

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 9 May 2012

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APPLICATION REF. NO:	12/00096/FUL
STATUTORY DECISION DATE:	14 May 2012
WARD/PARISH:	HARROWGATE HILL
LOCATION:	Harrowgate Hill Infant School Site, Thompson Street West
DESCRIPTION:	Erection of 16 No dwellings comprising 14 No houses and 2 No flats (as amended by plans received 12 April 2012 and additional information received 13 and 16 April 2012 and amended plans received 23 April 2012)
APPLICANT:	Walter Thompson Construction

APPLICATION AND SITE DESCRIPTION

The application site is L shaped measuring approximately 0.3 hectares. The site is located on the corner of Thompson Street West and Bowman Street and it was formerly occupied by Harrowgate Hill Infant School. Planning permission has been previously approved in 2007 to convert the existing school building for residential purposes and for the erection of a new build apartment block. This planning permission was never implemented and the site has subsequently been cleared. It is within a predominately residential area.

The proposal involves the redevelopment of the site for residential purposes consisting of fourteen dwellings and two apartments. The properties are a mix of detached, semi detached and terraced dwellings and they are predominately two storeys in height (apart from the dwelling on Plot 7 which is a 2.5 storey property). The properties are two, three and four bedroomed dwellings. Access to the development would be from Bowman Street and a total of twenty parking spaces would be incorporated into the layout which has been revised following discussions with Officers. The site would be owned and managed by affordable housing provider North Star Housing Group.

Prior to the submission of the application, the applicant carried out a public consultation exercise in accordance with advice contained within the Council's Statement of Community Involvement document. The comments that were received were generally positive but some concerns were raised relating to overlooking and privacy issues and concerns over the type of tenant.

PLANNING HISTORY

07/00355/FUL In May 2007 planning permission was GRANTED for the conversion of existing school building with associated demolition works to provide 14 new apartments and construction of a building to provide 22 apartments with associated on site car parking

PLANNING POLICY BACKGROUND

The relevant planning policies are:

Borough of Darlington Local Plan 1997

E2 Development Limits

Darlington Core Strategy Development Plan Document 2012

CS2 Achieving High Quality, Sustainable Design

CS3 Promoting Renewable Energy

CS10 New Housing Development

CS11 Affordable Housing

CS16 Protecting Environmental Resources, Human Health and Safety

The Government published the new National Planning Policy Framework (NPPF) on 27 March. The NPPF indicates that:

- Core Strategy policies still prevail, unless there is more than a limited degree of conflict with the NPPF provisions;
- Saved local plan policies can only be used if they are consistent with the NPPF provisions.

In this case, the relevant Core Strategy policies and saved Local Plan policies identified above and discussed below do not significantly conflict with NPPF and are consistent with all the guidance set out in the new national planning policy framework

RESULTS OF CONSULTATION AND PUBLICITY

Four letters of objection have been received and the concerns can be summarised as follows:

- *I have no objection to the site being used for houses/flats provided the following are adhered to -*
- *The properties will be sold and not rented to individuals/families on social benefits or unemployed people and sold properties must not be sub-let by owners and/or landlords - which inevitably leads to people on the dole/alcoholics/drug users etc. being put into the properties which I believe will have a negative impact on the area causing anti-social behaviour amongst other things*
- *The current level of traffic around that area is already too great for the road structure in place. There is no capacity to add another 32 vehicles (16 dwellings x an average of 2 per dwelling). Both North Road and Whessoe Road (the main routes of access) are already blocked every day at peak times.*
- *The main access being on Bowman Street is a curious idea as Bowman Street (and Crosby Street) can only just squeeze one car at a time down currently with very little give at each side.*

- *This traffic problem must have been already noticed by the Council due to it's constant tampering with the roads in the near vicinity in recent years eg No right turn onto Thompson Street West from North Road, which, incidentally, means that all new vehicles from the North would have to enter this development via the cramped, backstreets between Longfield Road and Thompson Street West. Roads that were never designed to hold even the current volume of traffic.*
- *My main concern is the possible use by contractors of the lane between 339 North Road and the Darlington Angling Centre to deliver materials and access by heavy plant and concrete hauliers. I raised this issue when the old school was demolished. My concern is the drains and water pipe below the surface of the lane. Damage to these will result in movement of subsoil by heavy loads and will damage our property. Bearing in mind these properties were built in 1901 with no foundations it is obvious to any engineer that movement could occur. The Highways Manager has visited the site and stated that in his opinion the lane was not suitable to carry heavy loads and a restriction should be applied to any further development and the site accessed from Bowman Street or Thompson Street West. After the demolition of the school and the usage of the lane for the haulage of rubble and movement of heavy plant, part of the original plaster in our hallway became loose and had to be replaced. This was possibly caused by all the vibration of the heavy traffic.*
- *My only other concern is the positioning of the windows in the proposed dwellings which will overlook our property*
- *Whilst I have no objections to this site being built on, I am concerned about the impact this will have on traffic on Bowman and Thompson Street. It seems to me that the number of planned parking spaces is far too few for the properties proposed, as many families own more than one car (especially those requiring three and four bedroomed homes). I believe that going ahead as described will inevitably lead to many additional cars being parked on Bowman Street, which is already double parked the majority of the time*

