

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 4 June 2008

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APPLICATION REF. NO:	07/01161/OUT
STATUTORY DECISION DATE:	19 January 2008
WARD/PARISH:	HUMMERSKNOTT
LOCATION:	Wilton House Nursing Home, Wilton Close, Darlington, DL3 9RE
DESCRIPTION:	Erection of 1 No. detached residential dwelling incorporating integral double garage and car parking (Outline) (Additional information and amended plans received 01 February 2008 and 17 April 2008, amended description and amended design and access statement 17 April 2008)
APPLICANT:	MR AHMAD

APPLICATION AND SITE DESCRIPTION

Outline planning permission is sought for the erection of 1 detached dwelling.

An indicative layout including details of access points and the scale of the proposed development has been included, in accordance with current requirements.

The indicative plans show a detached two storey house located to the south of No. 2 Wilton Close. A detached Dutch style bungalow located towards the south of the site (opposite Wilton House Nursing Home) has been omitted from the proposal, following negotiation with officers.

The two storey dwelling (not including the attached garage) is indicated as being 10m in width and 8.5m in length. The dwelling is indicated as being 5m in height to eaves level and a further 3.5m to the ridge.

The application site is located in the grounds of Wilton House Nursing Home which is situated to the south of Wilton Close. There are detached dwellings in the cul-de-sac (Wilton Close) and the surrounding area. There are properties on Meadow Rise which are close to the south and west boundary lines of the application site.

The site includes some mature landscaping features including several trees and areas of shrubs. The shrubs are located towards the south of the site and the trees are close to the existing parking area / turning area in front of the Nursing Home.

The scheme has been amended (omission of the bungalow) to avoid impacting on a Protected Horse chestnut tree located to the east of the site.

PLANNING HISTORY

The site has a lengthy planning history however only the most recent application is included below for the purposes of this report:

99/00439OUT - On 23 September 1999 planning permission was refused for the erection of a two storey dwelling and garage in outline.

PLANNING POLICY BACKGROUND

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

Policy E2 (Development Limits)
Policy E12 (Trees and Development)
Policy E29 (The Setting of New Development)
Policy E46 (Safety and Security)
Policy H11 (Design and Layout of New Housing Development)
Policy T12 (New Development - Road Capacity)
T13 (New Development – Standards)

RESULTS OF CONSULTATION AND PUBLICITY

Occupiers of neighbouring properties were advised of the proposed development by way of letter. Residents were advised of the amended proposal (re-siting the bungalow) and the final amendment (omitting the bungalow).

There have been objections received from the occupiers of four neighbouring properties. Objections have been raised to the original proposal and to the scheme as amended. The points raised are summarised below:

- *The site is visible from Wilton House Nursing Home, residents currently use the space for recreation purposes.*
- *The proposal will affect the existing car parking arrangements for Wilton House Nursing Home and that this will have implications for access including emergency vehicles.*
- *The proposal could affect the trees of the site with impacts in relation to climate change.*
- *There will be an increased number of vehicles which would make the area more dangerous.*
- *There are no dimensions on the plans provided.*
- *The proposed new houses would overlook existing properties.*
- *The amended plans are worse for the privacy and outlook of 4 Meadow Rise.*
- *A previous application for a similar development was opposed for reasons of overlooking and only four houses were built.*
- *Where are the staff from Wilton House going to park?*

The Highways Officer raised no objections provided that some conditions were included in relation to highways matters. The conditions that are suggested in relation to highways matters are set out below.

The Building Control Officer advised that Building Regulation Approval will be required.

The Tree and Landscape Officer originally advised that assessments and reports in relation to the trees on the site were required. These have been submitted and the omission of the bungalow is to address the tree issues.

Northumbrian Water were consulted and raised no objections to the proposal. Northumbrian Water advised that it is important for them to be informed of the decision.

CE Electric UK provided a plan showing the Mains Record giving the approximate location of Northern Electric apparatus in the area.

Northern Gas Network made no objection to the proposal.

