

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 14TH March 2018

Page

APPLICATION REF. NO:	17/01151/RM1
STATUTORY DECISION DATE:	12th March 2018
WARD/PARISH:	MIDDLETON ST GEORGE
LOCATION:	Land off High Stell Middleton St George, Darlington
DESCRIPTION:	Erection of 198 dwellings including landscaping, open space, highway improvements and associated works – access via High Stell and Grendon Gardens.
APPLICANT:	Carlton and Co. Consultancy

APPLICATION AND SITE DESCRIPTION

Middleton St George is a large village located some five miles (eight kilometres) east of central Darlington and two miles (three kilometres) from the A66 (T). Teesside Airport lies two miles (three kilometres) south west of the site and Yarm is six miles (ten kilometres) away, also to the south west. The separate village of Middleton One Row lies over a mile (two kilometres) south of Middleton St George.

The application site is located on the western edge of the village centre and comprises an agricultural field of 8.46 hectares bounded on two sides by more fields and on one side by the village Water Park. The eastern boundary abuts existing residential estate development at High Stell / Grendon Gardens. Vehicular access to the site is proposed via a strip of land off Grendon Gardens and High Stell

It is proposed to erect 198 houses together with the associated infrastructure, affordable housing will be provided in line with this Council's policy of 20% provision.

Outline planning permission was granted in February 2016 for up to 200 dwellings with access via Grendon Gardens and High Stell, **so the principle of residential development of this land for up to 200 dwellings has already been established.** The current Reserved Matters application includes details of appearance, landscaping, access and car parking, layout and scale. Members' consideration of this application should therefore be confined to these material planning issues relating to the reserved matters that are described later in this report.

Issues such as, for example, traffic impacts from the development of this land for up to 200 dwellings have already been considered by Members at the outline stage **and approved**, therefore cannot be revisited during the consideration of this Reserved Matters application.

5 YEAR HOUSING SUPPLY

In granting the original outline planning permission, Members were aware that, in relation to housing, the NPPF required local authorities to plan positively for housing development to meet the needs of their area. In recent years Darlington has not been able to demonstrate a 5 year supply of deliverable housing sites, when measured against a housing requirement based on an up to date, objectively assessed need (OAN). As a consequence of this relevant policies for the supply of housing had not been considered up to date in line with paragraph 49 on the NPPF and planning applications were considered in the context of the presumption in favour of sustainable development.

The above situation has recently changed. An update to the Strategic Housing Market Assessment was published in Oct 2017. The Council is currently preparing a new Local Plan and an assessment of sites currently shows that a 5.86 year supply of deliverable housing land can be demonstrated. As a consequence policies relating to the supply of housing can now once again be given weight in the planning balance.

The 5.86 year supply figure takes into account residential commitment sites such as High Stell, so they cannot be taken out of the equation (i.e. not developed) or the Council would once again be in the situation where it could not demonstrate a 5 year supply of deliverable housing sites. The High Stell site therefore remains a housing commitment contributing to the 5 year deliverable housing supply in Darlington Borough.

PLANNING POLICY BACKGROUND

The following policies of the development plan are relevant:

Borough of Darlington Local Plan 1997:

- E2 – Development Limits

Darlington Core Strategy Development Plan Document 2011:

- CS1 – Darlington's Sub-Regional Role and Locational Strategy
- CS4 – Developer Contributions
- CS10 – New Housing Development
- CS11 – Meeting Housing Need

The National Planning Policy Framework 2012 is also relevant. The above policies are considered to be compliant with the National Planning Policy Framework.

RESULTS OF CONSULTATION AND PUBLICITY

Letters were sent to occupiers of neighbouring properties advising of the proposal and a site notice was displayed.

Some 420 objections have been received from local residents and the points raised are summarised below:

- *Traffic levels are already high – this development will result in a large increase.*
- *The road network is of a poor standard to take extra houses on this scale*
- *The concrete surface of the roads is already damaged and will only get worse.*
- *Local residents will suffer as a result of extra traffic from 200 new houses.*
- *The location of the proposed access point to Grendon Gardens is dangerous – it gets very congested when the schools turn out.*
- *Bus services in the area are inadequate.*
- *The proposed density of dwellings is too high.*
- *There would be noise and disturbance during construction.*
- *There is no capacity in the local school even though it has been extended.*
- *The Doctor's surgery is already not large enough. .*
- *Local shops and services will not cope with more families.*
- *There would be a harmful impact on ecology and habitat.*
- *There is no need for more housing.*
- *There are many houses for sale and rent in the area.*
- *The existing public footpaths crossing the site should not be affected by the new housing – rights of passage will be infringed if they are.*
- *Previous developments have been on brownfield sites not greenfield. .*
- *Middleton St George has already seen a lot of development in recent years.*
- *There are brownfield sites available in Darlington.*
- *Bus and train service not good enough to tempt people from their cars*
- *There are problems with sewerage and drainage in the area and the proposal will make this worse.*
- *The development will expand the village into a town / part of Darlington conurbation.*
- *The proposal is not in keeping with the area.*
- *The site is outside of development limits.*
- *Supporting statement does not detail how the proposed development will improve the facilities within the villages.*
- *Impact of development on adjacent waterpark will harm ecology etc*
- *Light pollution will impact on waterpark*

