

Item 4

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

1. 7/2007/0227/DM APPLICATION DATE: 11 April 2007

PROPOSAL: **ERECTION OF 33 NO. DWELLINGS (OUTLINE APPLICATION)**

LOCATION: **LAND WEST OF GLADSTONE TERRACE FERRYHILL**

APPLICATION TYPE: Outline Application

APPLICANT: Hellens Developments

CONSULTATIONS

1. Cllr. D.A. Newell
2. Cllr. G. Morgan
3. Cllr. B. Meek
4. DCC (TRAFFIC)
5. NORTHUMBRIAN WATER
6. ENGLISH NATURE
7. FERRYHILL TOWN COUNCIL
8. BR GAS
9. BR TELECOM
10. ENV AGENCY
11. ENGINEERS
12. ENV. HEALTH
13. L.PLANS
14. DESIGN
15. LANDSCAPE ARCH
16. POLICE HQ
17. NEDL

NEIGHBOUR/INDUSTRIAL

Gladstone Terrace:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,Fosters Building Supplies
Sandalwood Sandalwood Ferryhill Station W.M.C Gladstone Court:3,2,1 Sandville Sandbourne
Bluestones Broom Lodge Cleveland View:1,2,3,4,5,6,7,8

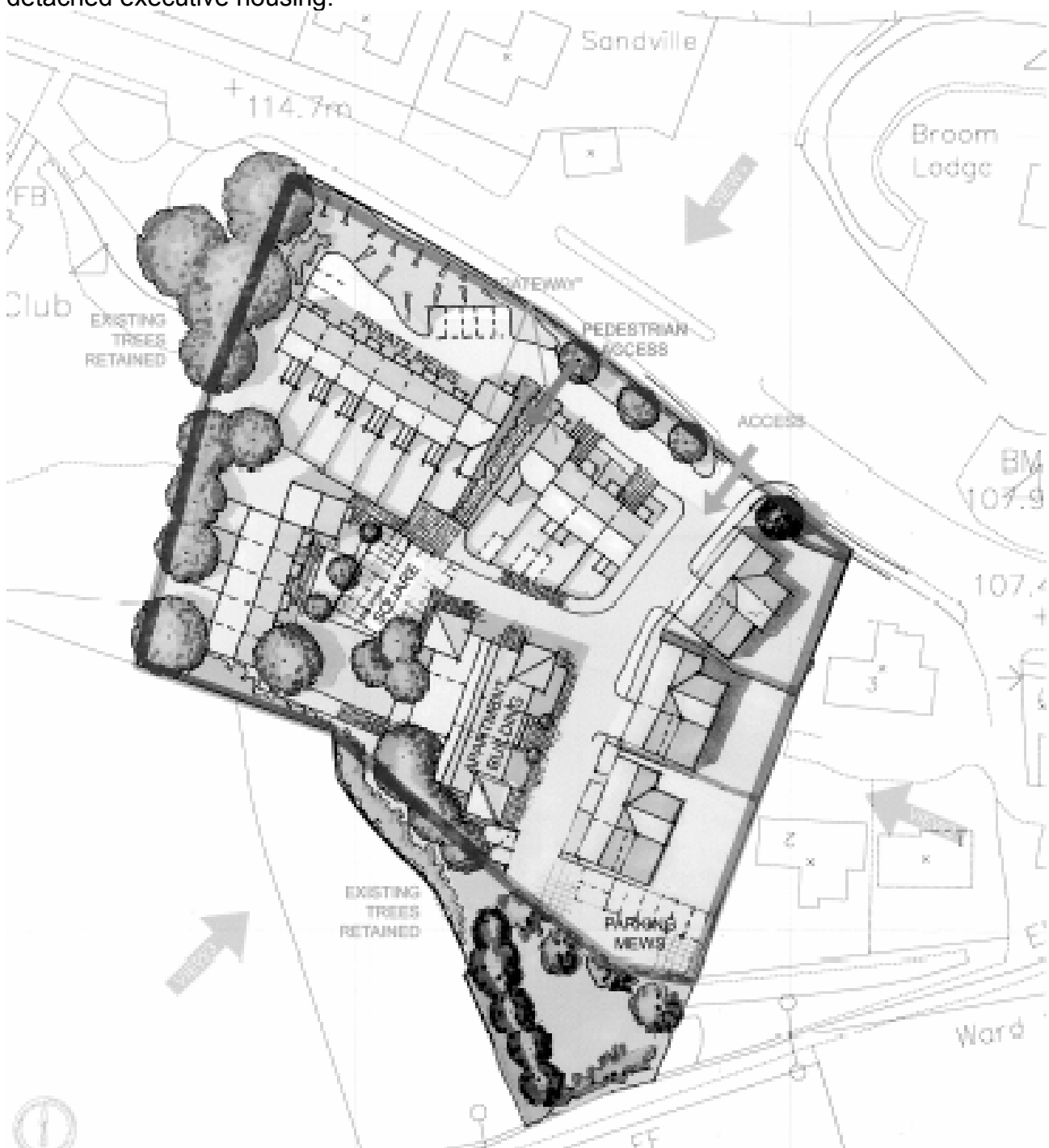
BOROUGH PLANNING POLICIES

- | | |
|-----|---|
| H1 | Housing Development in Newton Aycliffe, Spennymoor, Shildon and Ferryhill |
| T7 | Traffic Generated by New Development |
| L1 | Provision of Open Space, including Standards |
| L2 | Provision of Open Space in New Housing Development |
| D1 | General Principles for the Layout and Design of New Developments |
| D3 | Design for Access |
| D5 | Layout of New Housing Development |
| D10 | Location of Potentially Polluting Developments |
| D13 | Development Affecting Watercourses |
| E14 | Safeguarding Plant and Animal Species Protected by Law |
| D15 | Advertisements |

