

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 21st September 2016

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APPLICATION REF. NO:	16/00686/FUL
STATUTORY DECISION DATE:	21st September 2016
WARD/PARISH:	CENTRAL
LOCATION:	Alexander Street, Darlington
DESCRIPTION:	Erection of 66 affordable dwellings plus internal roads, car parking and landscaping.
APPLICANT:	Partner Construction Limited

APPLICATION AND SITE DESCRIPTION

This site is owned by the Council and it is proposed to develop the land, some maintained, other areas not, with a mixture of two and three bedroomed terraced and semi detached affordable rent homes.

The site area is approximately 2.62ha and lies Northeast of Darlington Town Centre, with the main access off Houghton Road via Alexander Street. The proposed development site is the former Houghton Road Brickworks. The northern part of the site is now an open field with the majority of the middle and southern parts covered with dense vegetation. Fuel tanks were buried in the site area and it is contaminated with Giant Knotweed.

The northern boundary backs onto an access road which links Alexander Street and Throstlenest Avenue. Along the eastern boundary there are existing dwellings backing onto the northern part of the site as well as a three storey apartment building. The southern boundary is lined with trees and hedges which are to remain as this forms a buffer from the B6279 beyond. To the north west of the site is Alexander Street where the access to the development site is proposed, existing dwellings off Alexander Street front onto the site in this location. Further south on the western boundary is a grass mound with existing dwellings off Wolsingham Terrace backing onto the site.

It is proposed to develop 66 two and three bedroomed houses on 2.62 hectares of land, some of which is contaminated and will be allocated as open space.

The Council's SHLAA promotes this site as suitable for residential development.

PLANNING HISTORY

No relevant planning applications received recently, but permission granted for residential and industrial development over 20 years ago.

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 5 local residents highlighting the following issues :

- Loss of open space used by walkers.
- Alexander Street cannot cope with 66 more houses worth of traffic
- Land is polluted so cannot be developed

Durham Bird Club – Concerned over impact on local bird species from loss of habitat.

Environmental Health Officer – Recommends approval subject to conditions relating to Noise attenuation, in particular for properties adjacent the concrete batching plant. Suggests relocating acoustic fence for the road to a different location for greater efficacy.

Concerns over potential groundwater contamination from petrol storage tanks now removed.

Ecology Officer – Has liaised with applicants in relation to removal of the Knotweed which has to take place before the end of September to ensure proper eradication.

Northumbrian Water – No comments received.

Lead Flood Authority – Suggests conditions be attached relating to the submission of details of surface water disposal.

The Highways Engineer – Considers that the development will not cause problems in terms of traffic generation on the surrounding road network. Satisfied in general with the proposed road layout and configuration but has asked for some changes to detail.

Environment Agency – Comments awaited relating to ground water contamination issues.

Sustainable Transport Officer – Generally happy with the proposals subject to some minor additions to the layout to facilitate better cycle access to the existing road network.

PLANNING ISSUES

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

- Visual Amenity
- Residential Amenity
- Highway Implications : and
- Land Contamination

Visual Amenity

It is proposed to develop an area of open land, some maintained, other areas not, with a mixture of two and three bedroomed terraced and semi detached affordable homes. The proposed density of the development is 34 dwellings per hectare which accords with Council policy and reflects the higher density of existing terraced properties nearby.

External materials will be a variety of red brick together with dark grey and red roof tiles. Again this will be in line with existing properties nearby.

Open space will be retained on the west of the site, and further open space will be provided to the east. which will include a sustainable drainage facility. Whilst the total area of open space will be reduced as a result of the development, the quality of the open space will be an improvement on the current situation where, for example, fly tipping is taking place.

A comprehensive landscaping scheme has been submitted which together with the substantial existing tree/shrub screening to the south of the site will help the development assimilate into the locality.

The existing site is allocated in part as open land although its quality is noted as not being of high quality and “lacking multifunctionality”. Whilst its loss may be seen to conflict with Policy E3 (Open Land) , it is considered that the current proposals will result in better quality (albeit less) open space which can better benefit the local community.

