

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 20 October 2010

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APPLICATION REF. NO:	10/00651/FUL
STATUTORY DECISION DATE:	15 December 2010
WARD/PARISH:	MOWDEN
LOCATION:	Edgecombe Drive, Darlington
DESCRIPTION:	Temporary site compound and welfare facilities for construction of sewerage scheme, including car parking and vehicular access from Staindrop Road (Amended Plans Received 4 October 2010).
APPLICANT:	Northumbrian Water Limited

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the erection of a temporary construction site compound and welfare facilities, including car parking. The application site consist of Council owned public open space to the west of Edgecombe Drive and to the south of Staindrop Road.

The temporary site compound is required to service works to upgrade the existing sewer network in the area of Milbank Road, Cleveland Avenue, Piermont Crescent, Barlow Street, Woodland Terrace and Boyes Hill Grove. This is part of Northumbrian Water's programme of investment to remove the risk of flooding to properties.

The use of the site compound would be for site offices, secure storage, canteen and toilets. The site compound would be enclosed with steel mesh fencing which would be 2m in height with access through security gates.

Vehicular access to the compound would be from Staindrop Road with a tarmac access road. Ten temporary car parking spaces would be provided for the duration of the construction works. These spaces would be within the compound.

The site compound would be approximately 30m by 60m and would be set some 12m south of Staindrop Road and over 100m west of Edgecombe Drive. The rear elevations of properties on Parkland Drive (off Edgecombe Drive) would be some 27m at their closest to the site of the proposed compound.

The works for which the site compound is required are scheduled to start in November 2010 and to be completed by April 2011.

In the Design and Access Statement submitted with the application it is stated that a feasibility study was carried out which identified possible options for the upgrading of the combined sewer

system. The effectiveness of these options was assessed for whole life cost, impact on third parties, buildability, space to build and hydraulic performance.

The preferred site for Northumbria Water was on open land adjoining Carmel Road North (to the east of Cardinal Gardens). A planning application was submitted (Ref: 10/00466/FUL) for a temporary site compound and permission was refused at the Committee meeting on 25 August 2010. The reason for refusal was in relation to concerns regarding highways safety in light of the already congested nature of the surrounding streets in the area.

The site of this application has been selected as it was also suitable for Northumbrian Water (though not their preferred site) and as it was felt that this site was less constrained regarding traffic and congestion.

The actual number of vehicles regularly using the proposed compound cannot be confirmed until after the award of the contract as this will be subject to the travel arrangements used by the successful contractor. It has, however, been advised that the following regular vehicles may be anticipated:

- Site Manager (one car)
- Site Engineer (one car)
- Site Foreman (small van)
- Site Operatives (6 to 8 vehicles – cars / small vans)
- Small dumpers for movement of materials and equipment to working sites (3 vehicles anticipated).
- Site Supervisor (one car – daily visit, for part of the day)
- Contract Manager (one car - visit 2 / 3 times per week, for part of day)
- NWL Project Manager (one car - occasional visits for part of the day)

The number of operatives on the site will depend on the logistics employed by the successful contractor. However, current available information indicates that the contractor would utilise three gangs, each comprising up to five operatives. Operatives will generally return to the compound for a morning break, typically 10.00 am – 10.20 am and lunch break, typically 1.00 pm – 1.30 pm. During the day, the Site Manager, Site Engineer and Site Foreman will make visits to the working areas. The frequency and duration of visits will depend on what work is being undertaken on a particular day.

The following type of plant vehicles may also be anticipated:

- Hiab type flat bed wagon(s) for delivery of site cabins and temporary fences
- JCB 3C type excavator for establishment and removal of site compound
- Self-loading skip wagon for delivery and collection of skips for recycled materials.
- Tipper wagons for delivery of stone for construction of site compound and removal on completion
- Hiab type flat bed wagon(s) and or small flat bed wagons for delivery of small plant and materials.
- Small dumpers for movement of materials and equipment to working sites

The following materials will pass through the site compound:

- Type 1 stone to provide a hard surface within the compound – to be removed on completion of the scheme
- Concrete flags to provide safe pedestrian access between the cabins
- Bulk bag deliveries of sand
- Bagged cement on pallets
- Pallets of bricks
- Manhole covers and frames
- Re-cycled materials in skips and general rubbish
- Small diameter pipe work and pipe fittings

The majority of deliveries will be directly to the appropriate working areas. Some materials, such as pallets of bricks and manhole covers, which cannot be conveniently stored at the point of use, will be delivered to the proposed site compound and stored there. The timing of these deliveries will be determined by the Contractor. Materials stored within the site compound will be collected in a small vehicle, van or dumper, for delivery to the appropriate location. The timing of vehicle movements will be subject to the progress on construction.