In addition a petition has been submitted, signed by 118 residents, objecting to the traffic increase and road safety problems the development will cause at the Greenway – Belle Vue Terrace junction.

An objection has been received from **Middleton St George Parish Council**. It is an extensive document so has by necessity been abridged to include issues relevant to this Reserved Matters application.

- Site must be accessed by two points if approved
- Site is outside development limits

- Access to the site is inadequate due to the roads being too narrow, already too congested with on street parking, dangerous at the Middleton Lane junction especially at peak times and the additional traffic (including construction traffic) will harm the amenities of existing residents.
- The Parish Council have made measurements of the roads and consider they are so narrow as to contravene disabled access regulations, as well as being too restricted to take the additional traffic from the new development.
- The cumulative effect of this proposal plus the other five approved developments will result in unacceptable congestion and harm to the amenities of residents of the village.
- Current application has not met the conditions of the outline permission – in particular condition 7 (swept path analysis) and condition 6 (parking numbers). See Officer note below.
- Architectural Liaison Officer (police) has concerns about on street car parking. Condition 8 (vehicle parking) has not been complied with. See Officer note below.
- Public rights of way will be lost as a result of the development.
- No archaeological investigation survey work has been submitted.
- Would prefer to see some bungalows within the development
- Nearby reservoirs will be a safety hazard to children
- Village foul sewage system not capable of taking extra load from new development.

The **Campaign to Protect Rural England** object to the proposal on grounds of the impacts on local residents from the additional traffic generated by the development.

Environmental Health – Conditions attached to the outline permission have not been addressed in this application so remain to be discharged at a later date.

Highways Agency – Requirements set out at the outline stage are covered by the S 106 Agreement so there are no comments to be made in relation to this Reserved Matters application.

Highways Engineer Darlington – Requires further details to be submitted relating to access, parking and other aspects of the access related reserved matters details as submitted. Discussions are ongoing with the applicants at the time of drafting and revised plans are being submitted to address these concerns and should be available in time for the Planning Committee Meeting.

Sustainable Transport Officer – Has similar concerns as the Highway Engineer regarding footpath widths etc. Revised plans are to be submitted as noted above.

Rights of Way Officer – As there have been many comments on the rights of way passing over the site, the comments are reproduced in full :

1. *I generally welcome the approach to providing pedestrian access and a walking network within the landscaped setting through the site and around the North, West and Southern boundaries.*
2. *Public footpath (No. 4) running north south through the site will be accommodated within a green corridor of public open spaces. This will maintain connectivity to the wider PROW network. Subject to appropriate safe pedestrian crossing points at the two estate roads this approach is acceptable.*
3. *The Footpath in the south west of the site (No. 1) will be developed over. A diversion order, will be necessary to formally divert this PROW. Given the proposed layout, I would suggest the diversion follow the proposed new pedestrian path along the southern*

boundary and to link into the existing Footpath No. 3 along the western boundary of the development site.

- 4. The PROWs across the site should remain accessible during construction. If this is not possible, Traffic Regulation Orders will be needed to temporarily (for periods of 6 months plus 6 month extensions as required) close the paths and alternatives provided to maintain safe access during the construction. The contact for the TRO process is Pam McGuckin (6651)*
- 5. I refer to Malcolm's e-mail and reiterate the comments regarding improvements to paths and the minimum standards requested.*

Northumbrian Water – Have confirmed that foul sewage can be disposed of into existing facilities. Have confirmed that surface water can be discharged into local watercourses – not the sewerage system. Have requested the requirements at the outline stage are applied to any planning permission given. This relates to a condition imposed at that time referring to a foul sewage drainage strategy document.

Ecology Officer – Has made some recommendations which have been incorporated into the proposals. Satisfied with the proposals in relation to the discharge of conditions relating to provision of nesting places for bats and birds, pre commencement tree survey work and timing of vegetation clearance.