The southern part of the site is also allocated as employment land (the old now cleared brickworks) but the site is not well located for employment use so its development for residential purposes is seen as more appropriate and in line with the National Planning Policy Framework.

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

The layout of the site has taken into account the disposition of existing terraced properties in the locality. The back alley behind the Haughton road properties forms a useful barrier between the existing and proposed development, and open space separates the development from properties on Alexander Street. Gardens separate the development from Throstlenest Avenue properties.

Issues have been raised regarding the impact of the nearby concrete batching plant and B6279 road adjoining the site. The Environmental Health Officer has studied the noise report submitted with the application which accepts there will be likely to be impacts on the amenities of residents in new dwellings abutting these existing features. Mitigation measures have been suggested by the applicants and the Environmental Health Officer has agreed that these measures should be effective and that a condition should be imposed on any planning permission to ensure they are carried out.

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.

The off street car parking shown on the submitted plans should assist in keeping parked cars off the highway as much as possible, and it is intended that a 20mph speed limit be imposed throughout the estate.

Land Contamination

Concerns have been raised by local residents and officers regarding land contamination arising from previous uses taking place on the site, in particular fuel storage and brick workings. The Environment Agency at the time of writing are examining the applicant's submissions in this respect and will have recommendations for Members to consider in time for the Meeting.

The site layout has taken into account the location of the fuel tanks and old clay pit and avoids dwellings being sited in these locations.

Section 106 Matters

As the proposals are for 100% affordable housing the normal S106 provisions are not being invoked in this instance. The affordable housing will be secured through the land contract as the Council is currently the owner of the land.

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) The noise mitigation measures outlined in Environoise Report Ref: 20481R02PKmdw submitted in support of the application, or equally effective measures agreed in advance with the LPA, shall be completed prior to any part of the development hereby permitted being first occupied. These mitigation measures include an acoustic barrier between the proposed houses and the B6279, a further acoustic barrier between the proposed houses and the concrete batching plant, and glazing specifications for windows in dwellings which conform to or exceed the standards set out in Table 8.1 and Figure 8.1 of the report.

REASON – In the interests of residential amenity.

- 4) Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following:
 - a) Dust Assessment Report which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management “Guidance on the assessment of dust from demolition and construction” February 2014.
 - b) Methods for controlling noise and vibration during the construction phase and shall take account of the guidance contained within BS5228 “Code of Practice for noise and vibration control on construction and open sites” 2009.
 - c) Construction Traffic Routes, including parking areas for staff and visitors.
 - d) Details of wheel washing.
 - e) Road Maintenance.

- f) Warning signage.
- g) Contact details for a site manager who can be contacted by residents in the event of complaints.

The development shall not be carried out otherwise in complete accordance with the approved Plan.

5) Construction work, including the delivery of materials and the removal of waste from the site shall not take place outside the hours of 08.00 - 17.00 Monday - Friday, 08.00 -13.00 Saturday with no working on a Sunday and Bank/Public Holidays without the prior written permission from the Local Planning Authority.”

6) 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.

7) Before development takes place details shall be submitted to and approved in writing by the Local Planning Authority relating to the following :

- Details of works to be carried out within the public highway along Alexander Street.
- Details of dwelling driveway spaces in accordance with the Tees Valley Design Guidance.

8) The development hereby approved shall not be commenced on site, until a scheme of ‘Surface Water Drainage and Management’ for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, The scheme shall include but not be restricted to providing the following details;

- I. Detailed design of the surface water management system
- II. A build program and timetable for the provision of the critical surface water drainage infrastructure
- III. A management plan detailing how surface water runoff from the site will be managed during construction Phase
- IV. Details of adoption responsibilities;
- V. Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;

The buildings hereby approved shall not be brought into use until the approved ‘Surface Water Drainage’ scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

REASON - To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

9) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment & Surface Water Management Strategy dated April 2016 report no 4175/FRA01

REASON - To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

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.