

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 16 November 2016

Page

APPLICATION REF. NO:	16/00977/FUL
STATUTORY DECISION DATE:	11 November 2016
WARD/PARISH:	PARK WEST
LOCATION:	Site of Former Blackwell Grange Golf Club
DESCRIPTION:	Demolition of existing electricity substation and erection of replacement substation in revised location
APPLICANT:	MR JOHN LEE

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the erection of an electricity substation building on land to the east of Briar Close, adjacent to the western edge of the former Blackwell Grange Golf Course and to the south of the former golf club car park. The proposed building is to measure approximately 3.9 metres wide by 3.69 metres deep, under a hipped roof 4.5 metres in height at ridge level. It is to be constructed of brick under a slate roof, with steel doors to the front (south elevation).

The proposed substation is to replace an existing substation located in the south west corner of the former clubhouse site which is to be redeveloped for housing following the grant of planning permission for the erection of 3 no. detached dwellings on this site in August 2015 (15/00030/FUL). The agent has advised that the substation needs to be relocated as it, and the associated cabling, are on private land which is not easily accessible. The substation is proposed to be relocated to the edge of the applicant's site with access off the public road. While the equipment and cabling will be paid for by Northern Powergrid, the applicant is funding the new building and external materials to ensure that they are in keeping with the proposed new properties and surrounding area.

Ordinarily the erection of a substation building of this size would be permitted development by virtue of Part 15, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. Planning permission is required in this instance as the proposed substation is not sited on operational land.

There are two protected trees in close proximity to the application site, within the former golf course, which are protected by Tree Preservation Order (No. 2) 1963, T27 and T28 respectively. A tree report has been submitted with the application.

PLANNING HISTORY

15/00030/FUL – Demolition of existing golf clubhouse and erection of 3 no. detached dwellings (additional ground gas assessment report received 2 March 2015) GRANTED 19.8.2015

PLANNING POLICY BACKGROUND

The following policies are relevant to consideration of the application:

Darlington Core Strategy Development Plan Document 2011

- CS2 – Achieving High Quality, Sustainable Design
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
- CS16 – Protecting Environmental Resources, Human Health and Safety

National Planning Policy Framework

RESULTS OF CONSULTATION AND PUBLICITY

Highway Engineer – No highway objection.

A total of 6 letters of objection have been received which raise the following issues:

- *The relocation of the substation merely transfers the problem of its location and environmental impact from the applicant to the residents of Briar Close;*
- *The proposed building will be hugely intrusive and grossly out of character with existing buildings and the general environment of Briar Close;*
- *Very concerned about the restricted access the proposal will create. Access to our house at 5 Briar Close by car will be severely restricted since the proposal will create a bottle neck of barely a car's length;*
- *No on street parking will be available and access to emergency vehicles will be restricted;*
- *The bottle neck and 'turning point' will represent a hazard and obstacle particularly if used by delivery drivers and inconsiderate parkers;*
- *Access to the proposed new houses on this land and how it will impact on access to Briar Close has not been made clear;*
- *Why should the residents of Briar Close have to pay the price of having an eyesore which is currently tucked away in a corner, now being out in the open and spoiling the look/view of the street and creating noise pollution to existing residents;*
- *The developer knew of this constraint when buying the land and should have taken this into consideration;*
- *The building size and location is completely out of character with the existing houses and area which it will completely dominate out in open space in the location proposed;*
- *The location poses a health hazard and risk for young children that live and play on the street. Having a high voltage electrical substation right in the middle of the street is a severe risk to children with the obvious dangers of electricity and cabling;*
- *The substation could create a lot of noise pollution and should be kept in a secluded corner and fenced in to reduce noise. Noise pollution will be even worse during the summer months when windows are left open during the night;*
- *What are the long term health implications of living so close to one of these due to the magnetic field;*

- *It is a perfect location for vandals;*
- *Where will water run off to from the substantial pitched roof? There is currently no drainage this can run in to;*
- *The substation is to be built under the protected tree along the fence line which could create a hazard due to falling branches;*
- *The substation should be left where it is with a narrow access way for maintenance or moved down the fence line in a north west direction into the opposite corner of the development. Alternatively it could be located within the currently undeveloped land on the former golf course away from everyone on Briar Close and leave it until the next development to be built around it;*
- *The plans are superimposed on the layout of the site before the demolition of the clubhouse and show no indication of the location of the proposed substation in relation to the two new properties being developed;*
- *Is the proposed substation solely within the boundaries of private land or does it include some existing public road space?*
- *Where will the driveways exit from the two new built properties and where will they be in relation to the existing property at 5 Briar Close?*
- *Does the location of the substation allow for sufficient turning space for vehicles accessing and delivering to the existing and new properties and for emergency vehicles?*

A letter has been received from Councillor Mrs Heather Scott, Ward Councillor for Park West, which raises the following issues:

- *As Ward Councillor I support the residents' objections to the application. I am concerned that this was not part of the original application to build on the clubhouse site and the present position is less obtrusive and should therefore be retained.*

PLANNING ISSUES

The main issues for consideration are whether the replacement substation building in the location proposed is acceptable in terms of its impact on visual and residential amenity and whether the proposal gives rise to any issues of highway safety.