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THE PROPOSAL

Outline permission is sought for residential development of land to the west of Gladstone Terrace, Ferryhill. The 0.72 hectare application site is located within the residential framework of Ferryhill, part of which is presently developed as a building supplies business. The remaining portion is undeveloped land which has naturally regenerated following quarrying operations for sand removal. The site is bounded by allotments to the south, recently constructed housing to the east, Ferryhill Station Working Mens Club to the west, and the main C26 classified road to the north. The locality is predominantly residential in character, and contains a variety of house types including Victorian terraces, mid 20th century houses and bungalows, and modern detached executive housing.



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The outline application is accompanied by a design and access statement, which gives indicative information on matters such as the context, amount, layout, scale, landscape, appearance and access to the development. Following negotiations with the applicant's agent, further information has been received to address officers' concerns about the indicative details. Ecological and Geotechnical reports also form part of the application.

CONSULTATION AND PUBLICITY

Statutory / Non-Statutory Consultees

Ferryhill Town Council has objected on the basis that the proposal is weighted towards terraced housing in an area where there is sufficient similar development, and that the proposal would undermine master plans for Dean Bank and Ferryhill Station. No response has been received to reconsultation on the additional information.

The County Highways Engineer has raised no objections, but has raised technical issues including the following:

- The access point would need to be subject to careful positioning relative to those sites under development on the north side of the C26.
- The access would need 10 metre junction radii, 2.4 x 45 metres sight visibility splays, a 4.8 metre wide carriageway, 1,8 metre wide footways to each side.
- The indicative overprovision of car parking would need ultimately to be reduced to a maximum of 1.5 spaces per dwelling.
- All highway works would need to adoption standards under Section 38 of the Highways Act 1980.
- There may be a requirement to improve local bus stop infrastructure, and this matter should be discussed with the DCC Integrated Transport Unit.

No response has been received to reconsultation on the additional information.

The Environmental Health Section has advised on hours of operation for construction and control of noise in order to protect the amenity of neighbouring occupiers. This advice was restated in response to the reconsultation on the additional information.

SBC Engineering Services has no objections to the original submission subject to prior agreement of engineering details for the vehicle access. Reservations have been expressed however on the additional indicative details in terms of layout.

SBC Landscape Architect has welcomed the redevelopment of the building supplies site, but considers redevelopment of the former sand quarry land to be inappropriate because it has regenerated into informal open space containing some self-set trees.

Natural England considers that the proposal is unlikely to have any adverse effect upon species protected by law, but advises the imposition of a condition to require development to take place in accordance with mitigation measures stated in the application.

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Environment Agency has no objections on grounds of flood risk or contamination.

The Forward Planning Section has given a detailed policy response on the proposal, which has been used as a basis for the formulation of the planning considerations below. The advice has been updated following reconsultation on the additional information.

Police Architectural Liaison Officer has given advice on crime prevention measures that should be built into any detailed scheme for the site.

Publicity Responses

Site notices were erected, an advertisement placed in the local press and letters were sent to neighbouring occupiers advising of the application. To date 5 letters of objection have been received from the public. The main concerns are impact on highway safety and that the application describes development not in keeping with the locality.

PLANNING CONSIDERATIONS

The main planning considerations in this case are:

- Compliance with national planning policy and guidance and local plan policies
- Affordable Housing
- Access and highway safety
- Impact on ecology
- Renewable energy provision
- Open Space

COMPLIANCE WITH NATIONAL PLANNING POLICY AND GUIDANCE AND LOCAL PLAN POLICIES

Local Plan Policy

Policy H1 of Sedgefield Borough Local Plan lays out the criteria for assessing new housing development on sites within Ferryhill. It states that a site must either be substantially surrounded by housing, or the development must not extend into the open countryside. Additionally a scheme must not prejudice the environmental restraint policies of the Local Plan and must not conflict with Policy D5 which sets out the design principles for new housing. In broad terms this proposal does not conflict with any aspects of this policy

National Guidance

The Local Plan is somewhat out of date now, and the Government's current advice on housing is encapsulated with PPS3, which outlines that residential development should create places and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character. The application site is accessible and connected to public transport and community facilities and services, and has basic access to community and green open spaces. Housing schemes should be well laid out so that all the space is used efficiently, is safe, accessible and user-friendly.

The current proposal looks only at the principle of development, and any reserved matters or detailed applications that are submitted later must contain a housing scheme that integrates

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with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.

