

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 7 April 2010

Page

APPLICATION REF. NO:	10/00017/DC
STATUTORY DECISION DATE:	15 April 2010
WARD/PARISH:	HAUGHTON WEST
LOCATION:	Site of former Springfield Primary School
DESCRIPTION:	Erection of 34 No. dwellings
APPLICANT:	Director of Corporate Services

APPLICATION AND SITE DESCRIPTION

The application site measures approximately 0.64 hectares in area and is situated on the site of the former Springfield Primary School on the west side of Salters Lane South in a predominantly residential area and in close proximity to the Haughton Education Village and Haughton Village itself. There is a small indent to the north of the site, which is the site of the former health clinic. To the south and south west of the site is a large expanse of open space together with the playing fields previously associated with the school.

As originally submitted the application comprised a residential scheme of 16 flats, 6 semi-detached houses and 12 terraced houses providing 34 dwelling units in total.

The amended scheme would comprise of the following elements: -

- 18 flats in one 2.5 storey block
- 4 two storey semi- detached houses
- 12 terraced houses

The development would be designed to Code for Sustainable Homes Level 3 for flats and Code 4 for houses and includes the installation of photovoltaic and solar panels.

A new vehicular access would be formed off Salters Lane South to serve the development. Parking provision is made for 47 vehicles with the scheme. A pedestrian access link is provided with Belsay Walk (to the north) affording a through route for residents of the existing housing estate to Salters Lane South.

The following supporting documents are submitted with the application: -

- Design and Access Statement
- Extended Phase 1 Habitat Survey
- Phase 1 Geo-environmental & Geotechnical Desk Study
- Flood Risk Assessment
- Archaeological Appraisal

In accordance with the guidelines contained in the Council's Adopted Statement of Community Involvement, public consultation has been undertaken by way of a presentation at the Education Village on the afternoon/ evening of 16 December 2009. A total of 16 persons attended. In general the redevelopment of the site for social/ affordable housing was well received. However no such exercise has been undertaken in respect of the revised scheme due to time constraints.

PLANNING HISTORY

The site has a lengthy planning history relating to various alterations and extensions to the former school buildings. Subsequent to the demolition of the school buildings a planning permission has been granted for residential development of 78 No. dwellings on the current application site and adjoining land (Application Ref: 07/01221/FUL).

PLANNING POLICY BACKGROUND

The starting point for considering the proposal is the statutory development plan. The relevant parts in respect of the proposed development are as follows:-

RSS: The North East of England Plan, Regional Spatial Strategy to 2021:

- Policy2 - Sustainable Development
- Policy 4 - The Sequential Approach to Development
- Policy 24 – Delivering Sustainable Communities
- Policy 29 - Delivering and Managing Housing Supply
- Policy 30 - Improving Inclusivity and Affordability
- Policy 35 – Flood Risk
- Policy 38 – Sustainable Construction

Saved Policies of the Borough of Darlington Local Plan:

- E2 - Development Limits
- E3 - Protection of Open Land
- E11 - Conservation of Trees, Woodlands and Hedgerows
- E12 - Trees and Development
- E14 - Landscaping of Development
- E15 – Open Land in New Development
- E23 – Nature and Development
- E16 - Appearance from Main Travel Routes
- E25 – Energy Conservation
- 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
H14 - Accessible Housing
R1 - Designing for All
R13 - Recreation Routes and New Housing Development
T11 - Traffic Calming – New Development
T12 - New Development – Road Capacity
T13 - New Development - Standards
T24 - Parking and Servicing Requirements for New Development
T31 – New Development and Public Transport
T37 – Cycle Routes in New Development
T39 – Conditions for Pedestrians

National Planning Policy

Parts of the following Planning Policy Statements are material considerations:

PPS1 – Delivering Sustainable Development
PPS3 - Housing (2006)
PPS23 – Planning and Pollution Control
PPS25- Development and Flood Risk

Other Council Planning Guidance

Affordable Housing
Darlington Open Space Strategy 2007 -2017

RESULTS OF CONSULTATION AND PUBLICITY

Natural England has not raised an objection to the proposed development but has requested two conditions to any grant of planning permission. The first is a condition that the development be carried out in accordance with the mitigation strategy outlined in the ecological report. The second condition seeks the biodiversity enhancement recommendations set out in the report to be implemented.

CE Electric UK has raised no objections.

Northern Gas Networks has no objections to the proposed development.

Northumbrian Water has raised no objection to the proposed development but requested a condition requiring the submission of surface water disposal details to any approval.

