

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2012/0292
FULL APPLICATION DESCRIPTION	22 DWELLINGS
NAME OF APPLICANT SITE ADDRESS	GLEESON DEVELOPMENTS LTD LAND AT FORMER DORMAND VILLA, FERNDALE CLOSE, STATION TOWN, TS28 5HL
ELECTORAL DIVISION CASE OFFICER	Blackhalls Barry Gavillet 03000261958 dmcentraleast@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

1. This application site is approximately 0.4 hectares in size and is located within the settlement boundary of Station Town, which is located around 1 mile to the south of Wingate. The site is situated off Ferndale Close and is accessed from Milbank Terrace (B1280) to the south. It is an established residential area with residential properties surrounding the site on all sides. There are a number of community facilities and services nearby including shops, schools, healthcare facilities and public transport links.
2. The site previously comprised of a Council owned residential care home known as Dormand Villa which was identified as being surplus to Council requirements and earmarked for closure. The site has since been marketed by the Council for the purposes of residential development. The care home buildings were demolished during 2011. Also included in the application site is a small area of land adjacent to 23 Brackendale Close that used to be the site of 6 flats, these have also now been demolished.

Proposal:

3. This application proposes 22 two and three bedroomed dwellings. The development would comprise of four different house types, each with their own private gardens to the front and rear and parking provision in the form of 41 off-street parking and private garaging spaces. It is also proposed to provide landscaping within and around the site.

4. The properties would all be two storeys in height which would reflect the existing two and single storey properties which currently surround the site. It is proposed to construct the dwellings from a mix of buff and red brick along with a dark grey concrete roof tile. Windows and doors would be white upvc whilst the rainwater goods would be black. All off-street parking areas would be made from a permeable crushed aggregate. Boundary enclosures would be comprised of close boarded timber fencing and post and wire fencing.
5. The proposals would also involve advanced insulation to the roof, walls and floors of the dwellings along with energy efficient lighting which would achieve a 10% reduction in carbon emissions.
6. This application is being reported to committee as it represents a major application.

PLANNING HISTORY

7. PL/5/2010/0138 – Demolition of building. Approved.

PLANNING POLICY

National Policy:

National Planning Policy Framework

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
9. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'

The following elements are considered relevant to this proposal:

10. Part 1 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
11. Part 4 - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

12. Part 6 - To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
13. Part 7 - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
14. Part 10 - Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
15. Part 11 - The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

Regional Plan Policy:

Regional Spatial Strategy for the North East

16. 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.
17. 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 was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies.
18. Policy 2 - 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.
19. Policy 4 - National advice and the first RSS for the North East advocated a sequential approach to the identification of sites for development, recognising the

need to make the best use of land and optimize the development of previously developed land and buildings in sustainable locations.

20. Policy 7 - 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.
21. Policy 8 - Seeks to promote measures such as high quality design in all development and redevelopment and promoting development that is sympathetic to its surroundings.
22. Policy 30 - Improving Inclusivity and Affordability sets out that developments should provide a range of housing types and sizes responding to the needs of all members of the community as well as addressing affordability issues.
23. Policy 38 - 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.

Local Plan Policy:

District of Easington Local Plan

24. Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
25. Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
26. Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
27. Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
28. Policy 67 - Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.

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.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

Statutory Responses:

29. Parish Council – no response.

30. Northumbrian Water – no objections subject to agreeing a scheme for surface water drainage.

Internal Consultee Responses:

31. Highways Officer – no objections. The means of access and level of car parking provision is acceptable.
32. Tree Officer – no objections.
33. Environmental Health – no objections subject to conditions limiting hours of construction.
34. Asset Management – no objections. The financial statement submitted by the applicant has been scrutinised and it is agreed that any affordable housing provision or financial contributions toward play space would render the development unviable.

Public Responses:

35. The application has been advertised by way of a press notice, a site notice and letters to individual residents. Two letters of objection have been received from nearby residents. The main issues raised relate to the loss of view, loss of light, overlooking and an increase in traffic.

