

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 10th February 2010

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APPLICATION REF. NO: 09/00829/FUL

STATUTORY DECISION DATE: 25th February 2009

WARD/PARISH: HARROWGATE HILL

LOCATION: Site of Former Beaumont Hill Middle School, Glebe Road, Darlington

DESCRIPTION: Erection of 40 No. Dwellings in two and two and half storey form together with associated access, parking and garages

APPLICANT: Fabrick Housing Group Ltd

APPLICATION AND SITE DESCRIPTION

This application is one of three proposals for the former three Beaumont Hill school sites. The applications, whilst related in terms of their ownership (the Council) and development, raise separate planning issues and are therefore considered separately on the agenda. The total number of dwellings proposed for all three sites is 106. 30% of this total will be “affordable housing” and these will be evenly distributed around the three sites.

The application site consists of the former Beaumont Hill Middle School and measures some 1.05 hectares. It is accessed from Glebe Road to the west and backs onto the east coast main railway line to the east with open space to the north and south.

This is a detailed application for the redevelopment of the site for housing. The scheme consists of the following elements:

- 40 No. Dwellings in two and two and a half storey form in groups of two.
- Associated mainly in-curtilage and visitor parking spaces;
- The formation of a new access road to the development from Glebe Road;
- The provision of internal vehicular and pedestrian routes;
- The provision of associated hard and soft landscaping.

The application was submitted with a Design and Access Statement, a residential travel plan, a transport assessment, a flood risk assessment, an ecological assessment and a geoenvironmental investigation report

The developer carried out community consultation prior to submitting the application in accordance with the Council’s Adopted Statement of Community Involvement.

PLANNING HISTORY

Full applications were submitted for this site and the other two referred to on this agenda in January 2008.

08/00071/FUL – 29 dwellings and 27 apartments approved April 2008 (Senior School site)

08/00072/FUL – 39 dwellings approved April 2008 (Middle School site)

08/00073/FUL – 33 dwellings approved April 2008 (First School site)

PLANNING POLICY BACKGROUND

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

- E2 - Development Limits
- E3 - Protection of Open Land
- E11 - Conservation of Trees, Woodlands and Hedgerows
- E12 - Trees and Development
- E14 - Landscaping of Development
- E24 - Conservation of Land and Other Resources
- E29 - The Setting of New Development
- E46 - Safety and Security
- H3 - Location of New Housing Development
- H9 - Meeting Affordable Housing Needs
- H11 - Design and Layout of New Housing Development
- R1 - Designing for All
- R6 - Open Space Provision in New Residential Development
- R7 - The Design of Open Space Provision
- T12 - New Development – Road Capacity
- T13 - New Development - Standards
- T24 - Parking and Servicing Requirements for New Development

The North East of England Plan Regional Spatial Strategy to 2021 includes the following relevant policies :

Policy 2 – Sustainable development

Policy 29 – Delivering and managing housing supply.

The following *national policy guidance* is relevant: -

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Statement 3: Housing (2006)

RESULTS OF CONSULTATION AND PUBLICITY

1 written comment has been received from local residents raising the following concerns:

- *The development will result in increased traffic on Salters Lane and Whinfield Road which is already heavily congested at peak periods. Pollution and noise nuisance will increase. Additional traffic management required at the junction of Glebe Road / Salters Lane North to accommodate the inevitable increase in the numbers of motorists which will use the junction.*

The **Council's Environmental Health Officer** has been consulted and has requested conditions be imposed relating to land contamination and dust control together with noise attenuation measures.

The **Council's Highway Engineer** has been consulted and has confirmed acceptance of the findings of the Transport Assessment which accepts that the moderate increased traffic flows will not be expected to cause problems on the local highway network. Minor improvements to the Salters Lane North / Glebe Road are proposed to mitigate the likely impacts.

There will be a 20 MPH speed limit within the development and certain details relating to the proposed footways and parking spaces need to be agreed before development commences. Otherwise there are no objections to the proposals.

The **Council's Transport Policy Section** have been consulted regarding the Residential Travel Plan and have not commented at the time of drafting.

Northern Gas Networks has been consulted and has raised no objections to the proposed development.

Northumbrian Water has been consulted and has raised no objections to the proposed development.

The **County Archaeologist** has been consulted and has raised no objections to the proposed development.

The **Environment Agency** has been consulted and has raised no objections to the proposed development.

The **Council's Arboricultural Officer** has been consulted and has raised some concerns in respect of the loss of trees within the development site and recommends the root area of affected trees is protected during construction. His comments are awaited on the submitted landscaping scheme.

The **Council's Planning Policy Officer** has been consulted and has agreed that a developer contribution towards the improvement (in terms of drainage) of the sports field to the north of the site will be an acceptable means of fulfilling the open space enhancement requirement contained within the Council's Supplementary Planning Guidance.

Network Rail have been consulted and have no objection in principle to the development but has suggested a number of safeguarding measures to protect the railway and its workers. This advice shall be attached to any planning permission granted.