Planning Policy – The principle of residential development on this land has been agreed by the Planning Committee at outline stage, application number 15/00975/OUT.

Some concern over the lack of bungalows proposed in line with paragraph 50 of the NPPF and Policy CS11 of the Core Strategy - *Darlington's Strategic Housing Market Assessment 2015 identifies that the borough does have an ageing population and current Government policy is focused on supporting older people to live independently at home. As a consequence the local planning authority should be encouraging suitable general housing such as bungalows for the elderly particularly in major residential schemes.*

Durham Constabulary – Concerns over possible levels of on – street parking implied on the submitted plans. (See Highways Engineer comments above).

Archaeology – Suggests that site evaluation should take place as soon as possible, to avoid the need for site layout changes at a later stage. (This is not part of the reserved matters application details). Requests that the condition attached to the outline permission remains in force.

Lead Flood Authority - Conditions attached to the outline permission have not been addressed in this application so remain to be discharged at a later date.

PLANNING ISSUES

Outline planning permission to develop this site with up to 200 dwellings was granted by the Planning Committee in July 2016 under reference 15/00976/OUT.

In granting planning permission, this Council has approved the principle of residential development of this site.

The approved outline planning application indicated that the dwellings and site would be accessed via High Stell and Grendon Gardens. **The principle of vehicular access to this site for up to 200 dwellings via High Stell and Grendon Gardens has therefor been established and cannot be called into question when considering the current Reserved Matters application.**

Objectors to the current application have also raised issues that were considered by the Planning Committee at the outline stage. These issues include :

- Access to the site is inadequate due to the roads being too narrow, already too congested with on street parking..
- The cumulative effect of this proposal plus the other five approved developments will result in unacceptable congestion and harm to the amenities of residents of the village.
- Public rights of way will be lost as a result of the development..
- Nearby reservoirs will be a safety hazard to children
- Village foul sewage system not capable of taking extra load from new development.
- Local facilities inadequate to accommodate extra dwellings, (buses, school, doctors etc).
- Site is outside the development limits.
- Construction vehicles will cause unacceptable disturbance.

All the above issues were assessed by Members and given due weight, however they were considered not to be so contrary to the Development Plan as to warrant refusing planning permission and duly granted outline planning permission subject to conditions which included the need to submit certain further details as part of a subsequent Reserved Matters application.

In considering the current Reserved Matters application therefore, there are only certain issues upon which the Planning Committee have to make an assessment and decide upon. These are in this instance the following :

- Appearance, scale and layout
- Road layout
- Landscaping
- Flood risk and surface water
- Archaeology

Design/Appearance/Layout – The proposed dwellings are those designed by typical large sized house builders and consequently are grouped into the familiar “house type” of which in this instance number approximately 13 different types. The dwellings proposed on-site are all two to five bedroom sized units. The house types proposed are predominately 2 storey properties, with a mixture of detached, semi-detached and terraced properties. The predominate design style is detached two storey properties. Some dwellings will also provide garages as well as off-street car parking spaces. The density of the development will be 29 dwellings per hectare, just under the minimum threshold noted in the Council’s Design of New Development SPD.

The applicant has been asked to consider introducing a number of bungalows into the mix of dwelling types . No response has been received at the time of drafting.

The site is laid out roughly around a circular road structure with the use of private drives. The site is bound on three sides by landscaping which acts to soften the edges of the development within the existing landscaping.

The approved outline planning permission illustrative layout split the development roughly in half with the use of public open space and the retention of a public footpath. The submitted Reserved Matters scheme retains this approach, with a slight widening of this central green area. A strong landscaping scheme containing a circular walking route has been proposed along the northern, western and southern boundaries of the site.

Road layout/Access - In accordance with the approved Outline scheme, access to the site is achieved via Grendon Gardens/The Greenway and High Stell.

The onsite road layout has been designed in accordance with the Local Authority's design guidance for residential developments and is based on a 20mph speed limit. Road widths are typically 5.5m wide, with 2m wide footpaths provided either side of the carriageway. The visibility splays at junctions within the development are 2.4m x 25m and are accommodated within land that is part of the adopted highway.

Where private drives are to be provided that exceed 25m, bin stores are to be provided to ensure that refuse collection is within a 25m walking distance of the adopted highway. This is in accordance with the guidance provided in the Manual for Streets.

There are at present a number of public footpaths crossing the site. The principle of diverting these to enable development to take place was approved at the outline planning permission stage. It will be necessary for the developer to submit formal diversion orders to the Council before any development can take place and this will give local residents the opportunity to comment and/or object to the proposed diversions.

Landscaping/Open Space – An intrinsic part of the character of the layout is the quality of new landscaping and open space provision.