PPS3 highlights that the priority for development is previously developed land, in particular vacant and derelict sites and buildings. Approximately one-third of the site is currently occupied by the building supplies premises, the remainder being within the perceived natural settlement boundary, and historically being used for sand quarrying. Despite the comment of the Landscape Architect, this is not considered to be strictly Greenfield land. In any event, the proposal would essentially contribute to the national target that at least 60 per cent of new housing should be provided on previously developed land. This would be consistent with RPG1 and the aspirations of PPS3.

AFFORDABLE HOUSING ANALYSIS

The Government is committed to providing high quality housing for people who are unable to access or afford market housing. In order for Local Authorities to request affordable housing provision, there is a need to demonstrate a lack of affordable housing to meet local needs through evidence, such as Housing Needs Survey. Where a need has been identified is encouraged through Policy H7 of RPG1 and the Submission Draft RSS.

Site size

This proposal is for approximately 33 residential units. This exceeds the size threshold of 15 dwellings (Paragraph 29, PPS3) where there is a requirement to provide affordable dwellings if a need can be demonstrated.

Need for affordable housing

This is analysed by interrogation of the following data:

- Housing Needs Survey
- House Price Data
- Household Incomes
- Housing Provision surrounding site

Housing Needs Survey (HNA) & Dwelling Balance Analysis (DBA)

The last complete HNS and DBA were produced in 2003. These studies identified that within Ferryhill there was a shortfall in affordable stock in 2-bed flats and 1-bed houses. The Housing Needs Survey suggested that as a mechanism to overcome the shortfall in affordable provision across the Borough, a minimum of 20% affordable provision should be sought on every planning application for housing development.

House Price Data

Over the period since the questionnaire on the Housing Needs Survey (October 2002 – October 2006) the house price changes within the specific Ferryhill postcode area (DL17 8) were as follows:

HOUSE TYPE	FERRYHILL	NATIONAL AVERAGE
DETACHED	+76.00%	+40.86%
SEMI-DETACHED	+92.43%	+46.82%
TERRACED	+190.67%	+51.76%
FLAT/MAISONETTE	+0%	+32.69%
OVERALL	+88.87%	+32.82%

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It is clear that house prices in Ferryhill have risen by amounts far in excess of the national average over the four-year period from 2002-2006.

Household Income

The Housing Needs Desktop Update that was carried out in 2005 identifies that 49.1% of the Borough's households have an income level below £16,140. Information for concealed households shows that 67% income level below £16,140, precluding them from entering the private housing market. Up to date Paycheck data, which is broken down to postcode areas shows that many people would not be able to enter the private sector housing market within Ferryhill (assuming a mortgage of 3 times income).

Postcode	Total Households	Paycheck Mean (Average Wage)	Paycheck Median (Exact Middle Wage)	Paycheck Mode (Most Common Wage)
DL17 0AA	16	£35,100	£30,900	£23,600
DL17 0AF	6	£37,100	£32,700	£25,000
DL17 0AN	3	£36,800	£32,300	£24,600
DL17 0BQ	19	£17,700	£16,300	£13,800
DL17 0DR	18	£26,100	£23,300	£18,300
DL17 0SW	8	£34,800	£30,700	£23,400
D17 8AR	25	£28,500	£25,300	£19,600
DL17 8AS	21	£25,800	£23,100	£18,200
DL17 8BA	25	£23,800	£21,400	£17,100
DL17 8BB	6	£26,500	£23,700	£18,600
DL17 8BD	22	£40,600	£35,700	£27,200
DL17 8BH	28	£19,800	£18,100	£15,000
DL17 8BP	9	£36,600	£32,200	£24,500
DL17 8DA	28	£38,200	£33,500	£25,500
DL17 8DB	32	£37,100	£32,600	£24,800
DL17 8DD	28	£24,900	£22,300	£17,700

Housing Provision Surrounding Site

The site lies within an urban settlement where the principle type of housing is a combination of detached, semi-detached and terraced properties. Whilst some of these are affordable at the moment, a high proportion are not, and indeed should house prices continue to rise at levels in excess of the national average, those which are currently affordable, will soon become unaffordable to many. In recent years Ferryhill has not witnessed high levels of housebuilding, and whilst it is important to diversify the housing stock within Ferryhill and the wider Borough, it is equally important to ensure that housing stock is affordable in the long-term.

Affordable Housing Conclusion

Taking account of the evidence provided by the Housing Needs Survey, the interrogation of House Price Data, Household Income, there is convincing justification for requiring the provision of 20% affordable housing within the current scheme. The provision of affordable housing would accord with Policy H7 of RPG1, the emerging RSS, PPS3 and the philosophy of Policy H19 of the Borough Local Plan.

ACCESS AND HIGHWAY SAFETY

There are not considered to be any significant issues surrounding access and highway safety, despite concerns expressed by one local resident. The Highway Authority is satisfied that provided the access is located well in relation to other existing accesses, and it is constructed to

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adoptable standards, highway safety would not be compromised. The indicative internal site layout is not satisfactory from a highway point of view, but this would not be approved as part of an outline permission. The proposal is considered to accord with Policy T7 of the Local Plan.