Durham Constabulary have been consulted and have no objections to the proposals but have suggested a number of additional safety measures which shall be included as an attachment to any planning permission granted. 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. It is not considered that the development will have any such effect.

PLANNING ISSUES

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

- Planning Policy
- Visual amenity
- Residential Amenity
- Highway Matters
- Trees

Planning Policy

The site lies within the development limits as defined by the Borough of Darlington Local Plan, therefore the proposal complies with policies E2 (Development Limits) and H3 (Locations for New Housing Development) contained therein.

It is also subject to Policy E3 (Protection of Open Land), which seeks to ensure that in considering proposals to develop any areas of the network of open land in the Borough, consideration is given to the impact of that development on the whole of the open land supply within the Borough, in terms of connectivity, its visual relief, the impact on the character and appearance of surrounding areas, its continuity and the loss of informal or formal recreation. It is not considered that the open land system would experience any net harm, particularly given that the part of the site being developed housed the former school buildings.

Planning Policy Statement 3: Housing (2006) sets out the Government's aims and objectives in respect of housing development and is a material consideration in the determination of planning applications. The guidance seeks the specific outcomes of, *inter alia*, high quality housing that is well designed and built to a high standard; a mix of housing to support a variety of households in both urban and rural areas; housing development in suitable locations, which offer a good range of community facilities with good access to jobs, key services and infrastructure; and the efficient and effective use of land, including re-use of previously developed land where appropriate. The site is within an existing residential area and close to local public transport services. The adjacent residential areas are currently served by a number of local convenience retail stores and amenities. The site is embraced within the definition of previously developed land, as defined in Annex B of the above guidance and the proposal achieves a net density of some 40 dwellings per hectare (dph), which exceeds the national indicative minimum contained in this guidance of 30 dph.

The Council's Affordable Housing Supplementary Planning Document requires an element of affordable housing where the development is within the urban area and consists of 15 No. Dwellings or more. The SPD provides an affordable housing target for each of the Borough's sub-areas, in this case, of 30%. The application indicates that 14 of the units proposed will be affordable which is some 35% of the total for this site and remains in line with the above requirement. Securing this provision is in this instance to be via the imposition of a planning condition. It is considered that providing the condition is sufficiently robust then this is an acceptable alternative route to take instead of a Section 106 Agreement and will enable a prompt decision to be made on the planning application, in line with Government requirements that Councils reduce undue delays for developers, especially in the current economic climate.

The proposal is therefore considered to be acceptable in principle. The remaining issues to be considered in the determination of this application are all detailed matters of development control and will be addressed in the following sections of this report.

Visual amenity

Policy E29 (The Setting of New Development) and Policy H11.1 (Design and Layout of New Housing Development) of the Borough of Darlington Local Plan, respectively require new development to respect the intrinsic character of its setting and to relate well to the surrounding area, respecting its predominant character and density.

The area is characterised by a series of terraces and semi-detached houses. It is considered that the form, scale and layout of the proposed development is acceptable and has regard to the character of its surroundings, providing a frontage along Glebe Road whilst maintaining a satisfactory internal layout and streetscape.

There are a variety of house types proposed which include some projecting gables, bay windows, dormer windows together with a variety of finishes including render and tile hanging as well as traditional brickwork. The grouping of properties on this site are predominantly in pairs.

Careful consideration should be given to landscaping in order to soften, complement and provide some screening for the development. A scheme has been submitted and is being studied by the Council's Arboricultural Officer. The issue of retaining existing tree cover is considered in more detail later in this report.

The applicant has submitted a substantial Design and Access Statement which details the local landscape characteristics, local existing housing layouts and design, together with issues such as highways strategy, the public realm, sustainable development strategy and the overall delivery of the development.

Overall, the proposal is considered to be acceptable in respect of its impact on the visual amenities of the locality and responds satisfactorily to the particularities of the site and the surrounding area, as required by local and national policy and guidance.

Residential Amenity

The proposal is considered to be acceptable in respect of its impact on the residential amenities of existing properties in Saltersford Road and meets the generally accepted privacy distances. Internally, the layout of the development is considered to provide an acceptable residential environment for the future occupiers of the proposed scheme. Each plot has its own curtilage parking area together with some visitor parking.

The main estate spine road runs alongside Green Lane and is separated from it by a tree screen and landscaped area and as such it is considered that this particular aspect of the development will have the potential to present an attractive feature in the locality.

The Council's Environmental Health Officer has recommended that a planning condition be attached to any approval in respect of any potential contamination as advised by national guidance. Given the location of the site near to a railway line, it is considered prudent to consider and minimise the impact of noise and vibration through the imposition of a planning condition to secure the provision of a scheme for the protection of the proposed residential properties.

Overall, it is considered that the proposed application is acceptable in respect of its impact on the residential amenities currently enjoyed by existing residents, and those to be provided for the future occupiers of the proposed scheme.

