within a mixed commercial and residential part of the town. Currently, the site is occupied by a single storey building with front forecourt used as a motor cycle repair shop, which would be demolished to allow for the proposed development.

The front of the site faces northward, across the street onto existing dwellings positioned some 18 metres away. The two storey Probation Service Offices are located 6m to the east across a narrow lane. To the west, at 29 Corporation Road the blank gable end of the neighbouring surgery faces onto the site. The applicant has entered into an arrangement with the surgery to relocate a vent, water pipe and TV Ariel on the neighbouring building.

This application seeks to erect a total of 12 apartments (6 x 2 bedroom and 6 x 1 bedroom) within a single three-story block. External facing materials will consist of a red facing brick with natural sand with reconstructed stone string courses. Roofing will consist of Marley grey interlocking slates. The external materials proposed would be broadly consistent in terms of appearance with the character of building materials used elsewhere within the locality. A rear forecourt with access onto Corporation Road and the side lane will provide for a total of 12 parking spaces including one allocated for disabled user.

PLANNING HISTORY

None recent or relevant to this application

PLANNING POLICY BACKGROUND

The following policies in the Borough of Darlington Local Plan 1997 are relevant:-

T24 Parking and Servicing Requirements for New Development
H3 Location of New Housing Development
H4 New Housing Development In and Around Town Centre and Other Centres
H11 New Housing Design

Government Guidance

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG15 - Planning and the Historic Environment

RESULTS OF CONSULTATION AND PUBLICITY

Highways

The site provides for 1 space per dwelling for residents in the rear parking area with visitor parking being catered for on the site frontage where there are no restrictions. Though the latter is already well used by staff and customers of businesses within the vicinity of the site it is considered that this is sufficient provision for the proposed use.

Provision for secure parking for 9 cycles is indicated on the plan and this does meet the standards.

Vehicular access to the site is via an existing unlit back lane. It is in an acceptable condition for the proposed use, however the proposed use will require provision of new street lighting and this should be made a condition of an approval. Also, there is often parking in the back lane and this would obstruct the access to the rear parking area. A condition requiring introduction of additional Traffic Regulation Orders on the back lanes providing access to the site from Corporation Road and from Northgate would therefore be required.

The existing vehicle crossings on the Corporation Road frontage are to be reinstated in normal footway construction, these are within the highway and again a condition would be required to secure provision of the works.

Provided the above highlighted items are included as conditions the highways officer would raise no highway objection to the proposal.

Environmental Health

The site is located on Corporation Road, and is not far from Northgate. Therefore, it will be exposed to road traffic noise. In addition, the rear of the development is located adjacent to the ASE club. Also, it is possible that part of the ASE club will be demolished, and replaced with commercial and residential properties. There is also a club nearby, on the corner of Corporation Road and Northgate. Potential noise emissions from each of these sources should be quantified, and a scheme designed for the protection of the development from the identified noise sources. Noise from the club for example could include music from amplified music, chiller units etc. Therefore, the environmental health officer has recommended that a condition

is attached to any permission which may be granted, requiring a Noise Impact Assessment of all identified noise sources affecting the site to be undertaken, and a scheme for the protection of the development from the identified noise sources to be submitted and agreed with the LPA. The scheme should be designed to ensure that internal noise levels in the flats meet noise levels recommended in relevant British Standards and WHO guidance, and it should ensure that residents do not suffer loss of amenity due to external noise sources.

The site is located adjacent to residential properties, therefore, it is recommended that a condition is attached to any permission which may be granted, restricting the hours of demolition and construction activities to 8.00am-6.30pm, Mon to Sat and not on Sundays or Bank Holidays (except by prior agreement with the LPA).

Our records indicate that the site was formerly known as Elmfield Garage and that there are 3 oil tanks and 1 diesel tank present (possibly still active). Due to its former and current use, the site may be contaminated with hydrocarbons. In addition, made ground will be present, which may potentially be contaminated. Therefore, it is recommended that the contaminated land condition be attached to any permission, which may be granted. In addition, it is recommended that a condition be attached requiring all below or above ground tanks to be removed prior to development commencing.