Environment Agency has requested conditions requiring the submission of a surface water drainage scheme (based on sustainable drainage principles) to be submitted together remediation strategy for any unsuspected land contamination.

The Police Architectural Liaison Officer's comments on the revised scheme have not been received at the time this report was written. Any comments will be reported verbally by officers at the Planning Committee.

The Council's Environmental Health Officer has requested the imposition of the standard condition in respect of contamination and a condition controlling the hours of construction work.

The Council's Senior Arboricultural Officer has expressed concern that the tree will suffer root tissue loss and compaction to further roots and that the canopy will require pruning which may miss shape the tree and create problems with future residents of the proposed apartments nearby. He has commented that the scheme preferably should have accommodated the retention of the trees on the periphery of the site.

The Council's Highways Engineer has been consulted and has raised no objections to the proposed development subject to an amendment requiring the provision of a cycle link between the site and Belsay Walk. Improvements are also sought to the existing footways on the site frontage, provision of cycle parking for occupiers of the flats, and a 20 mph speed limit within the site, which can be secured by conditions.

PLANNING ISSUES

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

- Planning Policy
- Residential Amenity
- Design and Layout
- Trees
- Ecology
- Flood Risk and Surface Water Management
- Ground Conditions
- Archaeology
- Highway Issues

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)

The Tees Valley Strategic Housing Market Assessment identifies a need for 626 affordable dwellings per annum in Darlington, the second largest affordable housing shortfall in the Tees Valley, exceeding the Borough's annual requirement for new housing set out in the RSS. The application is for 34 affordable dwellings, which will help address, the moderate affordable housing need identified in the northeast urban area, consistent with the Council's adopted Affordable Housing SPD.

The site provides for a good mix of type and tenure of affordable dwellings to meet identified local needs (policy H9) but must also be consistent with the criteria set out in policy H11 of the Local Plan which are covered in the following sections of this report.

The application site 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, consideration is

given to the impact of that development on the whole of the open land system 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 this section of the site housed the former school buildings and itself provided limited visual relief and public recreational value.

Open Space Strategy Policy 6 requires 6.5ha open space per 1000 people in the urban area. Although the development of this site represents a loss of 0.64ha of open space the provision is low value and sufficient high quality open space for a range of informal and formal recreation exists in the locality to meet the current and future population's needs.

The site provides for 34 dwellings; exceeding the threshold for provision from new development for open space and contributions to children's play equipment. However, the development will be funded by the Homes and Communities Agency and the Council's annual Housing Capital Investment Programme to help meet a specific identified need for affordable housing. Consequently it is considered that there are exceptional circumstances in this instance to set aside these requirements, which could otherwise render the scheme unviable.

Residential Amenity

Policy H11 (Design and Layout of New Housing Development) sets out a number of criteria against which new housing development must be assessed, which relate to the need to provide an attractive and safe environment, adequate privacy standards in rooms and gardens, the relationship of the proposed dwellings with existing dwellings, car parking standards and safe pedestrian access.

The proposal is considered to be acceptable in respect of its impact on the residential amenities of existing properties and meets the generally accepted distances of 21m in all instances. Internally, the layout of the development is considered to provide an acceptable residential environment for the future occupiers of the proposed scheme.

It is not considered that there will be any issues regarding overbearing impact or overshadowing and loss of light to neighbouring gardens.

Overall, it is considered that the proposed development 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.

Design and Layout

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 mix of detached, semi-detached and terraced two storey properties.

In the main the form and layout of the proposed development generally reflects that of the surrounding area. Similarly the external finishes of the dwellings are typical of materials used in the construction of existing properties in the locality. The proposed 2.5 storey apartment

buildings fronting onto Salters Lane South are considered to provide a strong architectural statement and an acceptable variation in scale to the surrounding development.

Overall, the proposal is considered to be acceptable in respect of its impact on the visual amenities of the locality.

Trees

The site contains a limited number of trees most of which are situated along the frontage with Salters Lane South. The trees are of broad-leaved species and in the main are young or semi mature comprising horse chestnut, cherry, whitebeam, sorbus and white poplar. The scheme as proposed would involve the removal of almost all of the trees although it is proposed to retain the single white poplar, which is a mature specimen. However the Council's Senior Arboricultural Officer has expressed concern that the tree will suffer root tissue loss and compaction to further roots and that the canopy will require pruning which may miss shape the tree and create problems with future residents of the proposed apartments nearby. He has commented that the scheme preferably should have accommodated the retention of the trees on the periphery of the site. Nevertheless, it is not considered that the loss of the trees is sufficient grounds to justify refusal of planning permission for the development of the site for affordable housing. Furthermore, careful consideration of the landscaping scheme with consultation with the Council's Arborist will ensure some mitigatory planting of appropriate species to enhance and soften the development.