Applicants Statement:

36. This Statement is written in support of a full detailed planning application by Gleeson Homes & Regeneration (Gleeson Developments Ltd) for the regeneration and residential redevelopment of 0.4 hectares of previously developed land at the former Dormand Villa care home, Ferndale Close, Station Town, Wingate, Co. Durham.
37. Gleeson Homes and Regeneration are part of the MJ Gleeson Group and specialise in the regeneration of brownfield sites for the development of quality new homes. Accordingly, the application hereby submitted proposes the erection of 22 new dwellings comprising a mix of 2 and 3 bedroom semi-detached and detached house types.
38. The site was previously used as a care home by the Council. The previous care home and the site was closed in 2011 and has since been demolished by the Council. The site clearly represents an opportunity for redevelopment. Its position within a residential neighbourhood, combined with its previous use, suggests that a new build housing scheme is an appropriate form of development for this location
39. The location of the site in a residential area and the provision of bus services in close proximity along with amenities and services, mean that the site meets the Councils targets and policies. It also meets the aims and objectives of the National Planning Policy Framework in seeking to promote the use of previously developed sites and the provision of residential development in sustainable locations.
40. The Council has accepted that no affordable housing or S106 contributions will be required on this site, as to do so would threaten the viability of the scheme as a whole. We have submitted viability assessment evidence to clarify this.

41. The development proposed in this planning application will secure the regeneration of a derelict site in the centre of an existing residential area. As the site has been derelict since the former care home was closed, it has always been earmarked for regeneration/housing purposes. As demonstrated during the application process, there is strong local support for the redevelopment of the site for residential purposes, which will turn a derelict contaminated site into a vibrant and attractive cluster of traditional low cost private dwellings for local people.

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://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=119498>

PLANNING CONSIDERATION AND ASSESSMENT

42. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, 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 with regard to planning policies, the scale, layout and design of the development, the viability of the development, highways issues and the objections received.

Planning Policy

43. Saved Policy 67 of the District of Easington Local Plan allows for windfall development on previously developed sites within the settlement boundaries, provided that the scheme is appropriate in scale and character and does not conflict with other policies in the plan. This proposal seeks to redevelop a brownfield parcel of land within the settlement boundary of Station Town. The proposal is considered to constitute an efficient use of land with good access to services and public transport in accordance with the principles of the National Planning Policy Framework (NPPF) which establishes a presumption in favour of sustainable development. The proposal is re-using land within a sustainable location and as result the development is considered to accord with this overarching aim of the draft National Planning Policy Framework.
44. The RSS sets out the broad development strategy to 2021 and beyond. It identifies broad strategic locations for new housing developments so that the need and demand for housing can be addressed in a way that reflects sustainable development principles.
45. The locational strategy for the North East region, enshrined in Policy 6 of RSS, aims to support the development and redevelopment of the two city regions (Tyne & Wear and Tees Valley). This will be achieved by concentrating the majority of new development and house building in the conurbations, main settlements and regeneration towns, whilst allowing development appropriate in scale within secondary settlements. The locational strategy acknowledges the need to ensure the success of the region's housing market restructuring initiatives, the reuse of previously developed land and a reduction in the need to travel to access work, services, and facilities.

46. The RSS recognises that in County Durham, the towns in the regeneration areas continue to be the main focus for development and recognises the importance of ensuring that the function and vitality of these places is protected and enhanced.
47. In identifying land for development, Local Planning Authorities should adopt a sequential approach to the identification of land for development. This approach is enshrined in Policy 4 of the RSS. Together with policies 6 and 10 the focus should be on increasing housing development within urban areas and the priority should be suitable previously-developed sites and buildings in urban areas ahead of greenfield sites. Whilst this policy is primarily aimed at plan-making, it is considered that the principles can equally be applied to planning proposals such as this one.
48. As part of the on-going production of the 'The County Durham Plan', a 'Settlement Study' has been carried out. This study looks at the amenities within the settlements across County Durham, including public transport, public and private services, and access to jobs. The findings indicate that Station Town is a secondary settlement. The conclusion which can be drawn from this is that the village is generally well served by services and facilities, greatly contributing to its sustainability.
49. Overall, in terms of the proposals accordance with planning policy, it is considered that due to the site being located on previously developed land within a settlement boundary close to community facilities, shops, schools and public transport links, it is considered to be in a highly sustainable location for residential development. In terms of the NPPF, this advises that there should be a presumption in favour of sustainable development such as the one proposed. Officers therefore consider the principle of bringing this site forward for residential development is acceptable.

