



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2010/0428/DM
FULL APPLICATION DESCRIPTION:	Erection of 10no dwellinghouses & 4no bungalows with parking facilities Broumley Court, Staindrop
NAME OF APPLICANT:	Endeavour Housing Association
ADDRESS:	c/o North Star Housing Group Endeavour House St Marks Court Thornaby Stockton on Tees TS17 6QN
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Charlie Colling Planning Officer 01833 696206 charlie.colling@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The application has been brought before members as the proposals constitute a major application.

The site is located at the south-eastern end of Staindrop village situated within the development limits of the village, and on the edge of the conservation area. The east of the site is bounded by a primary school, farm buildings to the west, allotments to the south and a dwelling to the northern boundary.

Access to the site is taken from Winston Road via Swan Wynd, which also provides access to the primary school, allotments, adjacent dwelling and a public house car park.

The site currently accommodates a vacant sheltered housing development which was constructed approximately 40 years ago. The accommodation currently consists of 31 flats.

It is proposed to demolish the existing accommodation and erect 14no. dwellings in the form of 3no. 3 bed dwellings, 7no. 2 bed dwellings and 4no. 2 bed bungalows. The dwellings

would be constructed in a mixture of render and stonework with either pantile or natural blue/grey slates.

PLANNING HISTORY

There is no relevant planning history for this site.

PLANNING POLICY

NATIONAL POLICY:

- **Planning Policy Statement 1:** Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- **Planning Policy Statement 3:** Underpins the delivery of the Government's strategic housing policy objectives.
- **Planning Policy Statement 5:** Sets out the Government's planning policies on the conservation of the historic environment.
- **Planning Policy Statement 7:** Sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.
- **Planning Policy Statement 9:** Sets out planning policies on protection of biodiversity and geological conservation through the planning system.

REGIONAL POLICY:

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 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.

Policy 8 – Protecting and Enhancing the Environment, seeks to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East.

Policy 30 – Improving inclusivity and affordability, addressing affordable housing needs.

Policy 32 – Historic Environment, seeks to conserve and enhance the historic environment.

Members should be aware that the Rt Hon Eric Pickles MP (Secretary of State for Communities and Local Government) wrote to all Local Planning Authorities on 27th May 2010, advising of his intention to abolish Regional Spatial Strategies. This is a material planning consideration in the determination of any planning application.

– LOCAL PLAN POLICY:

- GD1 General Development Criteria
 - H4 Small scale housing development on sites less than 0.4 Hectare
 - H12 High standards of design in new house and housing sites.
 - H14 Element of affordable housing in housing developments
 - BENV4 Development within and/or adjoining a conservation area
 - ENV8 Development affecting a protected wildlife species
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CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

Northumbrian water – no objections.

Parish – “The proposed development is regarded as inappropriate in its present form and compromises the safety of children attending the primary school. Also, the development creates insurmountable problems in that the access in and out of the Wynd from the highway, which only allows one way traffic. The opening and closing times of the school already creates difficulties through parents persisting in making that area a ‘waiting area’. This is a daily occurrence.

Consideration should be given to a S106 contribution. The development was originally designed for and inhabited by elderly residents. The new proposal is based on families. Therefore demands on village amenities for families will increase. It would be reasonable therefore to discuss proposals with the developer for a play park for young children. At present the County Council provides no such facility for Staindrop.”

Highways – “The existing internal roads and footways are all adopted public highway and must be stopped up prior to the commencement of any work on site.

The internal access road must be designed and built to meet adoption standards.

The scheme as submitted fails to show how the proposed road will tie in to the existing highway. The turning head at plots 1-4 measures 21m, not 22m as required the turning head must be amended and full engineering details of the access will be required.

In addition, the drainage plan shows road gullies 6.0m from the site boundary. This is acceptable if the access road falls away from the highway. If, however, the road falls towards the highway gullies must be provided at the site boundary in order to prevent water from a private road running on to the highway.

The above matters can be resolved by the submission of full engineering details. This scheme is a significant improvement on the original and I have no objections to this proposal from the highways aspect subject to the following requirements:

The proposed roads must be designed and constructed to meet current highway design standards. No development shall commence until plans showing full engineering details of the proposed estate roads (including full details of the tie in with the existing highway, amended gully locations and the increase in size of the turning head to 22m) have been submitted to and approved by the Local Planning Authority.

The proposed development shall not be brought into use until the estate roads, including the off site junction improvements at the site access, have been constructed in accordance with the submitted and approved plans.