IMPACT ON ECOLOGY

Natural England is satisfied that the proposal would not adversely impact upon species protected by law, provided the applicant's mitigation strategy is adhered to. This can be ensured by way of a planning condition. Policy E14 of the Local Plan would be satisfied.

RENEWABLE ENERGY PROVISION

The application makes no reference to the inclusion of embedded renewable energy generation nor does it demonstrate how the development would assist in reducing energy consumption. This is not in the spirit of RPG1 policies EN1 and EN7, which encourage renewable energy and energy efficiency. The emerging RSS goes a step further by requiring the incorporation of 10% embedded renewable energy in major new development. This proposal would therefore benefit from the incorporation of energy efficiency measures and embedded renewable energy generation and this could be achieved by imposition of an appropriate condition.

OPEN SPACE PROVISION

The Borough Local Plan requires that housing development should provide for open space at a minimum rate of 100 sqm of informal play space, and 500 sqm of amenity space for every 10 dwellings (Policy L2). The local plan was of course adopted in 1996, and government guidance has been published more recently which places great emphasis on housing being developed at a minimum density 30 dwellings per hectare net. The Local Plan was clearly written in the pre PPG3 and PPS3 era when houses tended to be built at densities around 20 per hectare, and this demonstrates that there is a slight paradox between the requirements of Policy L2 and the necessity for housing development to be built at a minimum density of 30 dwellings per hectare.

To assess whether open space should be provided on site, due regard has to be given to requirements of PPS3, to current planning policy on open space, and also to the recently completed Open Space Needs Assessment (OSNA). Paragraph 16 of PPS3 states that when assessing the design quality of a developers proposed housing scheme, local planning authorities are to consider the extent to which the proposed development provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies. The OSNA shows that Ferryhill has an undersupply of children and young people's space and informal green space. There are also areas within Ferryhill where improvements to the quality of provision can be made.

For all these reasons, there is a reasonable argument that a reduced open space requirement for the application site would be acceptable given the Local Plan / PPS3 paradox, on the basis that the reduction is offset by raising commuted sums to enhance other open space / play facilities in the locality. A 50/50 split is considered both practical and reasonable. Future management of open space and play areas ought to be declared by the applicant in a management plan.

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CONCLUSION

The redevelopment of the building supplies depot and former sand quarry area would constitute recycling of previously-developed land of which PPS3 and the emerging RSS are keen advocates. It will also contribute to the Government target of 60% of additional housing on previously developed land. The proposal would also, to a significant degree, accord with RPG1, the emerging RSS, the Borough Local Plan and national guidance contained within PPS3 in terms of locational strategy. The principle of housing on the site is therefore accepted, and would fulfil the following objectives:

- The Scheme would contribute towards the national target that by 2008, at least 60% of additional housing should be provided on Brownfield land.
- The proposal accords with policy H1 of the Borough Local Plan because the site is well located within the settlement development of Ferryhill and there are houses in most directions.
- The residential development would have good access to jobs, key services and infrastructure.

The comments of objectors have been considered, but the main concerns about the form of development and its relationship to its surroundings are not considered to outweigh the other considerations because the submitted layouts are only indicative, and that aspect will be a reserved matter for consideration at a later date.

Any conditional planning approval certificate should only be issued in exchange for a Section 106 agreement to cover the following heads of terms:

- The payment of a commuted sum of £500 per dwelling across the entire scheme in lieu of the shortfall in open space provision within the application site.
- The submission of a Management Plan for the future management and maintenance of areas of open space including equipped play areas.
- The provision of a minimum of 20% affordable housing spread across the site.

RECOMMENDATION

It is recommended that:

1. Planning permission is granted subject to the conditions set out in Appendix 1 to this report.
2. The Head of Planning Services be given authority, in consultation with the Borough Solicitor, to issue a conditional planning approval in exchange for a Section 106 Legal Agreement in order to ensure that the proposal delivers a minimum of 20% affordable housing.

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1. Approval of the details of the layout of the development, the scale and appearance of the dwellings, access, and the landscaping of the site (hereinafter called the 'Reserved Matters') shall be obtained from the Local Planning Authority before any development is commenced.
Reason: Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of THREE years from the date of this permission and the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter has been approved.
Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be maintained in accordance with British standard 4428 for a period of 5 years commencing on the date of practical completion and during this period any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and grass that fails to establish shall be re-established unless the Local Planning Authority gives written consent to any variation.
Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan

6. All trees and hedges to be retained shall be properly fenced off from those parts of the site to be demolished or redeveloped and shall not be removed without prior approval of the Local Planning Authority. Details of the type and positioning of the protective fencing shall be

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submitted and approved by the Local Planning Authority prior to the development of demolition commencing.

Reason: To enable the Local Planning Authority to ensure that existing natural features on the site are protected and retained in the interests of the visual amenity of the site and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

7. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

8. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

9. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

10. No development shall commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local planning Authority. Development shall take place in accordance with the approved plans.

