

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 26th July 2017

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APPLICATION REF. NO:	17/00312/OUT
STATUTORY DECISION DATE:	20th July 2017
WARD/PARISH:	Park East
LOCATION:	Rear of Crown Street Car Park, Darlington
DESCRIPTION:	Proposed Leisure Development to the rear of Crown Street Car Park , Darlington
APPLICANT:	Mr P Wright.

APPLICATION AND SITE DESCRIPTION

The application site is located on the west bank of the River Skerne in Darlington Town Centre. It is accessed from Priestgate to the north and bordered on the west by the now vacant former TK Maxx retail unit. The southern boundary of the site faces the rear of properties which front on to Stonebridge.

The site includes the service access road and service area of the former TK Maxx unit and a strip of soft landscaping fronting the river bank. Public pedestrian access to the site will be via a gate from Priestgate leading to a riverside path. There is also a proposal to link the south end of the site to Stonebridge by introducing a bridge and stairs.

Vehicular access, for the purposes of servicing and emergency vehicles only is from Priestgate,

The proposal involves the introduction of a collection of shipping container units which will provide flexible A1 / A3 / A5 floorspace. The intention is to add further attraction and interest to the river frontage in addition to that created by the proposed change of use of the former TK Maxx unit for leisure uses. [Also on the Agenda]

This is an outline planning application, the purpose of which is to establish the principle of the development.

PLANNING HISTORY

No relevant planning applications received for this site.

PLANNING POLICY BACKGROUND

Darlington Core Strategy Development Plan Document Policies: -

CS1: Darlington's Sub Regional Role and Locational Strategy
CS7: The Town Centre

RESULTS OF CONSULTATION AND PUBLICITY

Local residents and occupiers were consulted and a site notice posted. Four letters of objection have been received raising the following issues:

- Loss of natural light to property on Stonegate from close proximity of some of the containers will damage business.
- Increased flood risk from loss of riverside vegetation and consequent reduced efficiency of drainage.
- Modern style of development not appropriate in this part of town which is considered to be the most historic part of town.
- Containers will harm the character of the nearby Stonebridge.
- Many empty shops in town that could accommodate the businesses proposed for the containers.

CPRE – Object for the following reasons:

- Visually intrusive in this location. Will detract from appearance of new riverside park being created nearby.
- Will impact on character of St Cuthbert's Church
- Containers will be in full view from ring road and give bad first impression to visitors.
- If approved they must be kept in good condition and not be allowed to deteriorate visually.
- Whilst large buildings nearby are visually intrusive, this new development should not perpetuate the problem.
- Illustrative drawings do not show a high quality external appearance – better cladding could be used.
- Many empty shops in town that could accommodate the businesses proposed for the containers

Environmental Health – No objections to the proposals but require more details on issues relating to fumes/odour control, noise from air conditioning etc. and refuse disposal. This can be achieved by condition.

The Highways Engineer – Satisfied that the proposals overall will not cause any material traffic increase over the existing permitted use, however certain details require amendment relating to the service road/access road/cycle parking and pedestrian separation. This can be achieved via condition.

Sustainable Transport – Require amended cycle parking location. Concerns over pedestrian/vehicle separation.

Environment Agency – No comments to make.

Lead Flood Authority – No comments received.

Conservation Officer – Comments as follows:

The re-use of this site adjacent to the River Skerne to provide a link with and enjoyment of the riverside setting is encouraging. The Town Centre has little, or no connection with the river at present although efforts are taking place to address this and re-establish the historic connection, such as the riverside park adjacent to the Town Hall / DfE building and St Cuthbert's Church.

Visibility of the site and the river bank is blocked by the modern Cornmill retail development. The site at present does nothing to add to the setting of the Conservation Area.

This proposal and the alterations to the rear of the TK Maxx / multi storey building (17/00311/CU) would provide a direct physical link between the existing development and the river – the building currently turns its back on the river, which is subject to a change of use application, to the proposed shipping containers which I understand would house independent retailers.

My only comments are on the potential access to the site from Stonebridge and the landscaping scheme.

The bridge is not listed but is a non-designated heritage asset, constructed with a heavy iron balustrades with feature stone pillars and lanterns; it has recently been subject to investment and repair. Any alteration to this bridge should be limited and would need to be subject to a separate planning application and deliver of a very high quality design. The bridge is a prominent feature at one of the key gateways to the Conservation Area. I note the 'potential bridging entrance to site from Stonebridge' shown on the layout plan is outside the red line boundary for this outline application and therefore this could not be conditioned.