PLANNING ISSUES

The site lies within the development limits and within a predominantly residential area. Housing development is therefore acceptable in principle subject to other considerations including highways matters, impact on visual amenity and impacts on residential amenity.

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.

Policy H11 (Design and Layout of New Housing Development) requires new dwellings to relate well to their surrounding area and respect its predominant character and avoid harming the amenities of adjoining properties.

Policy E12 (Trees and Development) requires developments to take full account of trees on and adjacent to the site.

Policy T12 (New Development – Road Capacity) establishes that new traffic generated by new development must be able to be accommodated by surrounding roads.

Policy T13 (New Development – Standards) sets out that all new development should incorporate adequate provision for access and circulation by vehicles and pedestrians.

The scale and appearance of the indicative dwelling would be in keeping with the general character and appearance of the surrounding residential area. The site can provide adequate garden areas.

The separation distances from the indicative two storey dwelling would be more than sufficient to safeguard privacy and the general residential amenity (including light and outlook) of neighbouring properties including Wilton House.

It would be possible to develop the site for one dwelling without resulting in significant detrimental impacts (including light, outlook, overlooking and privacy) to neighbouring properties including Wilton House Care Home. Whilst it is recognised that the development

would remove spaces currently available to nursing home residents for amenity purposes, it is considered that sufficient spaces would remain elsewhere within the grounds to the south and east.

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 covers a relatively large area and can accommodate the proposed dwelling without harming visual or residential amenity. The proposed house would be located next to existing houses of a similar scale and appearance.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A1 Outline (Reserved Matters)
- 2) A2 Outline (Implementation Time)
- 3) B4 Details of Materials (Samples)
- 4) C5 Restriction of PD Rights (Residential)
- 5) Notwithstanding the submitted plans, no development shall commence on site until details of an acceptable inclusive link to the existing footway network have been submitted to and approved by the Local Planning Authority. Thereafter, these works shall be carried out in accordance with the approved details

REASON - In the interests of highway safety and in accordance with Policy T13 (New Development – Standards) of the Borough of Darlington Local Plan.

- 6) Notwithstanding the submitted plans, no development shall commence on site until details of visibility splays of 2.4m.x 25m to the north and to the south at the proposed access point have been submitted to and approved by the Local Planning Authority. Thereafter, these works shall be carried out in accordance with the approved details.

REASON - In the interests of highway safety and in accordance with Policy T13 (New Development – Standards) of the Borough of Darlington Local Plan.

- 7) Notwithstanding the submitted plans, no development shall commence on site until details of an indicate revised parking layout to Wilton House Nursing Home have been submitted to and approved by the Local Planning Authority. Thereafter, these works shall be carried out in accordance with the approved details

REASON - In the interests of highway safety and in accordance with Policy T13 (New Development – Standards) of the Borough of Darlington Local Plan.

- 8) Prior to the commencement of development, a survey shall be carried out to establish the presence of any protected species on the site. A copy of this survey (together with any action plan to deal with any protected species found) shall be submitted to and approved in writing by the Local Planning Authority and thereafter, these works shall be carried out in accordance with the approved details.

REASON - To ensure that any protected species are not harmed by the development.

- 9) E9 Tree Protection (During Development)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken having regard to the policies and proposals in the Borough of Darlington Local Plan set out below, and to all relevant material considerations:-

E2 - Development Limits
E12 - Trees and Development
E29 - The Setting of New Development
E46 - Safety and Security
H11 - Design and Layout of New Housing Development
T12 - New Development - Road Capacity
T13 - New Development - Standards

INFORMATIVES

In relation to Conditions 5, 6 and 7, the applicant is advised to contact the Traffic Manger (contact Mr H Alderton 01325 388748).

The applicant is advised that works are required within the public highway and contact must be made with the Highways Manager (contact Mr A Ward 01325 388743) to arrange for the works to be carried out or to obtain authority under Sec.184 of the Highways Act 1980 to execute the works.

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