Reason: In order to control the level at which the development takes place in order to protect the visual and residential amenity of the area and to comply with Policy D1 and D5 of the Sedgefield Borough Local Plan

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any walls or fences or other means of enclosure shall be approved by the Local Planning Authority and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

Reason: In the interests of safeguarding the visual amenity of the residential area

12. Site works during development , including operation of construction plant, machinery and vehicles, and vehicle movements for the purpose of deliveries and removals, shall not be carried out outside the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1400 Saturdays, except where on Sundays and Bank Holidays, site works that do not generate noise that is audible at the site boundary are permitted.

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Reason: In order to protect occupiers of nearby dwellings from noise pollution in accordance with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

13. Prior to the commencement of development a detailed plan indicating the location of material storage and employee parking on site shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be available and used at all times during construction.

Reason: In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

14. Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site in accordance with details, including its siting, to be agreed beforehand by the Local Planning Authority. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times.

Reason: In the interest of amenity and to reduce the amount of mud on the roads and in accordance with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

15. Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing.

Reason: In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.

16. No development shall take place unless in accordance with the mitigation detailed within the protected species report (Ecological Surveys For The Site At Gladstone Terrace Ferryhill, February 2007 by Veronica Howard, BSc,(Hons), PhD, MIEEM) including, but not restricted to:
Checking surveys for nesting birds if demolition of buildings is to take place during the bird breeding season (March to September inclusive) with no works to be undertaken if nesting birds are found to be present;

No scrub removal during the bird breeding season (March to September inclusive) unless checking surveys by a suitably qualified person has confirmed the absence of nesting birds, and

No demolition of buildings during the winter bat hibernation period (November to March inclusive) and adherence to precautionary working methods detailed in the bat mitigation method statement provided.

Reason: To safeguard species protected by law and to comply with Policy E14 Safeguarding Plant and Animal Species Protected by Law.

INFORMATIVE: REASONS FOR APPROVAL

In the opinion of the Local Planning Authority the proposal is acceptable in terms of its impact upon highway safety, and visual and residential amenities of the area, and would provide for a modern sustainable housing development..

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INFORMATIVE; REASONS FOR APPROVAL

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations, including Supplementary Planning Guidance: H1 Housing Development in the Major Centres T7 Traffic Generated by New Development L1 Provision of Open Space, including Standards L2 Provision of Open Space in New Housing Development D1 General Principles for the Layout and Design of New Developments D3 Design for Access D5 Layout of New Housing Development D10 Location of Potentially Polluting Developments D13 Development Affecting Watercourses E14 Safeguarding Plant and Animal Species Protected by Law E15 Safeguarding of Woodlands, Trees and Hedgerows
Supplementary Planning Guidance Notes: SPG3 Layout of New Housing.

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1. 7/2007/0382/DM APPLICATION DATE: 22 June 2007

PROPOSAL: **ERECTION OF 19NO. DWELLINGS**

LOCATION: **FORMER HORNDALE WMC MEADOWFIELD WAY NEWTON
AYCLIFFE CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Hall Construction
Stotforth Hill House, Windlestone, Rushyford, Co Durham, DL17 0NF

CONSULTATIONS

1. Cllr. Irene Hewitson
2. GREAT AYCLIFFE TC
3. Cllr. D Bowman
4. Cllr. V Crosby
5. Cllr. Irene Hewitson
6. GREAT AYCLIFFE TC
7. Cllr. D Bowman
8. Cllr. V Crosby
9. DCC (TRAFFIC)
10. POLICE HQ
11. LANDSCAPE ARCH
12. DESIGN
13. L.PLANS
14. VALUER
15. ENV. HEALTH
16. ENGINEERS
17. WILDLIFE TRUST
18. ENV AGENCY
19. BR TELECOM
20. N.ELEC. (DUR)
21. BR GAS
22. ENGLISH NATURE
23. NORTHUMBRIAN WATER
24. Rodger Lowe
25. Colin Holm

NEIGHBOUR/INDUSTRIAL

Lascelles Avenue:1

Wilton Court:28

Luttryngton Court:4,5,6,7,8,9

Hareson Road:8,27,25,23,21,19,17,15,13,11,9,7,5,3,1

Winterburn Place:86,87,88,89,90

Greenlee Garth:150,149,144,143,142,141

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BOROUGH PLANNING POLICIES

E15	Safeguarding of Woodlands, Trees and Hedgerows
D1	General Principles for the Layout and Design of New Developments
D3	Design for Access

THE PROPOSAL

Detailed planning permission is being sought for the erection of 19 houses and associated vehicular access at the site of the former Horndale Working Men's Club at Meadowfield Way, Newton Aycliffe. The development site would include the footprint of the original building, which has now been demolished, the car parking area serving the club and ancillary open space within the curtilage of the building. Vehicular access to the site would be taken from Meadowfield Way although the existing access would need to be both widened and improved in order to bring this up to an appropriate standard for this scale of development.