Neighbours

Two letters from local residents have been received objecting to the proposal on the grounds of:

- *Increase in parking congestion for local residents*
- *Would prefer to see more traditional form of housing on the site.*

PLANNING ISSUES

This proposal would introduce a residential use to this commercial site located in the mixed commercial and residential district in the vicinity of Northgate. Northgate (A167) is a primary route into central Darlington served by bus routes and, within walking distance of the town centre. There is also easy access to local shopping centres and community facilities such as doctor's surgeries, which are all located nearby. The apartments will also be of a size that will be suitable for the provision of affordable housing for the needs of smaller households, the elderly and those with disabilities. In these respects the proposal will satisfy the criteria contained within Policy H3 and particularly Policy H4 with regard to the provision of new housing in or around the town centre.

The matter of additional pressure to on-street parking is a concern expressed by some nearby residents. The Highways Officer accepts the proposal for residents parking to the rear of one space per dwelling with visitor parking being catered for on the highway frontage where there are no on-street parking restrictions and raises no objection to the proposal considering this sufficient parking provision. In addition, the site does satisfy the criteria on sustainability contained within PPS3, particularly paragraph 38, in being a location where mobility is not car dependent, close to the town centre and with easy access to public transport routes and other local facilities. Whilst on street parking problems are recognised as a local issue, the close proximity of the site to local services, public transport routes and town centre allows for consideration of low car ownership occupation and this can be further encouraged by the

provision of cycle storage proposed on the site which can be secured by an appropriate condition to any planning permission granted.

The proposal will utilise the site for 12 apartments contained within a single three-storey purpose built block. The structure would be consistent in its scale and design with the character and proportions of the area. A distance between the blank side elevation of the structure and the probation office across the lane will be 6 metres, sufficient to avoid loss of light by overshadowing. A condition requiring the submission of details for all external finishes to the building for approval will enable sufficient control of the finish of the proposal located, as it is, within the Northgate Conservation Area.

Guidance contained within paragraph 40 –41 of PPS3 emphasises the effective use of land for the provision of housing and states that at least 60% of new housing should be provided on previously developed land including buildings that are vacant or derelict. Guidance contained within paragraph 46 of this document, in respect of the efficient use of land requires consideration of the current and future levels of accessibility, particularly with regard to public transport accessibility; and characteristics of the area including the current and proposed mix of uses. On balance, the proposal will result in an efficient use of the site with no discernable visual impact upon either the local street scene or the residential amenity of the area in accordance with the requirements of Policy H11 of the Local Plan.

The site is close to the North Road (A167) and will be adjacent to a nightclub, which is currently operated from a building to the rear. As such, the Environmental Health Officer recommends that a condition is attached to any permission granted, requiring a Noise Impact Assessment of all identified noise sources affecting the site to be undertaken, and a scheme for the protection of the development from the identified noise sources to be submitted and agreed with the LPA.

The Council's records indicate that the site was formally used as a garage with 3 oil tanks and 1 diesel tank present (possibly still active) located on the site. As such, the site may therefore be contaminated with hydrocarbons. The Environmental Officer would therefore recommend that a contaminated land condition be attached to any permission granted that also requires that all below or above ground tanks to be removed prior to development commencing.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

CONCLUSION

The utilization of the site for residential use would be acceptable in this location by reason that it would not have an adverse effect upon either the character or the residential amenity of the area. The proposal does not raise any issues in respect of highway safety or crime prevention. The proposal is therefore considered to comply with the relevant policies in the development plan and Government Policy Guidance as set out below:

Borough of Darlington Local Plan 1997

T24 Parking and Servicing Requirements for New Development

H3 Location of New Housing Development

H4 New Housing Development In and Around Town Centre and Other Centres

H11 New Housing Design

Government Guidance

PPS1 – Delivering Sustainable Development

PPS3 - Housing

PPG15 - Planning and the Historic Environment

RECOMMENDATION

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

- 1) A3 Implementation Limit (Three Years)
- 2) B5 Detailed Drawings (Accordance with Plan)
- 3) B4 Details of Materials (Samples)
- 4) Notwithstanding the details shown on the approved plans, details of secure cycle storage and parking area on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The cycle store and details shall be provided in accordance with the approved details prior to the first occupation of the flats and shall not be altered or removed without first obtaining the express written consent of the Local Planning Authority.