Scale, layout and design of the development

50. Saved policy 35 of the District of Easington Local Plan states that the design and layout of development should reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers. In addition to this, guidance in the Local Plan sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised. These policies and guidelines are reflected in part 7 of the NPPF which also requires good design and the protection of residential amenity.
51. Generally, the proposals have been well designed to create a well connected, accessible development which reflects the scale and character of the existing dwellings that surround the site. The proposed layout has been well thought out, considering that the site is bounded on all sides by existing residential properties. It is considered that the development of traditional two and three bedroomed starter and family homes would complement its surroundings, which would be further enhanced by the proposed landscaping scheme.
52. In terms of amenity and the privacy of existing and future residents, guidance in the District of Easington Local Plan requires main elevations which face each other to have a separation distance of 21 metres whilst the distance between main elevations and gables should be at least 13.5 metres. In all instances the distancing standards to existing residents which surround the application site are acceptable. Within the site, there are a few minor instances where these standards are not met. However,

given the site constraints, and that no existing residents would be affected, the proposals are considered to be in accordance with saved District of Easington Local Plan policy 35 and NPPF part 7.

Viability of the development

53. Developments of this nature would usually require the provision of 10% affordable housing (2 units in this instance), along with a financial contribution toward the provision of off-site play areas where this is not provided on site (£11,000 in this instance). The applicant has not submitted a S106 agreement in this regard, instead arguing that the payments are not affordable given the economics of the development.
54. The applicants have stated that there are a number of factors that prevent them from making the site viable should affordable housing and financial contributions be required. Firstly, it is stated that the inclusion of affordable housing on the site would threaten the viability of the development in such a way that it could not be developed without significant grant support. Secondly, it is argued that due to low house prices in the area, a substantial number of which are below £60,000, the development would still provide houses to local people at a low cost. In addition, it is stated that the development of the site for private housing would help sustain a more balanced tenure in the locality, which is dominated by social and privately rented stock. To support their case the applicant has provided a development appraisal.
55. Colleagues in Asset Management and Local Plans have been consulted on the submitted appraisal evidence and have concluded that the figures are accurate and would not dispute them. They have stated that “the financial appraisal submitted by the applicant has been scrutinised by Asset Management. Following careful consideration, Assets concur that the additional cost burden of providing affordable housing on the site would result in a financially un-viable development. The appraisal demonstrates that even before the provision of any affordable units the developer is unable to generate a reasonable industry standard profit level. This is mainly due to the assumed low end values of the proposed dwellings and the additional costs associated with developing in an uncertain market location.’
56. Paragraph 173 of the NPPF stresses the importance of viability as a material planning consideration; “sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”. Paragraph 160 also advises that Local Planning Authorities must consider the needs of businesses and any changes in circumstances “work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability”.
57. Officers have acknowledged the content of the NPPF particularly at paragraph 173 detailed above and the need for obligations to take into account the economics of the development. The NPPF explains that the contributions should be requested in the

context of the developer being able to achieve competitive returns and deliver the development.

58. The lack of affordable housing provided by a social landlord and the loss of £11,000 towards off-site recreation facilities is regretful, however this must be balanced against the need for Local Planning Authorities not overburdening developers with planning obligations. Officers therefore raise no objection to the absence of the S106 contributions within this application for the reasons detailed above.

Highways issues

59. The overall car parking provision for the 22 proposed dwellings would be 41 car parking spaces, this would include 14 no. garages and would result in an acceptable level of car parking provision.
60. Highways officers have confirmed that the proposed layout is a practical design and as such the proposals would be deemed to be acceptable from a highways point of view. As such, the proposals are considered to accord with saved policies 35 and 36 of the District of Easington Local Plan.