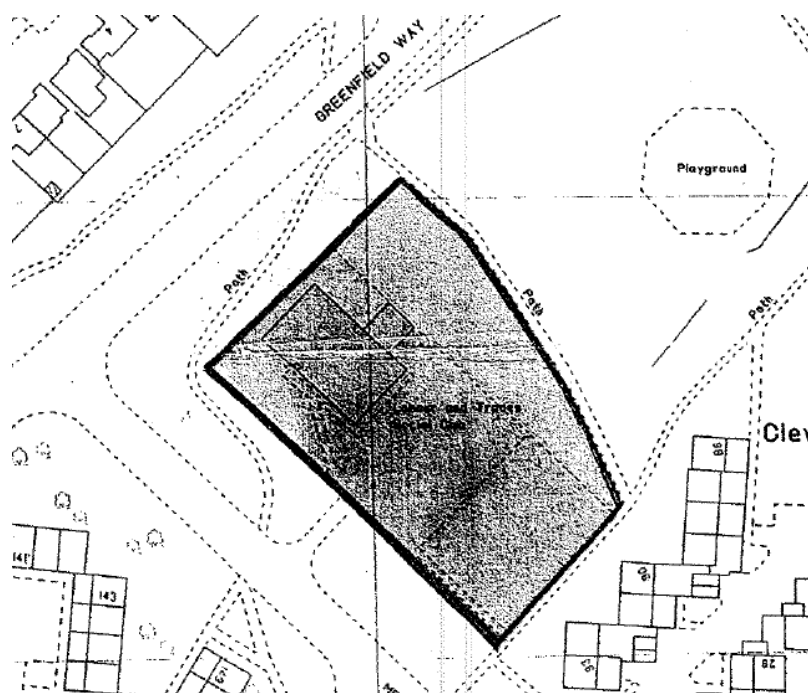
It is proposed to construct 10 three storey terraced houses, 7 two storey terraced houses and two detached houses. The terraced housing is arranged in blocks of between and six units. The eaves and ridge heights of the proposed housing vary significantly depending upon the individual house types. However, these range from 4.3 and 7.2m, respectively for the terraced block adjacent to Hareson Road to 7.7m and 10.7 m, respectively for the three storey terrace adjacent to Greenfield Way.

The eastern half of the site consists of a mix of two and three storey houses whilst the housing on the western half of the site are restricted to two-storey housing only. The western edge of the housing site has also been set away from the site boundary so that a strip of open space of a varying width of between 4.0 -7.5 metres is retained adjacent to the existing footpath to the rear of Hareson Road. The reduction in the scale of the housing on the western edge of the site and the inclusion of the open space adjacent to Hareson Road appear to have been incorporated in this revised scheme in response to earlier concerns from residents at Hareson Road who were concerned over the scale and bulk of the earlier housing and the formation of a 'rat' run along the existing footpath in this area.

The application site, which measures approximately 0.45 hectares, is located at the corner of Meadowfield Way and Greenfield Way. A strip of amenity open space is located between the application site and the adjacent road system, the parcel of land flanking Meadowfield Way contains a significant number of trees of varying ages, heights and species. The site is bounded on three sides by existing housing, as illustrated on the location plan, whilst the fourth side overlooks an area of amenity open space.

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This application is a re-submission of an earlier planning application for 18 units, which was withdrawn by the applicant in May 2005.

CONSULTATION RESPONSES

Great Aycliffe Town Council has raised no objection to this proposal.

Durham County Council as the Highway Authority has objected to the proposal on the grounds that the proposed layout does not include adequate pedestrian links from the site to the existing public footpath network. This issue was raised at the time of the earlier planning application for this site but has not been resolved within this revised scheme. As such, the County Engineer has stated that he has no option but to formally object to this scheme. It was also stated that the internal layout would need to be amended to improve the private shared driveway arrangements within the site.

The Council's Tree Officer has raised concern that the proposed development including the widened vehicular access, footpath and improved sight lines would have a significant affect upon the existing tree cover located in the area of amenity space between the application site and Meadowfield Way. It was estimated that as many of 50% of the existing trees in this area could be at risk because of this proposal and it was feared that the loss of these trees could have a significant detrimental impact upon the visual amenity of the street scene in this area. It was requested that additional information be provided by the applicant to demonstrate precisely which trees would be affected by the proposed scheme and a mitigation scheme be put forward to demonstrate what, if any compensatory planting is proposed. *At the time of drafting this report the applicant had not supplied this information.*

The Council's Landscape Architect has made several detailed comments regarding this scheme and in particular suggested that a detailed landscaping plan would need to be prepared to take into account the relationship of the proposed housing and the existing and proposed tree planting, it was suggested that clarification be sought at this early stage regarding which areas of open space are to be adopted by the Council, with future maintenance secured via a Section

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106 Agreement including the payment of a commuted sum.

Natural England have confirmed that the proposal is unlikely to have an adverse affect in respect of species especially protected by law subject to the imposition of a planning condition ensuring that works are carried out in accordance with the mitigation measures outlined within the Environmental survey carried for this site, including measures to ensure that any tree and scrub removal is carried out outside the bird breeding season.

The Environment Agency has assessed this application as having a low environmental risk. As such, they have no comments to make regarding this proposal.

Northumbrian Water has no objections to the proposed development.