Ecology

An ecological survey has been undertaken by consultants engaged by the applicant, which concludes that the ecological value of the habitats within the site is low but some of the habitats are worthy of retention such as existing hedgerows and trees. As explained in the previous section much of the existing tree planting and also the intermittent hedgerow along the boundary with Salters Lane will be lost. However compensatory tree and hedgerow planting can be secured through a condition. The ecological report also recommends biodiversity enhancement. Such measures can be incorporated within a general landscaping condition. A number of mitigation measures are incorporated in the report to safeguard protected species and breeding birds, should any be encountered on the site. As mentioned previously English Nature has no objection to the development subject to a condition that the development be carried out in accordance with the mitigation strategy outlined in the ecological report.

Flood Risk and Surface Water Management

The site is situated within Flood Risk Zone 1 and is therefore at low risk of flooding. The Environment Agency has advised that surface water drainage associated with the development should be disposed of by means of sustainable drainage means. Northumbrian Water has raised no objections to the development on grounds of either surface or foul water drainage but has similarly requested details of surface water to be submitted which can be achieved by way of a condition.

Ground Conditions

A Phase 1 Geo-environmental & Geotechnical Desk Study has been submitted with the application, which indicates that there may be a potential risk of contamination on site associated with its previous use. Made ground has been identified on the site consisting of building rubble from the demolition of the former school buildings and may contain metals and possibly asbestos. The report therefore recommends more intrusive ground investigation to establish the risks of contamination. Consequently, the Council's Public Protection Division has requested the imposition of the standard contamination condition.

Archaeology

The archaeological appraisal accompanying the application indicates that no recorded archaeological remains within the site and limited evidence from its surroundings. It concludes that the potential for encountering archaeological remains within the site are low. The Durham County Council Archaeological Department has been consulted on the application but at the time this report was written their views had not been received. Any comments they have to make will be reported verbally at the Planning Committee.

Highway Matters

The Council's Highways Engineer has raised no objections to the proposed development subject to an amendment requiring the provision of a cycle link between the site and Belsay Walk. Improvements are also sought to the existing footways on the site frontage, provision of cycle parking for occupiers of the flats, and a 20 mph speed limit within the site, which can be secured by conditions.

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.

Although the proposal represents a loss of open space, the provision is low value and sufficient high quality open space for a range of informal and formal recreation exists in the locality to meet the current and future population's needs. In addition the loss of open space provides for 34 affordable housing units to help address an identified need in the Borough. The scheme will provide for a mix of property type, designed to Code for Sustainable Homes level 3 and 4. Under these circumstances the loss of open space is acceptable to address the wider sustainability issues of the Borough's community.

The design and layout accords with the relevant policies in the development plan. The development will not cause significant harm to the character and appearance of the surrounding area. The proposal has no significant impact in terms of loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention.

For a scheme of this size, provision of open space and children's play would normally be required. However, the costs of providing these matters in addition to the cost of providing affordable homes could make the scheme unviable, and will not be sought in this case.

RECOMMENDATION

PURSUANT TO REGULATION 3 OF THE TOWN AND COUNTRY PLANNING
GENERAL REGULATIONS PLANNING PERMISSION BE GRANTED SUBJECT TO THE
FOLLOWING CONDITIONS:

- 1) A3 Implementation Limit (Five Years)
- 2) B4 Details of Materials (Samples)
- 3) B5 Detailed Drawings (Accordance with the Plans)
- 4) E5 Boundary Treatment Submission
- 5) E11 Tree Protection
- 6) J2 Contamination
- 7) Details of landscaping, to include wildlife friendly habitat areas, shall be submitted to, and approved by, the Local Planning Authority prior to site clearance/demolition work commencing on site. Such landscaping shall be provided either within the first planting season after the completion of the development or prior to the building being occupied and thereafter permanently maintained. Any trees or shrubs removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally approved.

REASON- To create biodiversity and ensure a satisfactory appearance of the site and to improve the visual amenities of the locality

- 8) Prior to the commencement of the development hereby approved, including any site clearance, further details shall be submitted of the finished floor levels of the proposed dwellings on site and the development implemented in accordance with those details approved.

REASON - In order that the Local Planning Authority may properly assess and confirm the impact of the development as a result of any possible remediation as a result of site investigations, which may alter prevailing levels on the site.