It will be necessary for the applicant to enter into an agreement under Section 38 of the Highways Act 1980 if the proposed new highways are to be adopted. In addition, regardless of adoption, it will be necessary for the applicant to enter into an agreement under Section 278 of the same Act to allow the required works within the existing highway to be carried out.

I would be grateful if you would inform the applicant of these requirements.

There have been no accidents at either the Swan Wynd/Winston Road junction or the Winston Road/Front Street junction for at least the past six years.

Broumley Court is currently residential and were the existing buildings to be brought back into full use (which could be done without any requirement for planning permission) then the site would generate some traffic. Traffic levels generated by the proposal are likely in the region of seven trips per dwelling (say 100 trips per day) The weekday evening peak hour in residential streets is usually 17:00 to 18:00 (later than school finishing time). In the peak hour this proposal may generate twelve vehicles per hour (one vehicle every five minutes). I do not consider this to be a significant additional flow.

The congestion outside the school gates is at the beginning and end of the school day. Parents walking their children to school are inconvenienced by parents who insist on driving and parking as close to the school gates as possible. The headmaster acknowledges this and, despite the school travel plan, some parents will continue to ignore the safety of other children. Nevertheless, the flows from the development at the start and end of the school day are likely to be less than twelve vehicles per hour. This proposal is unlikely to significantly affect traffic at the beginning and end of the school day, as it appears that the school itself generates most of the traffic.

This development consists of 4 two bedroom bungalows, 7 two bedroom houses and 3 three bedroom houses. The submitted scheme shows 20 parking spaces for these 14 properties. This is just under 150% and therefore falls within current guidelines. Parking provision is acceptable.”

INTERNAL CONSULTEE RESPONSES:

Rights of way officer – Footpath 23 Staindrop passes the east of the site. Access by public to this path should be maintained at all times and should not be blocked by vehicle movements or storage of materials.

Landscape – Existing hedge down eastern boundary of the site is a good quality hedge made up of holly, hazel, sycamore and ash. It should be preserved for landscape and ecological reasons. The proposals will cause the destruction of a significant length of the hedgerow. I recommend that the layout is changed to allow the hedge to be retained in its entirety.

The gardens are too small to accommodate a shed, drier, bin store and tree. The trees should be omitted and replaced with small fruit trees where appropriate.

Trees such as Acer campestre ‘Rubrum’ and Prunus avium are too large to be sited so close to the fronts of the houses. More suitable trees should be chosen.

The shrub planting needs to be rethought.

I will ultimately require to see a planting plan that shows planting numbers for each planting area.

Tree officer– The gable of plot 1 and the proposed parking bays and turning head would result in the loss of some of this hedgerow.

Landscape proposals would conflict with the drainage proposals for the site interfering with drainage wayleaves and soakaways.

Site is overdeveloped and does not allow adequate amenity space and certainly no opportunity for meaningful tree canopy cover.

Given the proximity of this site to the conservation area and the open countryside I feel that the proposals would be detrimental to the character of the approach to the village along public footpath 25.

Design and Conservation – The buildings on the site are of poor design, their scale and massing does not reflect the dominant character of the area and their overall appearance is poor. On the basis their loss is acceptable subject to securing an acceptable scheme of redevelopment. The loss will not adversely affect the setting of the conservation area.

The proposed development has been broken up in to smaller blocks of semi detached dwellings or short terraces more reminiscent of the adjacent conservation area. The layout creates a self contained development which although primarily designed around the highways requirements has been broken up with a range of hard and soft landscaping options. Parking provision has been split between in curtilage provision and small blocks at either end of the development which reduces the visual impact.

No objections subject to conditions.

Low Carbon Officer – Fully supportive of the requirement to build Code Level 4.

PUBLIC RESPONSES:

Neighbouring properties have been consulted, a site notice posted and an advert placed in local press with 9 objections received, including one from the primary school to the east. Concerns in summary are:

- Highway safety particularly at school start and finish times
- Ruin character of the area
- Inadequate access road
- Building should be retained and modernised
- No local facility for sheltered accommodation
- Inadequate parking
- Dangers of heavy plant and machinery
- Mud on road from demolition
- Increase in traffic

Applicant Statement

Established in 1974, Endeavour Housing Association now owns or manages around 2,000 properties. We are committed to developing housing projects that maintain and strengthen communities. We work closely with tenants, local residents, building partners and local authorities to achieve this objective. We identified that the site at Broumley Court (owned by partner association Teesdale Housing Association) no longer met our tenant's aspirations or offered the standard of accommodation that our tenants can expect.