Durham Constabulary's Architectural Liaison Officer has confirmed that he has no comments regarding this proposal.

The Engineering section have stated that the site layout does not conform with Durham County Council's guidance regarding the layout and construction of estate roads because of the number of properties served from each of the shared drives exceeds current standards. It has also been pointed out that the footpath linkages between the proposed development and the existing footpath network needs to be clarified.

The Environmental Health section has offered comments on the operation of noisy plant and machinery during construction works including recommendations that working hours are restricted, that measures are taken to minimise dust from the site and that wheel washing facilities be installed to minimise mud on the highway.

This application has been advertised via a press notice, the posting of several site notices and direct neighbour notification. As a result, four letters of objection and one letter of comment have been received from local residents living at Luttryngton Court, Wilton Court and Hareson Road.

In summary, the respondents from Luttryngton Court and Wilton Court all express concern that the three storey housing, would be out of keeping with the scale of the other housing in this area, which is predominantly two storey. It was felt that the three storey housing would also look unduly 'domineering' on Greenfield Way because of the height of the proposed buildings, the close proximity of these units to the site boundary and the resultant loss of trees within this area to facilitate the building works. Several respondents also expressed concern that the proposed scale of the housing would be significantly higher than the original club building, it was also stated that previous proposals to extend the former club at first floor level were refused because of concerns regarding the resultant height of the building. Concerns were also expressed that the proposed housing would because of its height result in an unacceptable loss of privacy to the existing housing opposite at Luttryngton Court. One respondent also raised concern regarding loss of view.

The respondent from Hareson Road stated that the revised plans have taken into account earlier concerns regarding the scale of the housing abutting Hareson Road and the limited space adjacent to the footpath. They stated that they had no objection provided that the area designated as open space behind Hareson Road as at least the same width as it is now and provided that the trees shown on the planning application are those already in place rather than

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new planting which would take many years to mature.

PLANNING CONSIDERATIONS

The main planning considerations in this case are:

- * Compliance with National Planning Policy and Guidance and Local Plan Policies
- * Design / Scale
- * Impact upon tree cover
- * Inter relationship between this site and the surrounding footpath network
- * Residential Amenity

Compliance with National Planning Policy and Guidance and Local Plan Policies

The application site is located on the site of a former workingmen's club, and its redevelopment for housing would therefore involve the re-use of previously developed land, which would comply with Planning Policy Statement (PPS3) Housing and the emerging Regional Spatial Strategy. This would also help contribute to the Government target of 60% of new housing being constructed on previously developed land.

The Council's Housing Needs Assessment has, however, identified a local need for affordable housing. As such, a scheme of this scale would need to provide 20% affordable housing provision, in order to satisfy the requirements of PPS3.

A minimum of 10% renewable embedded energy would also need to be incorporated into the scheme in order to comply with Policy 40 of the Regional Spatial Strategy.

It is considered that the re-development of this site for housing would 'in principle' accord with both National, Regional and Local Planning policies. The acceptability, or otherwise, of this scheme will, therefore, depend upon the detail of the application which is considered below.

Importance of Design

The importance of creating a high quality of design in all new developments including housing estates is recognised within several key policies of the Sedgefield Local Plan including Policy D1, D2, D3 and D5. These policies specifically seek to ensure that new development pays attention to the design of buildings and their spatial relationship to open spaces, landscaping and adjacent land uses. These policies also seek to ensure that new development makes satisfactory provision for pedestrians and cyclists etc.

Recent Planning Policy guidance (including PPS3 Housing) seeks to build upon these expectations further to ensure that new housing developments are well designed and enhance the character and quality of an area. This re-newed emphasis upon design has been championed by CABI (The government's advisor on architecture, urban design and public space) and this authority has embraced the CABI standards as best practice. CABI's Building for Life guidance outlines 20 questions which help assess whether or not a development scheme would result in a successful development inc.

- * does the scheme feel like a place with a distinctive character?
- * does the scheme exploit existing buildings, landscape or topography?

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- * does the scheme integrate with existing roads, paths and surrounding development?
- * is the design specific to the scheme ?
- * has the scheme made use of advances in construction or technology that enhance performance, quality or attractiveness?

Whilst it is acknowledged that the current scheme does represent an improvement over the initial detailed planning application for the site because of the reduction in the scale of the housing adjacent to Hareson Road and the provision of a strip of amenity open space along the existing footpath to increase safety and confidence of footpath users, the current scheme is considered to fall short of the CABA standards outlined above.

A fundamental aspect of good design is to consider the context of the proposed development site in terms of the existing topography, existing vehicular and pedestrian routes, the scale and form adjacent forms of development and other factors such as the position of existing tree cover within and adjacent the site.

Scale

A primary concern relating to this scheme is the scale of the proposed buildings. The application site is located in a prominent location along one of the main highways running through Newton Aycliffe. The predominant scale of the existing housing in this area is two storeys. The two storey housing at Luttryngton Court is set back from the highway and is well screened by a mature tree belt, the road side to the east of Greenfield Way is also characterised by tree planting.