Condition 5 of the approved Outline Scheme requires the submission of a detailed Landscape Master Plan, Implementation Strategy and Management Plan, demonstrating that the landscaping proposals have taken account of and been informed by the existing landscape characteristics of the site and by any loss of existing vegetation on the site.

The applicant has commissioned consultants to input into the landscaping scheme as proposed for this Reserved Matters submission through the production of an updated Ecological Impact Assessment and Species Planting Plan. This has been studied by the Council Ecology Officer who has made certain recommendations that have been incorporated into revised plans submitted with updated highways information.

The landscaping scheme as detailed on the submitted proposed site plan provides an extensive landscaping buffer along the entirety of three of the site boundaries (northern, western and southern) providing a green buffer between the edge of the built form of development and the surrounding landscape. The site will also be roughly dissected in half by an additional north/south landscape corridor which mirrors the existing route of a public footpath.

The inclusion of sustainable urban drainage system (SUDS) ponds into the landscaping scheme, with an appropriate planting mix on these features, should ensure that these drainage features are incorporated into the landscaping scheme effectively.

Flood Risk and Surface Water - The applicant commissioned ID consultees to produce a Flood Risk Assessment and Surface Water Management Strategy to inform the submitted proposed site plan and provide mitigation measures for any potential issues.

The submitted Flood Risk Assessment confirmed that the entirety of the site is located within Flood Zone 1 and did not identify any potential flood risks from rivers/watercourses, overland surface water or sewers.

Various legislative sources including Building Regulations (Part H), the National Planning Policy Framework and DBC development control policies require the consideration of sustainable drainage techniques for new developments. It is proposed that storm water attenuation will be entirely contained within new SUDS basins as identified on the submitted site plan. These basins have been incorporated into the landscape strategy to minimize their visual impact.

Precise details of the SUDS operability have not been provided so the Lead Flood Authority are re imposing their conditions from the outline planning permission.

Archaeology - The applicant commissioned Pre-Construct Archaeology Limited to produce a Written Statement of Investigation (WSI) detailing the required archaeological works that will be undertaken in order to discharge the relevant archaeological conditions attached to the outline planning permission. Durham Archaeologist has requested the earlier conditions are re – imposed on the reserved matters application.

Ecology - In addition to the above, the applicants have submitted details relating to the discharge of conditions within the outline planning permission relating to provision of nesting places for bats and birds, pre commencement tree survey work and timing of vegetation clearance. These have been considered by the Ecology Officer and are considered to be satisfactory.

CONCLUSION

The outline planning permission for up to 200 dwellings that was granted in 2016 established the principle of developing this land for residential purposes. A condition was imposed requiring the submission of a Reserved Matters application within 18 months of that permission.

The majority of objections to this application submitted to the Local Planning Authority relate to issues that were considered by Officers and the Planning Committee during consideration of the outline application and cannot be revisited at the Reserved Matters stage unless material considerations dictate otherwise.

Officers consider that there have been no material change in circumstances since the outline permission therefore the only planning matters that fall for consideration are those as detailed above as part of the reserved matters application now before Members.

The submitted details have been considered by Officers and certain amendments sought and received regarding internal highway layout details. The overall development is considered to be satisfactory in terms of design, layout and landscaping and will be compliant with National planning guidance and existing and emerging development plan policies.

Certain details remain the subject of future discharge of condition applications, including Archaeology, Affordable Housing, Construction Management Plan, Travel Plan and sustainable drainage.

Members are invited to approve the submitted application in order that progress can be made towards the submission of discharge of condition applications and the commencement of development on the site.

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 permission is granted with the following conditions –

1. The development shall be carried out in complete accordance with the approved plans and documents as detailed below:

House types :

The Abbey
The Amble
The Ascot
The Brocklehurst
The Chestnut
The Croft
The Damson
The Eleanor
The Epsom
The Fairfax
The Galloway
The Hamilton
The Juniper

Site Layout Plan –

Proposed Phasing Plan –

Proposed Parking Plan -

Ecological Condition Discharge Document –

Ecological Impact Assessment –

Flood Risk Assessment and Surface Water Management Strategy –

Proposed Planting Scheme Masterplan -

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.

2. Before development commences, a plan showing the phasing of development and the route of construction shall be submitted to and approved in writing by the Local Planning Authority. This plan will include details of the house build trigger point for the creation of the access point off High Stell.

Reason – In order that the Local Planning Authority can ensure that the development will be carried out in a manner that will minimise the impact of the construction of the development on local residents, and minimise the impact of traffic generated by the new development on local residents.