Large pipes and other bulky construction materials will not be delivered to the proposed site compound. These materials will be delivered directly to the appropriate working areas and off-loaded where they will be used. The size of plant required to construct the works (excavation and pipe laying) is such that it will be delivered directly to the point of use and will be serviced /maintained in that location.

A number of large deliveries will be required when establishing the compound and on removal and reinstatement. These will include rigid flat wagons / hiabs delivering the offices, stores and welfare units. The timing of these deliveries will be arranged to minimise the impact on the nearby residents.

Electricity would be provided by generators through the day with a night-time intruder alarm security system powered by a battery supply.

The application has been amended from the original submission to move the compound further from the residential properties on Parkland Drive and also a separate vehicular access off Edgecombe Drive is no longer proposed.

PLANNING HISTORY

There is no planning history associated with this application.

PLANNING POLICY BACKGROUND

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

E12 – Trees and Development

E29 – The Setting of New Development

E46 – Safety and Security

H15 – The Amenity of Residential Areas

T24 – Parking and Servicing Requirements for New Development

Planning Policy Guidance 17: Planning for Open space, Sport and Recreation (2002) is relevant to the application.

The Council's Open Space Strategy (2007) is also relevant to the application.

RESULTS OF CONSULTATION AND PUBLICITY

Letters were sent to neighbouring properties advising of the proposed development and a site notice was also displayed. Neighbours were re-consulted following the amended plans and a new site notice was displayed. At the time of writing, eight objections have been received and the points raised are summarised below:

- *The proposed sewerage scheme does not affect the immediate area.*
- *It seems incredible that the Planning section is suggesting placing this compound next to houses in Parkland Drive, surely there is a more appropriate site further along Staindrop Road say at the bottom of Swale dale Avenue or Staindrop Crescent.*
- *There are closer and more suitable sites which should be considered, notably the tennis courts in Woodland Road, land which was used for the last work on sewerage and anti-flooding measures in the area.*
- *Last time during phase 1 the tennis courts sited on Woodland Road were used as the site compound, why can it not be used again?*
- *The site would be better if on the north side of Staindrop Road.*
- *I have lived in Edgecombe Drive for forty years and have always understood that the proposed site is greenbelt land and cannot be built on. It is a major open-space and recreational facility used by many people, an area of beauty which should be preserved.*
- *The suggested site is located on the green zone used by children and persons exercising their dogs.*
- *The land upon which the proposed site is situated is a public space well used by residents from the estate and as such would detract from the area considerably. The area has just been landscaped following another set of repair work and this appears to be build over that set of works.*
- *We in Parkland drive will have to suffer disturbance for works to be done in the Pierremont area.*
- *The proposed site is far too close to the last bungalow on Edgecombe Drive before Staindrop Road and far too close to the backs of the houses in Parkland Drive.*
- *The proposed site is adjacent to land in the residential occupation of senior citizens and the noise and disturbance would be unacceptable to residents particularly at weekends and out of office hours.*
- *The disturbance and noise from the proposed site would be detrimental to the health and safety of senior citizens.*
- *In the recent past Northumbrian Water did some work on this space and I would question whether it can be justified to again disrupt the peace and quiet of the area.*
- *The proposed compound is too near to houses in Parkland drive. My house and garden is very near to the proposed boundary fence. The constant noise and intrusive security lighting would be intolerable.*
- *It is hard to understand why this site has been chose, squeezed against the gardens of properties on both Parkland Drive and Edgecombe Drive.*
- *This development will cause a potential increase in vandalism to nearby property. Over the years I have lived here there has been much vandalism caused by youths from*

Branksome Estate using Edgecombe Drive as a through-route to the Mowden shops area.