Following consultation with residents and local community, planning permission was

requested for the development of 14 properties on the site. Recognising the sensitivity of the site and its proximity to the primary school in Swan Wynd, we have made clear commitments designed to minimise construction traffic flow while building during term time, undertake demolition in the school holidays, and mitigate the impact of traffic on completion of the development.

Endeavour Housing Association is acutely aware of the sensitivity of developments like this and our priority is to make sure that the housing we intend to build absolutely fulfils a vital need, while at the same time minimising any disruptive impact on the surrounding area.

We have demonstrated an understanding of the traffic issues by limiting our proposal to 14 units which represents a significant reduction from the (insert number) number on the site before. We accept most of the residents of the sheltered accommodation did not own cars, but regular traffic was generated by relatives and other visitors. Although possible that the new development will lead to a modest increase in traffic, we have a design which improves the access road, turning circle and parking, all designed to ensure safe driving on and around the site.

As the site is very close to the primary school, we are totally committed to ensuring that any building work undertaken abides by exacting and comprehensive safety requirements. Demolition of the old buildings on Broumley Court will take place during school holidays and, during construction, the building contractor will arrange for deliveries and site traffic to operate outside of school pick up and drop off times. The contractor will liaise with the school closely and ensure that factors such as after school clubs, parents nights and other activities are taken into account. The contractor must also be a member of the Considerate Constructors scheme. They will be assessed by an inspector who will score the developer based on a number of factors, including effective communication with the community and especially the school. The contractor will need to reach a certain score to achieve the level we need to meet the funding requirements set by the Homes and Communities Agency.

Throughout this process, Endeavour Housing Association has kept in regular contact with the primary school. Endeavour Housing Association and the school have also started talking about ways in which the children themselves could play a role in the development through extra activities that would complement the current curriculum. The development of family homes has the potential to allow more young people to stay in, or return to Staindrop to live, possibly bringing more pupils to the school.

We believe that this development will enhance the village of Staindrop and provide much needed affordable housing in an increasingly difficult economic climate.

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 (<http://teesdale.planning-register.co.uk/PlanAppDisp.asp?RecNum=19761>).

PLANNING CONSIDERATIONS AND ASSESSMENT

In assessing the proposals against the requirements of the aforementioned policies, and having regard to all material planning considerations, including representations received, it is considered that the principle of development, design and impact on conservation area, residential amenity, highways safety, landscaping and ecology represent the principle material planning considerations.

The proposals consist of the demolition of the existing sheltered housing accommodation comprised of 31 flats. The flats are contained within a range of two storey buildings, finished with white rendered exteriors.

The proposals seek planning permission for the erection of a total of 14no. dwellings which would provide affordable housing units within the locality. The renting/sale of the units would need to be secured under the agreement of a section 106 legal agreement.

The proposed 14no. dwellings would be broken down into 3no. 3 bed dwellings, 7no. 2 bed dwellings and 4no. 2 bed bungalows. The proposals would form a new cul-de sac, with turning areas parking spaces and landscaping provided as part of the development.

Principle

The site is situated within the village development limits and is outside of the conservation area. The site would constitute previously developed land and is therefore in principle considered suitable for housing subject to the provision of an acceptable scheme addressing highway safety, design, amenity, landscaping and ecology. The proposals seek permission for the erection of 14no. affordable housing units. Policy H4 of the local plan allows for small scale housing developments on sites under 0.4 hectares within Staindrop where they are sited on previously developed land. It is considered that this site would therefore accord with the principles of Policy H4.

In order to secure ensure that the development is available as affordable housing within the locality it will be necessary for the applicant to enter into a section 106 legal agreement.

Design and Impact on Conservation Area

The existing buildings on the site are of poor design and their loss would not be of detriment to the character and appearance of the area or the adjacent conservation area in accordance with policy BENV4 of the Teesdale Local Plan.

The proposed development consists of a mixture of two storey dwellings and bungalows, arranged in small blocks of short terraces and semi detached properties. The properties would form a cul-de sac, with a minimum distance of 21m between principal elevations facing each other. The properties would be finished externally with a mixture of painted render and stonework. The roofs would either be natural grey/blue slate or red pantile. The windows would be constructed in timber with a painted finish. These materials are considered to be suitable for this location and would reflect some of these used within the adjacent conservation area.

The design of the dwellings are considered to be an improvement to the site and the design and conservation officer has raised no objections to the proposals, advising that the type of housing proposed would be reminiscent of the adjacent conservation area.