Core Strategy Policy CS2 (Achieving High Quality, Sustainable Design) states that high quality, safe, sustainable and inclusive design will be promoted in all new development, specifically reflecting and enhancing Darlington's distinctive natural, built and historic characteristics that positively contribute to the character of the local area and its sense of place. The proposed substation building is a single storey brick and slate built building, commensurate in scale and design, with a detached garage. The agent has advised that the applicant is funding the building in which the equipment is to be located to ensure that it is in keeping with the new dwellings to be built and the surrounding area in terms of its design and materials. As such a higher quality of design is proposed than would normally be the case were the replacement substation to be built by the electricity undertaker.

The building is to be sited adjacent to a 1.8 metre high close boarded timber fence which encloses the housing site from the former golf course and will also be close to two mature, protected trees. The building will be seen against the backdrop of these trees in wider ranging views and in due course the two detached dwellings to be built on the site of the former clubhouse, for which planning permission was granted in August 2015. As such the proposed

building is considered to be acceptable in terms of its scale, design and materials and siting in the context of an existing residential area.

Although it is accepted that the proposed building will be more readily visible from the existing dwellings on Briar Close, it will be sited some 19 metres away from the nearest dwelling at 5 Briar Close. Being single storey in height it will not adversely impact upon the amenities of these properties in terms of loss of light, outlook or privacy.

The Environmental Health Officer has requested details of the proposed equipment from the applicant to assess whether this would be likely to give rise to any issues of noise, nuisance and disturbance. Given that there is an existing substation in closer proximity to the rear garden of 5 Briar Close than the proposed substation it is not anticipated that this will be a particular issue, however this information is awaited.

Additional information has been provided by National Powergrid regarding electromagnetic fields, in response to a concern raised by an objector. The correspondence states that 'the existing substation is approximately 14m away from 5 Briar Close which is a significant distance in terms of electro-magnetic fields which are known to fall away extremely rapidly over short distances. With the new substation being even further away (24m) from 5 Briar Close, the levels of electro-magnetic fields would be proportionally lower still'. The information also confirms that all the parts of the electricity system in the UK, pylons, overhead lines and substations, are required to comply with relevant EMF (Electric and Magnetic Fields and Health) exposure limits for the general public. The compliance page which forms part of this document confirms that substations are 'automatically compliant' since their design is such that it is not possible for them to exceed exposure limits. The Environmental Health Officer has confirmed that this clarifies this issue.

There are two protected trees in close proximity to the application site, within the former golf course, which are protected by Tree Preservation Order (No. 2) 1963, T27 and T28 respectively. A tree report has been submitted with the application which advises that although the proposed building will be set slightly within the Root Protection Area (RPA) of the nearest protected tree, this incursion will be less than 5% of the overall RPA and out with the tree's overhanging canopy. Furthermore it is to be built on an existing area of hard surface, which limits surface root extension into this area, and as such the report concludes that the location of the building will not have any significant long-term impact on the condition of the tree. A tree protection condition is attached to ensure the trees are adequately protected during construction of the building.

Concern has been expressed regarding the location of the building and its impact on vehicles using Briar Close and accessing the existing properties. A plan has been submitted showing the proposed building in the context of the approved dwellings and show that an existing turning circle is to be reinstated, secured as part of the planning approval for the three dwellings, and that sufficient space will be retained for vehicles to access the existing and approved dwellings. The Highway Engineer has raised no highway objection to the proposed building.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

CONCLUSION

The proposed replacement electricity substation building is considered to be acceptable in terms of its scale, design and external materials and siting in the context of the application site and surrounding area. The proposal does not give rise to any issues of residential amenity or highway safety and therefore complies with Policies CS2 (Achieving High Quality, Sustainable Design), CS15 (Protecting and Enhancing Biodiversity and Geodiversity) and CS16 (Protecting Environmental Resources, Human Health and Safety) of the Darlington Core Strategy Development Plan Document 2011.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 (Standard 3 year time limit)
2. E11 (Tree protection measures)
3. B5 (Development in accordance with the approved plans)

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT IN CONSIDERATION OF THE APPLICATION:

Darlington Core Strategy Development Plan Document 2011

- CS2 – Achieving High Quality, Sustainable Design
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
- CS16 – Protecting Environmental Resources, Human Health and Safety

National Planning Policy Framework