- 9) Notwithstanding any details submitted with the application, full and precise details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, the details as approved shall be implemented prior to any part of the development hereby permitted first being brought into use:
 - i) A scheme to provide for the introduction of a 20mph traffic-calming zone;
 - ii) Improvements to the existing footways on the site frontage including the reinstatement of the existing redundant access.
 - iii) Dropped crossing / tactile paving at the new access road.

REASON – In the interests of highway safety.

- 10) Notwithstanding anything shown on the approved plans precise details of secure covered cycle parking provision shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved details and the cycle parking provision shall be made available prior to the occupation of the building.

REASON - To ensure that adequate cycle parking provision is provided to promote access and accessibility.

- 11) Notwithstanding anything shown on the submitted drawings provision shall be made for a cycleway link to Belsay Walk to include vehicular drop off provision on the new access road and Belsay Walk, details of which shall be submitted to, and approved by the Local Planning Authority prior to the commencement of development. The development shall not be implemented otherwise than in accordance with the approved details.

REASON – to ensure that satisfactory access provision is made for cyclists and in the interests of highway safety.

- 12) Construction work shall not take place outside the hours of 07:30 to 18:00 hours Monday to Friday, 08:00 to 14:00 hours Saturday, with no working on a Sunday, Public Holiday or Bank Holiday, without prior agreement with the Local Planning Authority.

REASON- In the interests of residential amenity.

- 13) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to, and approved by, the Local Planning Authority, in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

REASON – To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 “Development and Flood Risk” and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

- 14) No development shall take place unless in accordance with the mitigation detailed within the protected species report ‘*Former Springfield School Site Extended Phase 1 Habitat Survey Report December 2009, Scott Wilson,*’ Section 5.2 including but not adherence to timing restrictions: undertaking checking surveys as stated.

REASON – To conserve protected species and their habitat.

- 15) Notwithstanding condition (12) above, A detailed working method statement, including soft-felling regards to the horse chestnut tree to be removed shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – To conserve protected species and their habitat.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within development limits identified in the development plan.

Although the proposal represents a loss of open space, the provision is low value and sufficient high quality open space for a range of informal and formal recreation exists in the locality to meet the current and future population's needs. The existing bridleway will be retained and enhanced providing a valuable connection to the Borough's green infrastructure network. In addition the loss of open space provides for 34 affordable housing units to help address an identified need in the Borough. The scheme will provide for a mix of property type, designed to Code for Sustainable Homes level 3 and 4. Under these circumstances the loss of open space is acceptable to address the wider sustainability issues of the Borough's community. The design and layout accords with the relevant policies in the development plan. The development will not cause significant harm to the character and appearance of the surrounding area. The proposal has no significant impact in terms of loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention.

For a scheme of this size, provision of open space and children's play would normally be required. However, the costs of providing these matters in addition to the cost of providing affordable homes could make the scheme unviable, and will not be sought in this case.

Therefore the proposed development is considered to comply with the policies in the development plan and Government planning policy set out below: -

RSS: The North East of England Plan, Regional Spatial Strategy to 2021:

Policy2 - Sustainable Development
Policy 4 - The Sequential Approach to Development
Policy 24 – Delivering Sustainable Communities
Policy 29 - Delivering and Managing Housing Supply
Policy 30 - Improving Inclusivity and Affordability
Policy 35 – Flood Risk
Policy 38 – Sustainable Construction

Saved Policies of the Borough of Darlington Local Plan:

E2 - Development Limits
E3 - Protection of Open Land
E11 - Conservation of Trees, Woodlands and Hedgerows
E12 - Trees and Development
E14 - Landscaping of Development
E15 – Open Land in New Development
E23 – Nature and Development
E16 - Appearance from Main Travel Routes
E25 – Energy Conservation
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
H14 - Accessible Housing
R1 - Designing for All
R13 – Recreation Routes and New Housing Development
T11 - Traffic Calming – New Development
T12 - New Development – Road Capacity
T13 - New Development - Standards
T24 - Parking and Servicing Requirements for New Development
T31 – New Development and Public Transport
T37 – Cycle Routes in New Development
T39 – Conditions for Pedestrians

National Planning Policy

Parts of the following Planning Policy Statements are material considerations:

PPS1 – Delivering Sustainable Development
PPS3 - Housing (2006)
PPS23 – Planning and Pollution Control
PPS25- Development and Flood Risk

Other Council Planning Guidance

Affordable Housing
Darlington Open Space Strategy 2007 -2017

INFORMATIVES TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

- 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 Ms. P. Goodwill 01325 388755) to discuss this matter.
- The applicant is advised that contact must be made with the Assistant Director: Highways Engineering (contact Ms P. Goodwill 01325 388755) 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 introduction of the 20mph speed limit.