Residential Amenity

The layout of the proposed development would afford adequate levels of amenity to existing properties around the site, and the future occupiers of the proposed dwellings. A minimum distance of 21m would be achieved within and outside of the site where there would be principal elevations facing each other.

Each property would have a front and rear garden. The gardens are not particularly large, however they are adequate for type size of dwellings proposed. The shortest garden length proposed would be 6m and this would be to the rear of the terrace of 2 bed bungalows. Each

rear garden has indicated in the layout plan a shed, bin store and tree. No specific details of these have been provided and would therefore need to be controlled by way of condition. The trees to be planted in the rear gardens could also be controlled by condition.

Given the size of the plots and the dwellings proposed, it is recommended that permitted development rights are removed from these properties, to ensure that the properties are not further extended in a way which may compromise the amenity space available or the overall character and appearance of the development.

Highway Safety

Access to the site would be taken from the existing entrance leading from Swan Wynd. The highways officer has not raised any objections to the proposals subject to conditions requiring engineering details of the estate roads, including access improvements being submitted to and agreed with the local planning authority.

Parking within the site would equate to 20 parking spaces for the 14no. dwellings. The highways officer has advised that this is an adequate level of parking for this type of development.

Some objections have been received with concerns over the safety of those entering and leaving the nearby school. The applicant has advised that the demolition of the old buildings will take place when the school is closed and during construction the building contractor will arrange for deliveries and site traffic to operate outside of school pick up and drop off times. The applicant has also advised that part of the funding conditions for this development requires the contractor employed to be a member of the Considerate Constructors scheme.

Landscaping

The site currently accommodates a number of fruit trees, which were retained from the previous use of the site as an orchard. There is a mature hedge along the eastern boundary of the site containing holly, hazel, sycamore and ash. The hedge to the northern boundary is made up from thuja, of similar appearance to leylandii. The western boundary is formed from an intermittent row of elder and the southern boundary by a 1m high fence.

The landscaping proposals submitted with the application, show the removal of all of the trees within the site. A landscaping plan has been produced showing the hedging around the site being retained and a number of trees and bed planting proposed within the site.

Concern has been raised that the proposed dwelling on plot 1 and the proximity of the turning head in front of this, would result in damage to and loss of some of this mature hedge. It is acknowledged that the proposed development may cause some damage to this hedgerow, however it is considered that through a comprehensive landscaping scheme, which should include replacement of any areas of damage to this hedgerow, this element of the proposals would be acceptable.

The landscape officer has made other comments regarding the landscaping scheme submitted, advising that the type of trees proposed in some locations are not acceptable and there would be a requirement to agree a planting plan including numbers, which can be controlled by condition.

Boundary treatments have been indicated on the proposed layout plans, however given the landscaping would need to be controlled by condition, it would be logical that the boundary treatments are also controlled in the same way.

Ecology

A protected species survey has been submitted with the application, the internal and external survey work carried out found no evidence of bats. Natural England have not raised any objections to the proposals subject to conditions. It is considered that the proposals are unlikely to have any adverse impact upon protected species, subject to conditions and adhering to the proposed mitigation.

Other Issues/response to objections

Highways implications of the proposals have been discussed in the report. In summary, there have been no objections from the highways officer, the level of parking within the development is considered to be acceptable. The applicant has advised that demolition and deliveries will take place to avoid conflict with the use of the school.

Objectors have also advised that the existing buildings should be retained and modernised and that the proposals would ruin the character of the area. The design and conservation officer has raised no objections to the proposals. The site is on the edge of the conservation area and the proposed development would be a considerable improvement in comparison to the existing buildings within the site.

In response to the Parish Councils request for 106 contributions towards playspace, as the scheme is for a housing association to provide affordable housing it would not be normal to seek such a contribution. To do so would be likely to impact greatly on the viability of the scheme.

CONCLUSION

In summary the proposals seek permission to demolish the existing sheltered accommodation consisting of 31 flats, and replace it with a new development of 14no. affordable houses. The proposed dwellings would be a mixture of bungalows and two storey properties arranged in short terraces and semis. The existing buildings are of poor quality and their loss would not have any negative impact upon the character and appearance of the area.

The proposed dwellings are considered to be of an acceptable design for this site which is on the edge of the conservation area. Subject to conditions it is considered that the landscaping and highways engineering details can be agreed for this site.

