

## **DARLINGTON BOROUGH COUNCIL**

### **PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 27th July 2016**

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**APPLICATION REF. NO:** 16/00087/DC

**STATUTORY DECISION DATE:** 27<sup>th</sup> May 2016

**WARD/PARISH:** LINGFIELD

**LOCATION:** Allington Way, Darlington

**DESCRIPTION:** Erection of 62 dwellings, comprising 42 apartments and 20 houses plus internal roads, car parking and landscaping.

**APPLICANT:** Mr P Wildsmith

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### **BACKGROUND**

This proposal has been the subject of pre application discussions and consultation with Ward Members as is the protocol for submissions made by the Borough Council.

This application was considered at the 1<sup>st</sup> July Meeting when it was resolved to conduct a site inspection before making a decision on the application.

At the Meeting Members expressed concern regarding a number of issues including landscaping in and around the site, the design of the dwellings, flooding effects on adjacent properties, increases in vehicular traffic in the locality and impacts of noise on new residents from nearby industrial development.

The applicants have been invited to attend the Meeting and will be able to advise Members relating to the development should queries arise.

### **APPLICATION AND SITE DESCRIPTION**

It is proposed to erect 62 dwellings comprising of 20 houses and 42 apartments to be rented out by this Council.

The site is located to the East of the Town Centre in the Lingfield area of Darlington approximately 2.5km from the town centre. The site is currently open green space (previously a temporary playing field) to the east of McMullen Road and south of Allington Way.

The site is roughly rectangular in shape approximately 2 Hectares in area, with entrance onto the site from McMullen Road.

The development will comprise twenty 2 storey 3 bedroomed houses and 7 Blocks of 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.

## **PLANNING POLICY BACKGROUND**

*Darlington Core Strategy Development Plan Document Policies: -*

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 site notice posted. Objections have been received from 9 local residents highlighting the following issues:

- Site is susceptible to surface water flooding
- Insufficient car parking provided on site leading to parking on Mc Mullen Road.
- Area is already heavily congested with traffic.
- No landscaping proposals.
- Impacts on resident wildlife not taken into account.
- Area is site of WW II bomber crash.
- Area was used as a football field.
- New houses should incorporate bat/bird nesting boxes etc.

**Police Architectural Liaison Officer** – Made comments at the pre application stage – applicants took comments into account when submitting application.

**Ecology Officer** – No comments received.

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

**Northumbrian Water** – request condition relating to Flood Risk Assessment report.

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

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

**Northern Powergrid** – No objections.

**The Highways Engineer** – Confirms that access off McMullen is the only one with adequate visibility and junction separation.

Satisfied with on site parking provision, and access road dimensions but asks for conditions to confirm.

Has made the following comments specifically in relation to traffic impacts from the development:

*A Transport Statement (TS) has been submitted to assess the development impact on the highway network and review vehicular access and non-motorised user access locations and accessibility. The TS states that the generated traffic would be in the order of 34no. two way trips in the morning peak and 38no. Two way trips in the evening peak and as such would not be classed as a severe impact on the local highway network. Admittedly there is queuing along McMullen Road during the evening rush hour however this is caused further downstream by the DETC McMullen Road signalised junction and DBC are currently reviewing ways to alleviate the bottleneck. Generally outside of the peak hours McMullen Road has unrestricted free flow traffic. The site is well served by public transport with bus stops directly outside of the site boundary and has good links to the cycle network hence should encourage sustainable travel and reduce the need to use the private car.*

*McMullen Road is generally a 7.3m wide carriageway with localised widening to accommodate right turn lanes and has a theoretical capacity of around 2200 vehicles per hour two way, with the one way capacity of around 1300 vehicles per hour based on National Guidance and assuming a 60/40 split for the busiest direction capacity. The actual recorded flows on McMullen Road are in the order of 1200-1300 vehicles two way per hour, therefore there is available capacity to accommodate additional traffic on the link. As such and as a standalone application, it would be difficult to refuse this application on traffic generation grounds.*

**County Archaeologist** – Requests conditions relating to potential finds on site.

**Sport England** – No objections as a replacement football pitch has been provided elsewhere at Blackwell Meadows.

**Sustainable Transport Officer** – Satisfied that the location of the site is sustainable from a public transport and cycling/walking perspective. Requests that a cycling priority crossing is provided where the new site access crosses the cycleway.