Ten of the nineteen houses proposed are three storeys high, all of the housing fronting / flanking onto Greenfield Way would be three storeys. It is felt that this scale of development would be unduly dominant and prominent for this gateway site. A factor exacerbated by the proximity of the housing to the site boundary and the lack of tree cover in the amenity space between the site and the highway.

Design

The applicant has attempted to improve the design of the housing so that this is outward looking and, hence, avoids high boundary fencing facing directly onto the external site boundaries. However, the style of the proposed housing would appear somewhat out of context with its surroundings. Although often subjective, it is felt that a less traditional design would be more appropriate at this particular location.

Impact on Tree Cover

As previously mentioned within this report this Council's Tree Officer has raised significant concern that this proposal would require the removal of a significant number of existing trees which are located between the development site and Meadowfield Way both to provide a widened access including footpath and to secure the required sight lines. This loss of tree cover is considered to be a material and significant planning consideration because of the visual amenity value of the trees in question and the screening that these would provide to the proposed housing.

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Furthermore, the front face of the terrace of 6 houses which flank the north-eastern corner of the development site would only be approximately 2.6m inside the property boundary. As a consequence the front face of the dwellings would be extremely close to the existing tree cover between the site and Meadowfield Way. Even if some of these trees could be safeguarded during construction, the close proximity of the trees to the housing would result in future pressure from residents to have these lopped or felled because of concerns over lighting, safety or leaf fall.

The applicant was requested to carry out a detailed tree survey to illustrate the height, age and species of the trees in this area and to clearly identify which of these would be affected by the proposed development including both the construction of the housing itself and the widen access and associated sight lines. It was also requested that details of compensatory planting be provided in mitigation for the felled trees. The applicant has failed to provide the necessary details.

Inter relationship with existing footpath network

The layout of the housing scheme appears to have been designed in isolation. Although the existing site is bounded by several existing footpaths, both adopted and unadopted, the footpaths within the scheme have no interconnectivity. As a result the County Council's Highway Engineer has recommended that this application be refused.

Residential Amenity

In addition to concerns over the scale of the proposed buildings several of the residents at Luttryngton Court expressed concern that proposed three-storey development would result in a loss of privacy to their homes and gardens. Although it is acknowledged that some loss of privacy may occur as a result of new development it should be noted that a very substantial separation distance in excess of 45m exists between the application site and the rear gardens of those properties opposite at Luttryngton Court. This Council's supplementary planning guidance recommends a 21 m separation distance from habitable room to habitable room.

Because of the siting and design of the proposed buildings it is not thought that the proposed dwellings would have a significant over bearing impact upon the residential amenity of adjacent householders.

Other Matters Raised

Although loss of view was raised by one respondent this is not considered to represent a valid planning consideration.

This proposal would lead to a reduction in the area of amenity open space immediately to the rear of Hareson Road, however, bearing in mind the revised plans now incorporate some open space along the western boundary of the site it is not considered that this loss would be so significant so as to justify refusal.

The loss of trees within and adjacent to the site, both as a direct result of the construction of the housing itself and the associated access improvements is considered to be a key consideration in the determination of this planning application. It has been correctly stated that although compensatory planting could potentially be carried out in and around the site this could take

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many years to become established.

CONCLUSION

It is considered that the proposal fails to meet the requirements of PPG3 in terms of its compliance with National Planning Policy and Guidance, Local Plan Policies D1, D2, D5 and CABE's Building for Life standards in that the scale of the proposed housing is considered to be unduly high and out of keeping with the scale and character of the adjacent housing. This fails to give due regard to the impact of the proposal upon existing tree cover within and adjacent to the site and this fails to build upon the opportunities which exist for the layout to be fully integrated to the existing footpath network in and around the site. The significant loss of tree cover without suitable mitigation would also be contrary to Local Plan Policy E15 (C).

RECOMMENDATION It is therefore **RECOMMENDED that the application be refused for the following reasons:**

1. In the opinion of the Local Planning Authority the layout, design of individual properties, and the over reliance on three storey dwellings fails to create an attractive form of development that respects the scale and character of its surroundings. The proposal would therefore result in development which is inappropriate to its context and would fail to enhance the character and visual quality of the area. The proposal is therefore considered to be contrary to Policy D1 of the adopted Sedgefield Borough Local Plan and advice contained in PPS1 Delivering Sustainable Development and PPS3 Housing.
2. In the opinion of the Local Planning Authority the proposal fails to provide links to the existing footpaths in and around the site and as a consequence the proposed layout fails to create safe and convenient pedestrians route which integrate with the existing footpath network. The proposal is therefore considered to be contrary to Policy D1 and D3 of the adopted Sedgefield Borough Local Plan.
3. The proposed development by reason of its layout and siting would result in the loss of a number of semi-mature trees, which as a group constitute an important visual amenity and positively contribute to the appearance of the area. In addition, the proximity of the development to the trees would lead to pressure for trees to be felled or lopped to provide light to individual properties thereby further eroding the contribution that the trees make to the visual amenity and character of the area. The loss of these trees would therefore detrimentally affect the character and appearance of the locality and would be contrary to Policy E15 of the adopted Sedgefield Borough Local Plan.