The landscaping scheme around the containers could reflect the material and design characteristics approved in the riverside park (on site) to deliver continuity along the river frontage if a link can be established from Stonebridge. This can be picked up at reserved matters stage when the full landscaping scheme is submitted.

PLANNING ISSUES

This is an outline planning application, the purpose of which is to establish the principle of the development. Some detail has been provided within the submission however and there follows below a description of how the site could be developed.

The proposal involves the introduction of 12No shipping containers each with a floor area of 24 sq. m, giving a total additional floor space of 288 sq. m.

The shipping containers would be sited in two groups between the access road / service area and the bank of the River Skerne. The northern-most group will have 8No containers, 4No at ground floor level with 4No above accessed by stairs and decks.

The southern-most group will have 4No containers, with 2No at ground floor level and 2No above. The areas surrounding the containers will be paved in a manner that external seating and tables can be set up along the riverside.

A pedestrian, riverside path connects the two groups of containers and affords access to the site from the north and the south. The units will be serviced from the access road and service yard which runs past to the west. Cycle parking would be provided centrally in the area between the two groups of containers.

Objectors to the proposals have voiced concerns relating to the visual impact of the containers; however they should be looked at in the context of the somewhat monolithic blocks of buildings on the town side of the river, namely the old TK Maxx /car park building and the Sports Direct Warehouse unit. The final appearance would be the subject of a detailed planning application should outline permission be granted, and a substantial landscaping scheme would also be expected to be implemented.

Perhaps of more concern are the impact of the southern group of containers on the setting of the Stonebridge and nearby historic buildings and their impact on natural light to some nearby properties. The location of these should be the subject of review.

As noted in the Conservation Officer's report above, the creation of a retail offer on the river frontage will encourage the public to appreciate the riverside setting in a similar manner as is intended with the new park near the Council Offices and in association with the change of use of the old TK Maxx building will improve the setting and appearance of an area which is currently underused and not particularly attractive.

Objectors comments – it is accepted that there may be adverse impacts on nearby occupiers and on the character and setting of the Stonebridge and St Cuthbert's Church and this will be taken into account when considering any detailed planning application that may be submitted. Similarly the design/external finish to the containers will be finalised at detailed planning stage having regard to the setting and context of the immediate locality.

The Lead Local Flood Authority has not commented on the application and the Environment Agency has stated "no comment". In view of the above therefore it is considered that the proposed development does not pose a flood risk.

Overall, it is considered that this proposal is acceptable in planning terms. The creation of a retail offer on the river frontage will encourage the public to appreciate the riverside setting more than is possible at the present time and will, in association with the proposed changes of use in the adjacent old TK Maxx building, bring community use to the locality and make good use of land currently underused, within this Town Centre Location.

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) A1-Implementation Limit
- 2) The development shall be carried out in complete accordance with the approved plan(s) as detailed below:

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Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

REASON :In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

- 3) Prior to the commencement of the development precise details showing the rationalization of the servicing and car park access off Priestgate shall be submitted to and approved in writing by the Local Planning Authority.

REASON – In the interests of highway safety.

- 4) Prior to the commencement of the development, precise details of secure cycle parking and storage details shall be submitted and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

REASON – In the interests of highway safety.

- 5) Before development commences, a Framework Travel Plan shall be submitted for this development. This should include a package of actions to increase the travel choices for proposed staff/visitors in order to reduce the impact of single occupancy car travel.

REASON – In the interests of promoting sustainable transport.

- 6) No noise emitting fans, louvres, ducts or other external plant associated with this permission shall be installed until a scheme to reduce noise and vibration has been submitted and approved by the Local Planning Authority.

REASON – In the interests of residential amenity

- 7) Prior to the use hereby permitted commencing, a scheme shall be submitted to, and approved in writing by the local planning authority for the effective control of fumes and odours from the premises. The scheme shall be implemented prior to the use commencing.

REASON – In the interests of residential amenity

- 8) The use hereby permitted shall not commence until details of the arrangements for storing of waste or refuse have been submitted to, and approved by, the local planning authority.

REASON – In the interests of residential amenity

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.