- *This development will cause an increase in traffic and attendant noise.*
- *The entrance is too close to a well used junction and also where buses stop and passengers disembark, the majority being senior citizens.*
- *The site is too far away and will be dangerous due to the amount of traffic.*
- *There have already been accidents caused by speeding.*
- *The proposed access is upon a major thoroughfare to the north and west for persons exiting the Mowden estate to go the town centre, Cockerton and towards Walworth.*
- *The road is narrow and unsuited to heavy usage by commercial vehicles.*
- *The proposed entrance is only a few yards from a well used junction and will give an inadequacy of turning.*
- *The construction of a works traffic road at the busy entrance to this residential estate would add to traffic congestion with resulting danger.*
- *The proposed site entrance is where buses alight with their passengers.*
- *This development will cause an increased parking problems.*
- *Over the years there have been a number of road traffic accidents, some serious, at the junction of Edgecombe Drive and Staindrop Road. This proposed site would increase that danger.*
- *The suggested building seems to be more of a permanent structure rather than temporary.*
- *If the council is still minded to consider granting the application, despite the objection, then a condition that it not be used except between the hours of 8.30a.m. and 5pm. Mondays to Fridays and no working on Saturdays, Sundays or Bank Holidays would make this temporary usage a little more tolerable.*
- *The contractor has promised to reinstate the site to its original state. I cannot accept that this will happen. Following works carried out by Northumbria Water on this very spot this year, full reinstatement was not carried out.*
- *This even though temporary is totally out of character for the area.*
- *The site has been known to flood.*
- *Disturbance to birds and wildlife is also a factor.*
- *Once a road is there it could set a precedent for future use of this strip of land for similar projects.*
- *The proposal could result in subsidence caused by works traffics.*

The **Highways Officer** raised no objection to the proposal providing conditions are imposed on the grant of any planning permission so that the exact specification of the proposed vehicular access can be agreed.

The **Arboriculture Officer** commented that tree protection measures will be required.

The Council's **Greenspace Manager** has commented that it is desirable for the site to be enhanced to provide a wildflower meadow rather than just reinstated to its current condition when the temporary use as a compound has ceased.

PLANNING ISSUES

The main issues to be considered here are whether or not the proposed temporary compound on the site to the south of Staindrop Road is acceptable in the following terms: Planning Policy;

Residential Amenity; and Highways Matters. The application needs to be considered on its own merits rather than in contrast to other potential sites which may or may not be suitable.

Planning Policy

National Planning Guidance Note 17 (Planning for Open Space, Sport and Recreation) 2002 states that the recreational quality of open spaces can be eroded by insensitive development or incremental loss of the site. In considering planning applications - either within or adjoining open space - local authorities should weigh any benefits being offered to the community against the loss of open space that will occur.

The proposal would be for the temporary use of part of an area of open space. The temporary nature of the proposal can be controlled via planning conditions as can the reinstatement of the area of the land used.

Policy E3 (Protection of Open Land) is relevant to the application as it is proposed as being constructed on open land. This Policy states *inter alia* that permission will not be granted for development which harms the visual relief, character and openness afforded by open space or the provision for informal recreation.

Policy 2 of the Council's Open Space Strategy (2007) states that locally important open space will be protected and managed to meet the sport and recreational needs of local people close to where they live and to maintain and enhance the visual amenity, biodiversity and local distinctiveness of the Borough.

The area of open space is used for informal sport and recreation. This could still take place even with part of the site used for the proposed temporary compound. The temporary nature of the proposal is such that the long term visual amenity of the area will not be harmed.

As part of the scheme for the reinstatement of the site the Estates and Countryside Teams of the Council are trying to secure agreement with NWL to enhance the site to provide a new species rich wildflower meadow. A condition requiring details of the restoration and enhancement would, therefore, be required should planning permission be granted.

Policy E12 (Trees and Development) of the Local Plan states that development proposals will be required to take full account of trees adjoining the site. A condition could be placed on any permission requiring details of tree protection measure during the construction of the site compound.