Highway Matters

A composite Transport Assessment was submitted to assess the impact of the three school sites on the local transport network. The Council's Highways Officer has been consulted and has raised no objections to the proposed development subject to a number of planning conditions to secure the reinstatement of existing footways including the provision or tactile paving together with details of traffic. Through the sale of the sites, it is proposed that the Council will be arranging for associated highway works consisting of the resurfacing of Glebe Road, the construction of a left-hand turn lane from Glebe Road onto Salters Lane North, the upgrading of Green Lane to the south of the Middle School site, which serves as a direct off-road link to Whinfield District Centre, 2 fully equipped pairs of bus stops and shelters for Glebe Road and Laburnum Road. In addition there will be provided improved barriers to the entrance of Skerringham Community Woodland, improved surfacing at Skerringham Community Woodland and overhead signage and an interpretation board in relation to Skerringham Community Woodland.

Trees

The application site contains a small number of trees and hedges, the majority along its southern and northern perimeter, with some along the frontage to Glebe Road. The development would result in the loss of a small number of the trees within the site, however most mature trees would be retained. The Council's Arboricultural Officer has raised some concerns in respect of the loss of some of these trees, however the loss of some tree cover within the site has been weighed against the need to consider the other objectives of the scheme, specifically to provide an acceptable frontage to the development. It is recommended that a planning condition be attached to any approval to secure the submission, agreement and implementation of a scheme to

protect the retained trees from damage, compaction or material spillage prior to and during the construction period. This is as requested by with the Council's Arboricultural Officer.

A planting and landscaping scheme will be an important element of the development to mitigate and compensate for the loss of the trees, and a submitted scheme is being considered by Council's Arboricultural Officer.

Conclusion

This proposal is one of three residential developments to be located on former school sites collectively known as Beaumont Hill School Sites. It is intended to erect 40 houses upon the site of the now demolished Middle School, leaving the old school playing fields undeveloped. It is considered that the application site lies within the established 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.

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

1. A3 Implementation Limit (3 years)
2. B4 Details of Materials (Samples)
3. B5 Detailed Drawings (Accordance with Plan)
4. J2 Contaminated Land
5. Prior to the commencement of the development hereby approved, details of a Dust Action Plan, the phasing of development, hours of construction and construction vehicle movements shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with those details.

REASON – In the interests of the amenities of local residents.

6. Prior to any part of the development being first occupied, all works identified in the approved scheme for protecting the development from both road traffic and railway noise shall be completed to the satisfaction of the local planning authority.

REASON: To protect the occupiers of the development from transport noise.

7. Notwithstanding the details shown on the approved drawings, prior to the commencement of the development, details shall be submitted, and approved in writing, to provide for the following:
 - a) The reinstatement of the existing footways on the site frontage to include dropped kerbs / tactile paving at the access and reinstatement of redundant accesses; and
 - b) Traffic calming within the development (20 MPH speed limit).
 - c) Visitor and residential parking locations to enable adoption of the former to take place.

The details as provided shall be implemented in the agreed form prior to any part of the development hereby permitted first being brought into use.

REASON – In the interests of highway safety.

8. The development shall be carried out in accordance with the submitted scheme for the provision of affordable housing contained within the “affordable rent” plans submitted as part of the development. or any other scheme which provides no less affordable housing than the Approved Scheme. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it, and which the Council has approved in writing before the commencement of the development authorised by this planning permission. The approved scheme includes :

- the numbers, type, tenure and location on the site of the affordable housing provision to made which consists of not less than 30% of housing units/bed spaces;
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing.
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON – To ensure the proposed affordable housing is provided in accordance with the Council’s Affordable Housing Supplementary Planning Document.

9. Prior to the commencement of the development hereby approved details shall be submitted of a scheme to protect the existing trees and hedges to be retained on the site, as shown on plan no. 2960/90/01/A dated January 2010. The submitted details shall comprise generally the specification laid down within BS5837: 2005 and shall include fencing of at least 2.3m high and consist of a scaffolding frame, braced to resist impacts, supported by a weld mesh wired to the uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place not less than seven days before the commencement of any construction work and the Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of construction work to allow an inspection of the measurements to ensure their compliance with the approved scheme of protection. Notwithstanding the above approved specification, none of the following activities shall take place within the segregated protection zones in the area of the trees:

- a) The raising or lowering of levels in relation to the existing ground levels;
- b) Cutting of roots, digging of trenches or removal of soil;
- c) Erection of temporary buildings, roads or carrying out of any engineering operations;
- d) Lighting of fires;
- e) Driving of vehicles or storage of materials and equipment.

REASON - To ensure that a maximum level of protection in order to safeguard the well being of the trees on the site and in the interests of the visual amenities of the area.

10. E3 Landscaping implementation.

11. E5 Boundary fencing.

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 above.

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED**Highways**

The applicant is advised that the highway works will be subject to a Sec. 38/278 Agreement (Highways Act 1980) and contact must be made with the Assistant Director: Highways and Engineering (contact Mr S Brannan 01325 388755) to discuss this matter.

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

The applicant is advised that contact must be made with the Assistant Director: Highways and Engineering (contact Mrs. B Bowles 01325 388774) to arrange for the introduction of a 20mph limit.

