

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	3/2011/0213
FULL APPLICATION DESCRIPTION:	Substitution of house types and additional 18 No. properties
NAME OF APPLICANT:	Mark Richardson
ADDRESS:	Persimmon Homes Teesside Ltd Fleming Way, Willington East, Low Willington, Willington, Crook, DL15 0UB
ELECTORAL DIVISION:	Willington ED
CASE OFFICER:	Chris Baxter chris.baxter@durham.gov.uk 01388 761626

DESCRIPTION OF THE SITE AND PROPOSALS

SITE:

1. The application site is currently a building site under construction which is known as Fleming Way in Low Willington. The site was previously Riding Hall Carpets site. There are residential properties to the south and west of the site with Willington Cricket ground to the north west.

Proposal:

2. Planning permission is sought for the substitution of house types to the previously approved residential scheme under planning permission 3/2006/0413. The proposals also include the erection of an additional 18 No. properties on the site as the proposals would replace 68 residential units with 86 units. 8 different house types are proposed incorporating 3, 4 and 5 bedroom accommodation. The proposed road layout would remain as approved through previous planning permissions.
3. This application is to be determined at a Planning Committee as the application is classed as a major application proposing 18 new residential properties, along with substitution of house types.

PLANNING HISTORY

4. Planning permission was granted in 2003 for a residential estate of 210 dwellings. In 2006 a substitution of house types application was approved for alterations to house types of the previous approved permission.
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PLANNING POLICY

NATIONAL POLICY:

5. *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)* sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
6. *Planning Policy Statement 3: Housing (PPS3)* underpins the delivery of the Government's strategic housing policy objectives.
7. Furthermore, the emerging NPPF sets out a presumption in favour of sustainable development to encourage economic growth, particularly where it is within a Local Plan identified centre and below a certain scale. This draft guidance is a material consideration in determining planning applications, and this proposal is considered to be in general conformity with the NPPF.

REGIONAL PLAN POLICY:

8. The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. The overall objective for minerals policy in the Region, as set out in RSS, is to ensure the prudent use of the Region's indigenous natural resources in line with sustainable development objectives.
9. In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This position was challenged through the courts and the Court of Appeal ruled in May 2011 that the proposed abolition of Regional Spatial Strategies can be regarded as a material consideration when deciding planning applications. The following policies are considered relevant.
10. *Policy 2: (Sustainable Development)* seeks to embed sustainable criteria through out the development process and influence the way in which people take about where to live and work; how to travel; how to dispose of waste; and how to use energy and other natural resources efficiently.
11. *Policy 3: (Climate Change)* The RSS recognises that climate change is the single most significant issue that affects global society in the 21st century. Policy 3 will seek to ensure that the location of development, encouraging sustainable forms of transport, encouraging and supporting use of renewable energy sources, and waste management all aids in the reduction of climate change.
12. *Policy 7: (Connectivity and Accessibility)* seeks to promote the need to reduce the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking, as well as the need to reduce long distance travel, particularly by private car, by focusing development in urban areas with good access to public transport.

13. *Policy 8: (Protecting and Enhancing the Environment)* seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.
14. *Policy 24: (Delivering Sustainable Communities)* refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilise previously developed land wherever possible.
15. *Policy 38: (Sustainable Construction)* sets out that in advance of locally set targets, major developments should secure at least 10% of their energy supply from decentralised or low-carbon sources.
16. *Policy 39: (Renewable Energy Generation)* seeks to generate at least 10% of the Region's consumption of electricity from renewable sources within the Region by 2010 and aspire to further increase renewable electricity generation to achieve 20% of regional consumption by 2020.

LOCAL PLAN POLICY:

17. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the determination of this application:
18. *Policy GD1 (General Development Criteria):* All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
19. *Policy H3 (Distribution of Development):* New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.
20. *Policy H24 (Residential Design Criteria):* New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.
21. *Policy T1 (General Policy – Highways):* All developments which generate additional traffic will be required to fulfil Policy GD1 and :
 - i) provide adequate access to the developments;
 - ii) not exceed the capacity of the local road network; and
 - iii) be capable of access by public transport networks.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.planningportal.gov.uk/england/government/en/1020432881271.html> for national policies; <http://www2.sedgefield.gov.uk/planning/WVCindex.htm> for Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

22. Northumbrian Water: No objections.

23. County Highways Authority: No objections subject to the doors of the garage between plots 50 and 49 being roller shutter type doors.