Objections received

61. Two letters of objection have been received from nearby residents. The main issues raised relate to the loss of view, loss of light, overlooking and an increase in traffic.
62. In terms of loss of light and overlooking, as stated above the distancing standards to existing properties are adhered to in all instances in accordance with guidance in the District of Easington Local Plan. One of the objectors properties would be located adjacent to a proposed dwelling which is set forward from their building line. However, amended plans have been received which show this proposed property being set back by a further metre and in addition, this proposed dwelling is located to the north of the objectors property and as such the potential for significant loss of light would be reduced. It is also noted that the main windows to habitable rooms of the objectors dwelling are located away from the gable end of the proposed dwelling which ensures any impact would be minimal.
63. As discussed earlier in the report, highways officers have no objections to the proposals with particular regard to off-street parking provision, therefore is not considered that an increase in traffic would become a significant issue. Finally, the loss of a view is not a material planning consideration.

CONCLUSION

64. Overall it is considered that the proposals are in accordance with the relevant planning policies. The proposed residential development is in a highly sustainable location on a brownfield site, with good access to public transport, local shops and other community facilities. Only two letters of concern have been received from nearby residents, furthermore the statement of community involvement which was submitted with the application shows a significant amount of local support for the scheme which would result in a high quality development and result in the regeneration of a derelict site within a residential area. On the basis of the above, officers recommend that the application be approved.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before 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 References; Location Plan GH18:L:02, Boundary Treatments GH18:L:04 C, Planning Layout GH18:L:05 C, Soft Landscaping GH18:L:03 C, Detached Single Garage SD701, Twin Garage SD702, 309 Dwelling Type 309/1, 301 Dwelling Type 301/1B, 201 Dwelling Type 201/1A, 310 Dwelling Type 310/1.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the District of Easington Local Plan.

3. In relation to the development hereby permitted, no machinery shall be operated, no development shall be carried out and no construction traffic shall enter or leave the site outside the hours of 0800 hours and 1800 hours Mondays to Fridays (excluding bank holidays) and 0800 hours and 1300 on Saturdays.

Reason: In the interests of residential amenity and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

4. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

5. No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local planning authority. The drainage shall be completed in accordance with the details and timetable agreed.

Reason: To prevent pollution of the water environment in accordance with part 10 of the National Planning Policy Framework.

6. Notwithstanding any information submitted, development shall not commence until a scheme demonstrating how CO2 reduction and energy efficiency measures will be incorporated into the approved development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with the approved scheme thereafter.

Reason: In order to secure a sustainable form of development in accordance with policy 38 of the Regional Spatial Strategy and part 10 of the NPPF.