Following the submission of the amended plans, one further objection has been received raising the following issues

- *I have some concerns regarding traffic flow and congestion in connection with the new development. Currently the junction at Thompson Street West and North Road has a 'no right' turn when approaching from the North. Traffic approaching the new development from the North is more likely to use the Lawson Street/North Road junction to access Bowman Street. This junction is very congested near the co-op and very close to a crossing. It is a very busy congested junction already and access in and out can be difficult at times. In addition, the traffic approaching from the North of the new site could access from the junction of Bowman Street/Longfield Road. This top half of Bowman Street is a very narrow road with cars often parked up half way on pavements blocking pedestrian paths. Again, this has potential to cause traffic problems here*

Consultee Responses

The **Environment Agency** has raised no objections to the proposed development

Northumbrian Water has no objections to the proposed development

The **Durham Constabulary Architectural Liaison Officer** has offered advice on the proposed layout

The **Council's Environmental Health Officer** has raised no objections subject to the imposition of planning conditions relating to contaminated land, the submission of a Construction Management Plan and details of any piling foundations

The **Council's Highways Officer** has raised no objections to the proposal

The **Council's Sustainability and Climate Change Officer** has raised no objections to the proposal

PLANNING ISSUES

The main issues to be considered here are whether or not the proposal is acceptable in the following terms:

Planning Policy

Residential Amenity

Impact upon the Character and Appearance of the Surrounding Area

Highway Safety

Sustainability and Renewable Energy Issues

Flooding

Planning Policy

The application site lies within the development limits for the urban area and it would accord with Saved policy E2 of the Borough of Darlington Local Plan. Policy CS10 of the Core Strategy encourages housing development on previously developed land, and also high density developments along key public transport corridors (including North Road). The proposed development site constitutes previously developed land and accords with the policy in this respect. It is also very close to North Road and its excellent transport links. .

Developers submitting schemes of a particular scale and type usually have to agree to financial contributions to mitigate any impacts that the development may have on the locality. The contributions are secured by a Section 106 Agreement. However, in this particular case, such contributions will not be required as

- The 2012 Update to the Economic Viability of Housing Land report indicates that for a development of this size, type and density in this location in the market conditions currently prevailing, planning obligations would render the development unviable.
- The development is for affordable housing and should be encouraged in the light of local and national planning policy,
- The development is expected to be completed in the immediate future i.e. in a period when market conditions are likely to be the same as they are now, and
- The site currently performs no useful role for the local area or noticeable biodiversity function, so its change of use to housing does not require compensation

The proposal is considered acceptable in general planning policy terms and the remainder of the report will consider general development management issues.

Impact upon the Character and Appearance of the Surrounding Area

The proposed layout consists of a simple central courtyard arrangement with the dwellings located around a central area comprising of a landscaped parking area. The dwellings would be constructed from facing bricks with header course lintels, concrete roof tiles and timber doors and windows but it is considered appropriate to attach a planning condition to secure suitable

finishes for the dwellings. Each dwelling would have a pitched roof canopy over the main entrances.

The dwellings that front Thompson Street West and Bowman Street have private amenity space to the front enclosed with metal railings on a low brick wall. An existing high boundary brick wall which runs along the eastern boundary of the site would be retained but sections would be replaced to the north with a 1.8 metres high timber fence.

The type of housing within the development is predominately two storey terraced dwellings along with one detached dwelling and two semi detached dwellings.

The proposed dwellings on Thompson Street West are a continuation of the building line of the existing dwellings to the east and west of the application site in order to reflect the character of the surrounding area. This spatial relationship is also reflected onto Bowman Street.

The flatted development (Plots 15 and 16) are located on the corner of Bowman Street and Thompson Street West to create a feature within the street scene.