INTERNAL CONSULTEE RESPONSES:

24. None

PUBLIC RESPONSES:

25. Neighbouring properties were notified in writing and a site notice was posted. A notice was also placed in the local press. Two letters of objections have been received. The contents of these letters relate to the proposed houses looking cheaper which will devalue surrounding properties and there being no green areas to make the area more pleasing and provide areas for children to play.

APPLICANTS STATEMENT

26. Applicant declined the offer to submit a statement.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at Crook Area Office.

PLANNING CONSIDERATIONS AND ASSESSMENT

27. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 the development plan policies and relevant guidance, and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, residential amenity, visual impact, highway issues and observations/objections.

Principle of development

28. The principle of development for residential on this site has already been established through previous planning permissions. The site is located within the Willington settlement limits which are considered a sustainable location within close distance to shopping facilities and community services. Approximately half of the site has either been completed or is under construction. There is no alteration to the road layout which has previously been approved. The principle of development is accepted and is in accordance with policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and guidance contained within Planning Policy Statement 3.

Residential amenity

29. Adequate privacy distances are maintained between the proposed properties and existing houses surrounding the site which are in accordance with the criteria detailed in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. It is acknowledged that some properties do not have rear garden depths of 10 metres however in general the overall area of the proposed rear gardens are acceptable and will provide sufficient private and useable amenity areas for future occupiers. Given the separation distances between the properties, there would be no adverse overbearing or overshadowing issues. It is therefore considered that the proposed new dwellings and the substitution of house types would not have an adverse impact on the residential amenities of existing and
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future occupiers of neighbouring properties or the proposed properties. The proposal would not be contrary to the aims of policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

Visual impact

30. The proposed properties and the substitution of house types would provide a good range of different properties given 8 house types are proposed. There is also a mix of detached and semi-detached properties which provides a visual mix of properties within the streetscape of the estate. It is accepted that the design details on the rear of the properties are minimal, however the rear of the properties would not be noticeable from the main public vantage points within the street scene. The fronts of the properties provide adequate design details, for example using heads and cills above window and doors; providing canopies above doors. It is considered that the visual appearance of the site would be a typical modern housing estate and the design details incorporated within the properties would make the estate a quality housing development. The proposed development would fit in nicely with the existing estate which is currently under construction. Overall, it is considered that the proposed new dwellings and the substitution of house types would not adversely impact on the visual amenity of the surrounding area. The proposal would be in accordance with policy GD1 of the Wear Valley District Local Plan amended by Saved and Expired Policies September 2007.

Highway issues

31. The road layout has not been altered from previous schemes and the Highways Officer has not objected to this. Garages and driveways are proposed to provide off street parking for each property within the site. The Highways Officer is generally satisfied that the parking arrangements are acceptable however a query has been raised with regards to the triple garage situated between plots 49 and 50. The driveway for this triple garage only measures 5 metres in length. The Highways Officer has commented that a 5 metre driveway length is only acceptable if a roller shutter door is installed. The applicant has confirmed that a roller shutter door would be installed on this triple garage and a condition would be attached to any permission ensuring that a roller shutter door is installed. It is considered that the proposed new dwellings and the substitution of house types would not have a detrimental impact on highway safety and the proposal would accord with policies GD1 and T1 of the Wear Valley District Local Plan amended by Saved and Expired Policies September 2007.

Observations/objections

32. Two letters of objection have been received to this application. The first comment relates to the proposed house types appearing cheap and thus impacting on valuation of neighbouring properties. It is noted that the valuation of properties is not a material planning consideration. However as discussed in the 'visual impact' section above, it is considered that the proposed house substitutions would not have a detrimental impact on the visual amenity of the area. The second comment relates to the site having no green play areas. It is noted that there were no play areas included within the original planning permission (which could still be implemented) it is considered that it would be difficult to refuse the application on the grounds that there is limited green play area space.
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CONCLUSION

33. The application site is within the settlement limits for Willington which is considered a sustainable location within close distance to shops and services. The site also has an extant permission for residential permission which can still be implemented. The principle of development is considered acceptable.
34. The proposals would not have an adverse impact on the residential amenities of existing and future occupiers of neighbouring properties or the proposed properties.
35. The proposed properties would be of a standard which would be in keeping with the existing housing surrounding the site. The design of the properties are of a standard modern housing estate style and would represent a quality residential estate.
36. Adequate off street parking provision is provided within the estate for residents. The proposed highway layout remains as previously approved and therefore no highway safety concerns are raised by the County Highways Authority.
37. Accordingly, it is recommended that this application be approved.