REASONS FOR THE RECOMMENDATION

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

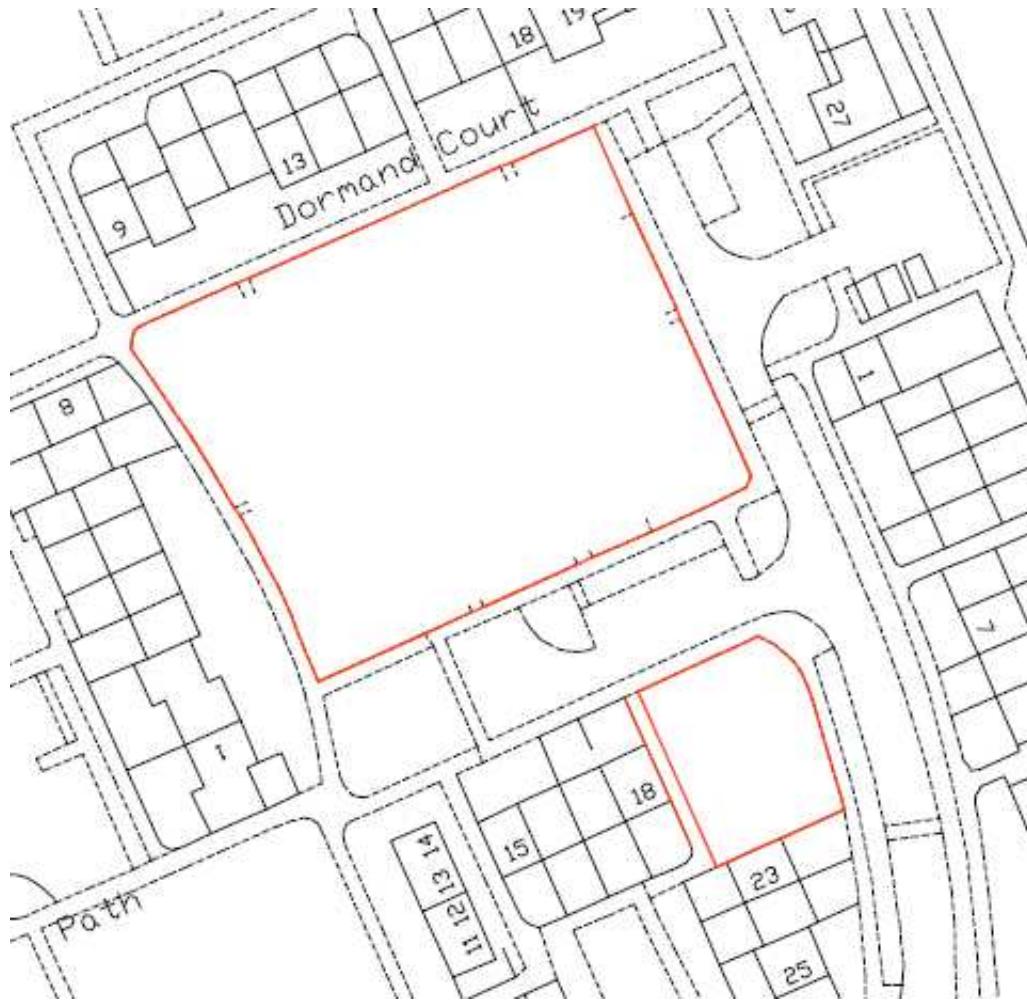
DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	ENV36 - Design for Access and the Means of Travel
DISTRICT OF EASINGTON LOCAL PLAN	ENV37 - Design for Parking
DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
DISTRICT OF EASINGTON LOCAL PLAN	HOU67 - Windfall housing sites
NATIONAL PLANNING POLICY FRAMEWORK	Part 1 - Building a strong, competitive economy
NATIONAL PLANNING POLICY FRAMEWORK	Part 10 - Meeting the challenge of climate change, flooding and coastal change
NATIONAL PLANNING POLICY FRAMEWORK	Part 11 - Conserving and enhancing the natural environment.
NATIONAL PLANNING POLICY FRAMEWORK	Part 4 - Promoting sustainable transport
NATIONAL PLANNING POLICY FRAMEWORK	Part 6 - Delivering a wide choice of high quality homes
NATIONAL PLANNING POLICY FRAMEWORK	Part 7 - Requiring Good Design
REGIONAL SPATIAL STRATEGY	Policy 2 - (Sustainable Development)
REGIONAL SPATIAL STRATEGY	Policy 30 - Improving Inclusivity and Affordability
REGIONAL SPATIAL STRATEGY	Policy 38 - (Sustainable Construction)
REGIONAL SPATIAL STRATEGY	Policy 4 - (Sequential Approach)
REGIONAL SPATIAL STRATEGY	Policy 7 - (Connectivity and Accessibility)
REGIONAL SPATIAL STRATEGY	Policy 8 - (Protecting and Enhancing the Environment)

2. In particular the development was considered acceptable having regard to consideration of issues of planning policy, the scale, design and layout of the development, highways issues and viability issues.
3. The stated grounds of objection concerning an increase in traffic, loss of light and overlooking were not considered sufficient to lead to reasons to refuse the application as distancing standards with regard to all existing properties are considered sufficient and highways officers have no objections to the proposals.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- National Planning Policy Framework

- Consultation Responses



Planning Services

PROPOSED: 22 DWELLINGS at LAND AT FORMER DORMAND VILLA FERNDALE CLOSE, STATION TOWN, TS28 5HL PL/5/2012/0292

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Comments

Date November 2011

Scale