## **PLANNING ISSUES**

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

- Visual Amenity
- Residential Amenity
- Highway Implications : and
- Other Matters

### **Visual Amenity**

It is proposed to develop a disused sports field with a mixture of two storey houses and three storey apartments. The site is currently well screened from McMullen Road and this screening will remain and be augmented by additional planting. The development will be served by a single access road coming off McMullen Road and car parking will be provided in either private driveways or frontage parking areas.

The design of the dwellings will reflect that of existing dwellings in the locality and be constructed predominantly of facing brickwork with artstone decorative features.

A condition will be attached to the planning permission requiring the submission of a comprehensive landscaping scheme.

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.

There are existing factories and warehouses on adjacent land which have the potential to create noise nuisance to residents of the new development and to reduce this impact it is proposed to erect acoustic fencing around part of the site likely to be affected. The Environmental Health Officer is content with the submitted noise report and mitigation proposed for the development.

### **Highway Implications**

No highway objections have been raised to the proposed development – the Highway Engineer has considered the submitted Transport Statement and is satisfied that the level of additional traffic generated by this development will not be such as to warrant a refusal of planning permission on road safety grounds.

### **Other Matters.**

Concerns have been raised by local residents regarding a number of other issues not covered above and these are addressed below.

The site has been prone to surface water flooding, however the Northumbrian Water Authority has studied the Flood Risk Assessment submitted with the application and is content that the drainage measures proposed for the site will restrict any flooding to acceptable levels, together with our sustainable drainage partners.

It is proposed to impose a condition on the planning permission to incorporate bat boxes within the design of the new dwellings.

Other sites in and around Darlington are being actively pursued to realise their development potential. 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) Prior to first occupation of the homes the acoustic fencing around the site shall be erected in accordance with the layout and heights stipulated in the Noise Impact Assessment Report No. 70008992-001, prepared by WSP and submitted with the application. The fencing materials and makeup shall be according to the specification in the site fencing tender document submitted as part of the application. Alternative fencing designs giving equally effective sound reduction would be acceptable if agreed in advance with the LPA.

REASON – In the interests of residential amenity.

- 6) The windows in facades of properties fronting onto McMullen Road should be fitted with suitable acoustic glazing to give a sound reduction index of at least 33 dB. The windows shall incorporate sound attenuating trickle ventilators to allow background ventilation to the rooms when the windows are closed without the noise levels in BS:8233 being exceeded. The exact window specification shall be agreed with the LPA in writing prior to first occupation of the homes.

REASON - In the interests of residential amenity.

- 7) In the event that suspected contaminated material is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared to show that the remediation has been undertaken to a satisfactory standard, which is subject to

the approval in writing by the Local Planning Authority. REASON - In the interests of residential amenity

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.

9) A cyclist priority crossing shall be provided where the new access on to McMullen Road crosses the existing cycle way. REASON – In the interests of cyclist safety.

10) The development shall be carried out in accordance with the Flood Risk Assessment document submitted with the application. REASON – In the interests of public safety.

11) Before development commences, details of the provision of bat roosting boxes within the design of the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. REASON – In the interests of the welfare of protected species.

12) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The Scheme shall provide for:

- i; Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- ii; Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- iii; Post-fieldwork methodologies for assessment and analyses.
- iv; Report content and arrangements for dissemination, and publication proposals.
- v; Archive preparation and deposition with recognised repositories.
- vi; A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- vii; Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- viii; A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

REASON – To ensure the proper recording of the archaeology of the site.

13) Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. .

REASON – To ensure the proper recording of the archaeology of the site.

The applicant is advised that contact be made with the Assistant Director : Highways, Design and Projects (contact Ms.P McGuckin 01325 406651) 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.