RECOMMENDATION

Recommendation that the application is:

APPROVED subject to the following conditions

Conditions:

1. The development shall not be begun later than the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Plan Ref No.	Description	Date Received
RHC/W/SLP/01	Location Plan	14/06/2011
RHC/W/HTS/01 Rev D	Sketch Layout	30/06/2011
A/PL/BurgessE/01	Planning Plans & Elevations	14/06/2011
A/PL/LewisE/01	Planning Plans & Elevations	14/06/2011
A/PL/KeatingE/01	Planning Plans & Elevations	14/06/2011
A/PL/DanbyE/01	Planning Plans & Elevations	14/06/2011
A/PL/PotterE/01	Planning Plans & Elevations	14/06/2011
A/PL/TurnerE/01	Planning Plans & Elevations	14/06/2011
A/PL/HogarthE/01	Planning Plans & Elevations	14/06/2011
A/PL/HilliardE/01	Planning Plans & Elevations	14/06/2011

SD/TSD/05	Standard Detached Double Garage	14/06/2011
SD/TSD/11	2no. Attached Double Garages	14/06/2011
SD/TSD/14	Triple Single Garages	14/06/2011
SD/TSD/08	Standard Single Garage	14/06/2011

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

3. The triple garage between plots 49 and 50 shall be fitted with roller shutter type doors.

Reason: In the interests of highway safety and in accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

4. No development shall take place until samples of the materials to be used in the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

5. Development shall not begin until details of the surface treatment and construction of all hardsurfaced areas have been submitted to and approved in writing by the local planning authority, and the dwellings shall not be occupied until that work has been carried out in accordance with the approved details.

Reason: To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

6. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority which shall include indications of all existing trees and hedgerows on the land, an arboriculturalist's report indicating essential tree works to be carried out, and details of trees and hedgerows to be retained together with measures for their protection in the course of the development.

Reason: To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously 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 standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

8. All trees and shrubs to be retained on site shall be protected for the duration of construction operations by appropriate protective fencing minimum 1 metre height. Protection to trees should be positioned around the crown spread to prevent any access, disturbance or contamination within the rooting zone.

Reason: To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

9. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and all works shall be carried out in accordance with such approved details before the buildings hereby approved are first occupied.

Reason: To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

10. Before the development hereby approved is commenced wheel washing equipment shall be provided at all egress points to the satisfaction of the local planning authority. The equipment installed shall be of the grid type to ensure that once the bottom of the vehicle is cleansed of mud, etc. this mud, etc. is not trailed onto the public carriageway. The wheelwashing equipment shall be used on all vehicles leaving the site during the period of construction works.

Reason: In the interest of traffic safety and to safeguard the amenity of the surrounding area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

11. Before the dwellings hereby approved are occupied the garages and hardstandings/drives shall be constructed in accordance with the approved plans and details, and thereafter they shall be used and maintained in such a manner as to ensure their availability at all times for the parking of private motor vehicles.

Reason: To ensure that adequate provision is made within the site for vehicles likely to visit it, and maintained to the satisfaction of the local planning authority. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

12. The garages hereby approved shall not be used other than for the accommodation of private motor vehicles for purposes incidental to the enjoyment of the dwellinghouse; no trade or business shall be carried out therein.

Reason: To safeguard the occupiers of adjacent premises from undue noise, traffic generation or other loss of amenity arising from the use of the proposed garage for trade or business purposes. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

13. No construction activities shall be carried out on the site on any Sunday or Bank

Holiday or outside the hours of 8.00 a.m. to 6.00 p.m. Mondays to Fridays, 8.00 a.m. to 12 noon Saturdays.