Policy E29 (The Setting of New Development) of the Borough of Darlington Local Plan ensures that new development will respect the character of its setting in terms of siting, design, materials and landscape. Policy E46 (Safety and Security) requires that new development will reduce opportunities for crime whilst creating a safe and secure environment. The site compound would be a temporary addition to the area and following the completion of the works to upgrade the sewers would be removed. The site compound would appear as a temporary feature and would not, in these circumstances, have a significant detrimental impact in relation to visual amenity. The compound would feature steel mesh fencing and a security system, whilst the security of any such temporary compound (or any other building) cannot be guaranteed, issues of safety and security have been considered by the applicants.

Residential Amenity

Local Plan Policy H15 (The Amenity of Residential Areas) states that permission will not be granted for the establishment, enlargement or material intensification of non-residential uses, which would unacceptably conflict with the amenities of surrounding residential areas. The nearest residential properties are located some 20m from the location of the proposed site compound. Due to the separation distances from neighbouring properties the proposal would not be likely to result in any significant detrimental impacts with regard to residential amenity and the compound is only required for a temporary period.

The definitive hours for daily operation of the proposed compound have not been specified in the application, a condition restricting the hours of operation would be appropriate to ensure that noise nuisance is minimised. A condition restricting usage of the site between the hours of 8.00 am to 6.00 pm (Monday to Saturday) and not on Sundays or Bank Holidays would be appropriate.

Highways Matters

Policy T24 (Parking and Servicing Requirements for New Development) identifies that appropriate space for vehicle parking should be provided within the site. The Highways Officer 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 compound is required to facilitate works to upgrade the sewers in the west of Darlington to help prevent the risk of flooding. The temporary nature of the proposal can be ensured by condition. The proposal is acceptable for a temporary period and will not cause significant harm the area of open space during its operation. The Highways Officer has raised no objections to the proposal. The proposal would not result in any significant detrimental impacts in relation to residential amenity.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The permission hereby granted shall be for a limited period expiring on 31 July 2011 when the use shall cease.

Reason – The site compound hereby approved is only required for a temporary period.

2. Within one month from the date of commencement of the use of the site compound hereby permitted a scheme and programme providing for the restoration and enhancement of the site including a wildlife meadow shall be submitted to the Local Planning Authority, for approval in writing. The scheme and programme shall be implemented within one month following cessation as defined by this permission.

Reason – To provide for the completion and final restoration and enhancement of the site in the interest of the visual amenity of the area and to improve the biodiversity of the area.

3. Prior to the commencement of the development hereby approved, details shall be submitted of a scheme to protect the trees adjacent to the site of the proposed compound. The submitted details shall comprise generally the specification laid down within BS 5837 and shall include fencing of at least 2.3m height, consisting of a scaffolding frame braced to resist impacts, supported by a weldmesh wired to uprights and horizontals to dissuade encroachment. The agreed scheme of protection shall be in place before the commencement of any work, including demolition operations. The Local Planning Authority shall be given notice of the completion of the protection works prior to the commencement of any work to allow an inspection of the measurements to ensure compliance with the approved scheme of protection. Notwithstanding the above 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) Erecting 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.

4. No development shall commence until the details and the specification of the proposed vehicular access and a scheme to protect the proposed cycleway along Staindrop Road have been submitted to and approved by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details.

Reason – In the interests of highways safety.

5. The temporary compound hereby permitted shall not be constructed or be in operation outside the hours of 8.00 am to 6.00 pm Monday to Friday and not at all on Sundays or Public Holidays.

Reason - In the interests of the amenities of the occupiers of adjacent residential premises.

INFORMATIVE

The applicant is advised that works are required within the public highway to construct temporary access and contact must be made with the Assistant Director: Highways and Engineering (contact Mr.A.Ward 01325 388743) to discuss this matter.

Suggested summary of reasons for granting planning permission

The proposed temporary site compound is considered acceptable and will not cause significant harm to the character and appearance of the area. The proposal has no significant impacts in terms of residential amenity. The proposal does not adversely impact on highway safety. No significant issues are raised in relation to crime prevention. The proposal is considered acceptable in light of the following Policies of the Borough of Darlington Local Plan 1997:

E3 – Protection of Open Land

E12 – Trees and Development

E29 – The Setting of New Development

E46 – Safety and Security

H15 – The Amenity of Residential Areas

T24 – Parking and Servicing Requirements for New Development