It is noted that the majority of the objections received relate to the potential problems with increased traffic, construction traffic and inadequate parking. The existing site only contains approximately 8 parking spaces for the 31 flats. If these flats were brought back into use the level of parking would be considerably less than that proposed in this application. The highways officer has raised no objections to the proposals and the applicant is keen to work

with the school to ensure that the development causes as least disruption as possible.

The principle of the development is considered to accord with local, national and regional guidance. Subject to conditions the proposals would constitute an acceptable form of development and would improve the appearance of this part of the village.

RECOMMENDATION

That the application be APPROVED subject to the following conditions and the applicant entering into a Section 106 legal agreement to ensure that the housing remains affordable:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans:-

Plan Reference Number	Date received
04140/L100	15/12/10
04140/P110	15/12/10
04140/P111	15/12/10
04140/P112	15/12/10
04140/P113	15/12/10
04140/P114	15/12/10
04140/P115	15/12/10
10N155-101 Rev 01	11/2/11
672/LA1C	17/2/11
04140/C100 Rev D	17/2/11
04140/P101 Rev B	17/2/11

3. Notwithstanding the submitted details, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include (proposed finished levels or contours; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, signs, lighting etc); proposed and existing functional services above and below ground (eg drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant).
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.
5. Samples of all external materials shall be submitted to and agreed in writing by the local planning authority prior to the commencement of the development. The development shall be implemented in accordance with the approved details.
6. A sample panel of stonework to be used in the construction of all walls including the boundary walls shall be constructed on site for inspection prior to the

commencement of the development. The sample panel shall be retained on site throughout construction and the development shall be implemented in accordance with the approved details.

7. Joinery details at a scale of 1:20 for all doors and windows shall be provided to and agreed in writing by the local planning authority prior to the commencement of development. The development shall be implemented in accordance with the approved details.
8. Details of the colour finish of all external timber work shall be provided and approved in writing by the local planning authority prior to the commencement of the development. The development shall be implemented in accordance with the approved details.
9. Details of all heads and cills shall be provided to and approved in writing by the local planning authority prior to the commencement of development. The development shall be implemented in accordance with the approved details.
10. No development works shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat Survey for Development Purposes at: Broumley Court Staindrop. County Durham: 28th October 2010,' including, but not restricted to precautionary working methods to safeguard continued ecological functionality of this species.
11. Any on site vegetation clearance should avoid the bird breeding season (March to end of August), unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms that no nests are present. If nests are found to be present all work must stop and not recommence until the young have fledged.
12. Notwithstanding the provisions of Article 3 and Classes A, B, C, D, E, & F of Part 1 and Classes A & C of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 none of the categories of development described therein shall be carried out on site without an application for planning permission having first been made to and approved in writing by the local planning authority.
13. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.
14. No development shall commence until a scheme to minimise energy consumption has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of energy from renewable or low carbon sources provided on-site, to a minimum level of at least 10% of the total energy demand from the development, or an equivalent scheme that minimises carbon emissions to an equal level through energy efficiency measures. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and retained in perpetuity.

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15. No development shall commence until plans showing full engineering details of the proposed estate roads (including full details of the tie in with the existing highway, amended gully locations and the increase in size of the turning head to 22m) have been submitted to and approved by the local planning authority. The proposed development shall not be brought into use until the estate roads, including the off site junction improvements at the site access, have been constructed in accordance with the submitted and approved plans.
 16. No development shall commence until full details of the proposed bin stores and sheds and other buildings / structures to be erected in the rear gardens of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Details shall include dimensions, materials and precise position. The development shall thereafter be carried out in exact accordance with those agreed details.
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REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies: -

GD1 General Development Criteria

H4 Small scale housing development on sites less than 0.4 Hectare

H12 High standards of design in new house and housing sites.

H14 Element of affordable housing in housing developments

BENV4 Development within and/or adjoining a conservation area

ENV8 Development affecting a protected wildlife species

2. In particular the development was considered acceptable having regard to consideration of visual impact, affect on conservation area, landscape, amenity, design and highways safety.
 3. The objections which have been received, have been given due consideration. On balance the scheme is considered to be acceptable and without objection which cannot be overcome by way of condition. The proposals are considered to accord with both local and national planning policies, and would constitute an acceptable form of development subject to conditions. The highways issues have been addressed and given the existing amount of accommodation on the site it is not considered that this could form a substantive reason for refusal.
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BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS1, PPS3, PPS5, PPS7, and PPS9
- Responses from County Highways, County Landscape, Rights of Way, Natural England, Northumbrian Water and The Parish Council
- Public Consultation Responses

Site Location