Reason: To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

REASONS FOR THE DECISION

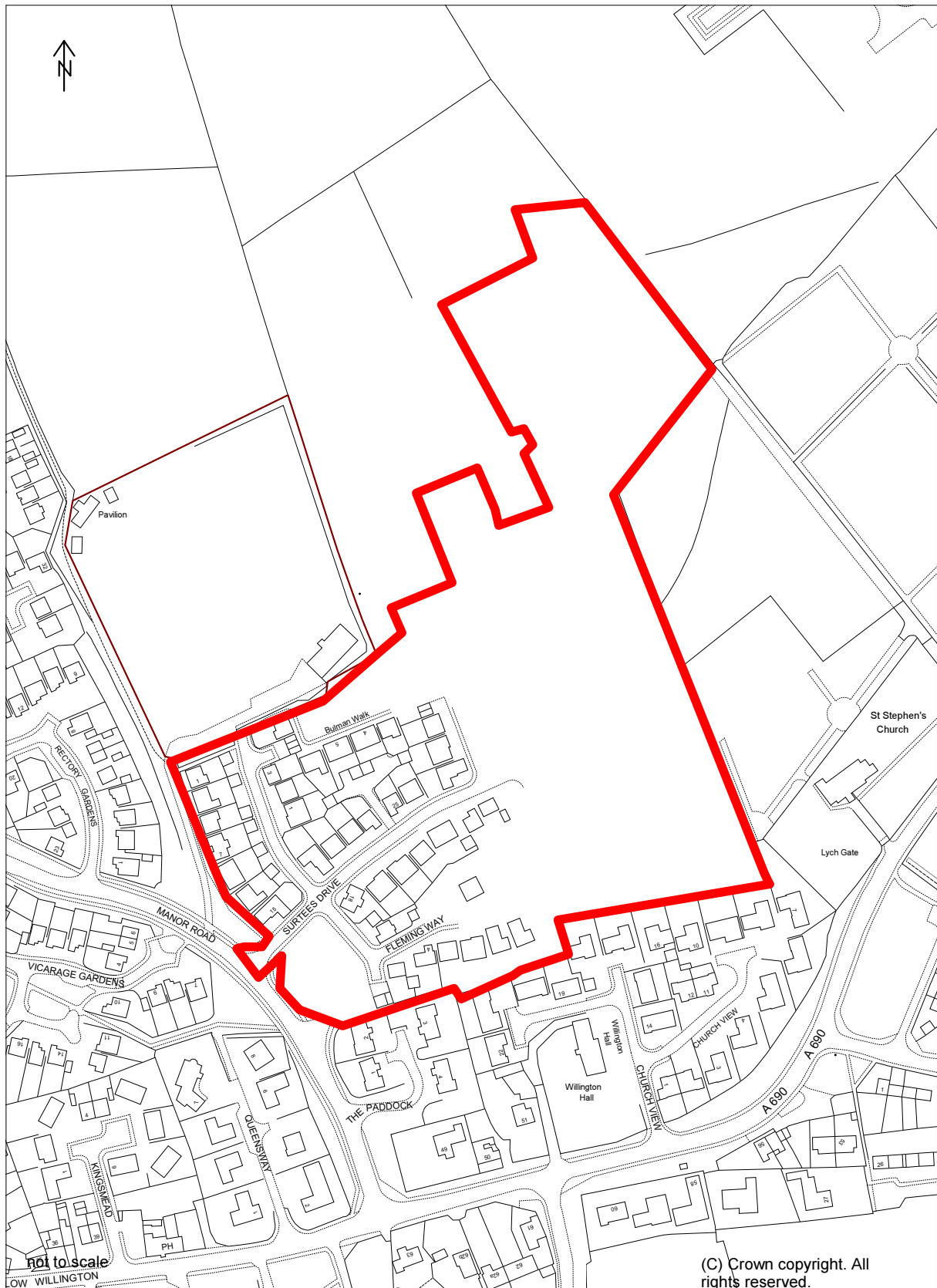
- I. The proposal for the creation of 18no. additional properties and the substitution of house type are acceptable in relation to policies GD1, H3, H24 and T1 of the Wear Valley District Local Plan amended by Saved and Expired Policies September 2007 for the following reasons:
- The principle of development has been agreed through previous planning permissions;
 - Residential amenities of existing and future occupiers of neighbouring properties and the host dwellings would not be compromised;
 - There would be no adverse impact on the visual amenity of the surrounding area;
 - Highway safety would not be compromised.

BACKGROUND PAPERS

- Submitted Application Forms and Plans
- Design and Access Statement
- Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007
- Planning Policy Statements/Guidance, PPS1, PPS3
- Consultation Responses
- Public Consultation Responses



3/2011/0213 - Substitution of house types and additional 18 No. properties at Fleming Way, Willington East, Low Willington for Persimmon Homes Teesside Ltd



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