REASON - To ensure that cycle provision is provided on the site in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- 5) Notwithstanding the details shown on the approved plans, details of refuse storage on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Refuse storage shall be provided in accordance with the approved details prior to the first occupation of the flats and shall not be altered or removed without first obtaining the express written consent of the Local Planning Authority.

REASON - In order to safeguard the residential and visual amenities of the area in accordance with the requirements of saved Policy H11 of the Borough of Darlington Local Plan.

- 6) The on site street parking as indicated in the approved drawing 06092/102, including any disabled parking spaces, shall be provided prior to the occupation of the site. Thereafter, the parking spaces shall be retained in accordance with the approved scheme and shall not be used for any other purpose than residents parking for the development and shall not be altered or removed without first obtaining the express written consent of the Local Planning Authority.

REASON - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- 7) Notwithstanding the submitted plans, details of new street lighting to be provided for the adopted back lane adjoining the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. Thereafter, these works shall be carried out in accordance with the approved details.

REASON - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- 8) Notwithstanding the submitted plans, details of additional Traffic Regulation Orders to secure continued vehicular and pedestrian access to the site from Corporation Road utilizing the adopted back lane shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. Thereafter, these works shall be carried out in accordance with the approved details

REASON - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- 9) The existing vehicle crossings on the Corporation Road frontage shall be reinstated to the satisfaction of the Local Planning Authority.

REASON - In the interests of highway safety in accordance with the requirements of saved Policy T24 of the Borough of Darlington Local Plan.

- 10) Prior to the commencement of development a full Noise Impact Assessment covering the following matters shall be submitted to and approved by the Local Planning Authority. Any measures to mitigate noise to the apartments shall be implemented in full.

Proximity of apartments to the ASE Club
Traffic on Northgate

REASON - To protect the residential amenity of future occupants of the apartments.

- 11) Underground fuel storage tanks, associated with the previous use of the site as a garage, shall be removed from the site.

REASON - To ensure the satisfactory decontamination of the site in the interests of local safety and amenity.

- 12) Development shall not commence until a soil survey of the site has been undertaken and the results provided to the Local Planning authority. The survey shall be undertaken at such points and to a depth as the Local Planning Authority may stipulate. A scheme for the decontamination of the site shall be submitted to and approved in writing by the Local Planning authority and the scheme, as approved, shall be duly implemented and completed before any of the development hereby permitted is first occupied.

REASON - To ensure the satisfactory decontamination of the site in the interests of safety and the local amenity.

- 13) Demolition and construction activities in respect of the implementation of the planning permission hereby approved shall not take place on the site outside of the hours of 8.00am-6.30pm, Monday to Saturday and not on Sundays or Bank Holidays (except by prior agreement with the Local Planning Authority).

REASON- In the interest of residential amenity of nearby dwellings.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within development limits identified in the development plan. The design and layout of the development accords with the relevant policy in the development plan. The development respects the amenity and general character of the area. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposal accords with the relevant policies in the development plan set out below:

Borough of Darlington Local Plan 1997

T24 Parking and Servicing Requirements for New Development

H3 Location of New Housing Development

H4 New Housing Development In and Around Town Centre and Other Centres

H11 New Housing Design

Government Guidance

PPS1 – Delivering Sustainable Development

PPS3 - Housing

INFORMATIVES

The applicant is advised that works are required within the highway, to reinstate vehicle crossings and install new street lighting, and contact must be made with the Highways Manager (contact M A Ward 01325 388743) to arrange for the works to be carried out or obtain the relevant permissions to execute the works.

The applicant is advised that contact must be made with the Highways Manager (contact Ms P Goodwill 01325 388760) to discuss naming and numbering of the development.

The applicant is advised that that contact must be made with the Highways Manager (contact Mrs B Bowles 01325 388774) in relation introduction of Traffic Regulation Orders on the back lanes in the vicinity of the site.