There is one 2.5 storey dwelling which has additional accommodation within the roof space on Plot 7, but it compliments the visual appearance of the development and offers a larger bedroomed dwelling within the development

In order to improve street surveillance on Bowman Street, a ground floor kitchen window has been inserted into the gable end of the dwelling on Plot 1

It is considered that the proposal would not have an adverse impact upon the character of the surrounding area and it would follow guidance within the Council's Supplementary Planning Document – Design for New Development

Residential Amenity

The Council's Supplementary Planning Document – Design for New Development includes the proximity distances that new developments are required to meet with existing dwellings. The dwellings that front Thompson Street and Bowman Street do not fully comply with the guidelines but it is important to assess this spatial relationship within the context of the wider street scene and the proximity distance would match the relationship between the existing neighbouring dwellings within the street.

Following discussions with Officers, the layout of Plots 7 to 10 have been amended so that the gable end, with no window openings, of the dwelling on Plot 9 faces the rear elevations of the existing dwellings on North Road and the dwelling on Plot 10 has no windows openings in its gable facing the rear elevations of the dwellings on Thompson Street West.

The dwelling on Plot 1 has been reduced from 2.5 storeys high to two storeys and rotated to face south. In order to improve street surveillance a ground floor kitchen window has been inserted into the end elevation of this dwelling. The window would overlook the front door and utility windows of the dwellings on the opposite side of Bowman Street and Officers consider that the relationship with these neighbouring dwellings is acceptable.

The relationships between the proposed dwellings and the dwellings on North Road and Thompson Street West would comply with the Supplementary Planning Document – Design for New Development.

It is considered appropriate to impose a planning condition to secure the submission of a Construction Management Plan which would consider matters such as a Dust Action Plan, hours of construction and construction vehicles movements. A suitably worded condition to retain control of methods of piling is also appropriate for a development in a residential area.

Highway Safety

The site would be accessed from Bowman Street. There would be a total of 20 parking spaces within the site predominately located within a central courtyard layout. It is considered that the traffic impact of the proposed development will be minimal and the level of car parking provision is acceptable given the close proximity of the site with North Road and its good quality public transport provision. The Council's Highways Engineer has raised no objections to the proposed development.

There will be a requirement for works within the public highway on Bowman Street and on the corner of Bowman Street and Thompson Street West to improve visibility, junction radii and provide dropped crossings and the works can be secured by the imposition of a planning condition. A Road Safety Audit will be required on all the highway works, which can also be secured by planning condition.

Whilst the proposal indicates cycle parking will be provided within the site, it is appropriate to impose a planning condition to ensure that the number and design of cycle parking stands are acceptable.

A concern raised by one of the objectors relates to the potential route of any construction vehicles to the site as this caused harm to the carriageway and to their property along the east boundary of the site when the site was being cleared. It is appropriate that the details of vehicle movements and routes and the provision of wheel washing facilities are included within a Construction Management Plan.

Sustainability Issues and Renewable Energy Issues

The Darlington Core Strategy Development Plan Document and the Design SPD sets out broad standards requiring the layout and design of new development to minimise energy consumption and maximise adaptive capacity. To help the Borough tackle climate change, developers will be expected to meet the minimum Code for Sustainable Homes Rating. It is proposed that all the dwellings on the development will aim to achieve a Sustainable Homes rating of Level 3 and a Code for Sustainable Homes Pre Assessment Report has been submitted which indicates how the rating will be achieved.

The Council's Sustainability and Climate Change Officer accepts the findings of the Report but a condition would need to be imposed to secure the submission of a Final Certificate for Code for Sustainable Homes to show that the development has been implemented in accordance with the Report.

On site provision of decentralised and renewable or low carbon sources of energy should be required to achieve a standard of between 10% and 20% of the predicted energy supply unless a developer can show that it is not feasible or viable. The applicant has submitted a Summary Report for Renewable Energy for each individual dwelling which indicates that the proposal will accord with the Core Strategy and the Design SPD. In terms of the scheme viability at this stage it is worth noting that some unknowns remain in terms of the extent and type of foundations

required across the scheme but it remains the intention of the developer to provide the required renewable energy generation to the site.

A planning condition should be imposed to allow the Local Planning Authority and the developer to discuss this position further as the design and construction process progresses

Flooding

An acceptable method of foul drainage disposal and surface water disposal would be connections to the foul sewer and public sewer network. Northumbrian Water has confirmed that there are public and surface water sewers available in the area and they have not objected to the application. The Environment Agency has raised no objections to the proposal.

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.

CONCLUSION

The application site lies within development limits identified in the development plan. The design and layout of the development has been revised to accord with the relevant policy in the development plan and the Council's Supplementary Planning Guidance Document – Design for New Development and to supplement the existing context of the street scene. 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 and the National Planning Policy Framework 2012:

Borough of Darlington Local Plan 1997

E2 Development Limits

Darlington Core Strategy Development Plan Document 2012

CS2 Achieving High Quality, Sustainable Design

CS3 Promoting Renewable Energy

CS10 New Housing Development

CS11 Affordable Housing

CS16 Protecting Environmental Resources, Human Health and Safety

RECOMMENDATION

1. A3 – Implementation Limit (Three Years)
2. B4 – Details of Materials Samples)
3. E2 – Landscaping
4. J2 – Contamination

5. Prior to the commencement of the development, precise details of secure cycle parking and storage areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details
REASON: To ensure that appropriate cycle facilities are provided within the site to the satisfaction of the Local Planning Authority
6. Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details for wheel washing, a Dust Action Plan, the proposed hours of construction, vehicle routes, road maintenance, and signage. The development shall not be carried out otherwise than in complete accordance with the approved details
REASON: In the interests of highway safety and residential amenity
7. Prior to the commencement of the development, precise details of any piled foundations shall be submitted to and approved by the Local Planning Authority. The details shall include the details of the piling method (including justification); details of vibration monitoring and a groundwater risk assessment. The development shall not be carried out otherwise than in complete accordance with the approved details
REASON: In the interests of residential amenity
8. The proposed development shall be carried out in complete accordance with the document entitled “Code for Sustainable Homes Technical Guide November 2010 – Full Technical Guide – Pre Assessment Report – Report Reference 11037” produced by Sustain 3D unless otherwise agreed in writing by the Local Planning Authority
REASON: To ensure that the development accords with the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.
9. Upon completion of the development a Final Certificate for Code for Sustainable Homes shall be submitted to and approved by the Local Planning Authority to show that the development has been carried out in accordance with condition 8.
REASON: To ensure that the development has been carried out in complete accordance with condition 8 as per the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development
10. Prior to the commencement of the development details of a scheme for the on site provision of decentralised and renewable or low carbon sources of energy to achieve a standard of at least 10% - 20% of predicted energy supply shall be submitted to and approved by Local Planning Authority. Before the development is occupied the renewable energy equipment shall have been installed and the Local Planning Authority shall be satisfied that their day to day operation will provide energy for the development for as long as the development remains in existence. Should the standard not be achievable the developer must submit a feasibility and viability Statement to the Local Planning Authority to enable the Local Planning Authority to determine whether or not the standard should be reduced or waived
REASON: To ensure that the development accords with the Darlington Core Strategy Development Plan Document 2011 and the Supplementary Planning Document – Design for New Development.

11. Prior to the commencement of the development, details of a priority habitat as identified within the Tees Valley Biodiversity Action Plan to be created within the application site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: To increase the biodiversity of the site in accordance with the Supplementary Planning Document – Design for New Development.

12. Prior to the commencement of the development, precise details of works within the public highway on Bowman Street and Thompson Street West shall be submitted to and approved in writing by the Local Planning Authority. The details include dropped kerbs, tactile paving, improvements to visibility splays on Bowman Street and improved junction radii at Bowman Street and Thompson Street West. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: In the interests of highway safety

13. Notwithstanding the details shown on the approved plans, precise details of a cycle parking area shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location of the area and the number of design of the cycle stands. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON: To ensure that an acceptable level of cycle parking is provided on site.

14. A Road Safety Audit shall be shall out for all works within the public highway and the details shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development

REASON: In the interests of highway safety

15. Detailed Drawings (Accordance with Plan)

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 has been revised to accord with the relevant policy in the development plan and the Council's Supplementary Planning Guidance Document – Design for New Development and to supplement the existing context of the street scene. 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 and the National Planning Policy Framework 2012:

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CS10 New Housing Development

CS11 Affordable Housing

CS16 Protecting Environmental Resources, Human Health and Safety

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

Highways

The applicant is advised that highway works on Bowman Street/Thompson Street West will be the subject of a Section 278 Agreement (Highways Act 1980) and an agreement under Sec.38 of the Highways Act 1980 is likely to be progressed for the internal access road. Contact must be made with the Assistant Director: Highways, Design and Projects (contact Mr.S.Brannan 01325 388755) to discuss this matter.

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