

Appendix 7: Housing Sites of Five or More Dwellings that have been Refused Planning Permission in the last Three Years

Ref	Description	Site name	Reasons for refusal
08/00773/OUT	Erection of 36 dwellings (outline)	Yarm Road, Middleton St George	<ul style="list-style-type: none"> The application proposes new housing development outside the development limits of Middleton St George, which would not normally be allowed. Whilst the provision of affordable housing on sites outside, but adjoining the development limits may be permitted in exceptional circumstances, this can only be justified if the development is entirely to meet identified affordable housing needs and the development is small scale in nature. The affordable housing provision offered in the application falls short of this. Furthermore, the Council does not consider that there is any conclusive evidence of affordable housing needs amounting to 36 dwellings in Middleton St George and the application does not provide any local housing needs evidence to suggest otherwise. The developments is therefore contrary to Policy E2 (Development Limits), Policy H3 (Locations for New Housing Development) and Policy H10 (Affordable Housing in Rural Areas) of the Borough of Darlington Local Plan. No information has been submitted with the application to demonstrate to the Local Planning Authority that the land is capable of being developed without endangering future occupants of the proposed housing development in the event of the possibility of encountering contamination during development and would thereby be contrary to guidance contained in PPS 23 (Planning and Pollution Control). The site is adjacent to the Darlington/ Saltburn branch railway line and in close proximity to employment premises to the south east of the site, which have the potential to create unacceptable levels of noise to the detriment of the residents of the proposed development. A noise and vibration report has not been submitted with the application in accordance with guidance contained in PPG24, BS4142 and the Calculation of Road and Rail Traffic Noise. Consequently the Local Planning Authority is unable to assess the impacts on the development from these noise sources.
09/00369/OUT	Erection of 7 No. dwelling houses with associated off street parking (Outline)	27 Pease Street	<ul style="list-style-type: none"> The construction of seven dwellings on the site would represent its overdevelopment to the detriment of its character. The likely siting and disposition of the dwellings, as illustrated in the indicative plans submitted with the application, would not respect the predominant character and built-form of the area in terms of plot size, density, rhythm and form. The development of the site for seven dwellings would also result in a form of landscaping that would be unacceptably dominated by the provision of vehicular parking. It is not, therefore, considered that a good quality

09/00361/OUT	Erection of 8 no. Semi detached dwellings (outline)	51 Beaumont Hill	<p>of design can be achieved in the context of a proposal that represents the overdevelopment of the site and as such the proposal fails to accord with Policies E14 (Landscaping of Development), E29 (The Setting of New Development), H11 (Design and Layout of New Housing Development) and H13 (Backland Development) of the Borough of Darlington Local Plan (1997). The proposal does not accord with the Council's Adopted Design Supplementary Planning Document (2009) as well as national planning guidance contained within Planning Policy Statement 1: Delivering Sustainable Development (2005) and Planning Policy Statement 3: Housing (2006).</p> <ul style="list-style-type: none"> The application proposes new housing development outside the development limits, which would not normally be allowed. These limits are intended to maintain well defined boundaries and safeguard the character and appearance of the countryside. The most sustainable locations for housing developments are inside the urban area, and within existing villages. Whilst the provision of affordable housing on sites outside, but adjoining the development limits, may be permitted in exceptional circumstances, this can only be justified if the development is entirely to meet identified affordable housing needs and the development is adjacent and well related to a village with adequate local facilities and is of a design that reflects and respects its surroundings. The proposal does not meet the definition of affordable housing set out in the Council's Affordable Housing Supplementary Planning Document (April 2007) and it has not been demonstrated that the proposal would meet identifiable housing needs. The site is not well positioned for local services and facilities. The piecemeal development of the site for housing would not respect the predominant character of the area and would be harmful to the appearance of the surrounding countryside. The development is therefore contrary to Policies E2 (Development Limits), E7 (Landscape Conservation), E29 (The Setting of New Development), H3 (Locations for New Housing Development), H10 (Affordable Housing in Rural Areas) and H11 (Design and Layout of New Housing Development) of the Borough of Darlington Local Plan 1997.
09/00173/OUT	Proposed residential development (outline) [approximately 250 dwellings]	Former Corus Site, Whesoe Road	<p>(A subsequent planning application for housing on this site has been granted permission)</p> <ul style="list-style-type: none"> Policy H9 (Meeting Affordable Housing Needs) of the Borough of Darlington Local Plan 1997 states that the Council will seek to negotiate with developers for an element of affordable housing on new housing sites within development limits where a local need has been identified. The Council's adopted Affordable Housing Supplementary Planning Document states the affordable housing targets may, exceptionally be reduced or possibly waived if it can be demonstrated that there are

			<p>unforeseen costs associated with the development that, taken together with the provision of affordable housing would render the project unviable. The applicant has failed to provide a robust case to justify waiving or reducing the affordable housing provision for the site and therefore the proposed development would be contrary to Policy H9 (Meeting Affordable Housing Needs) of the Borough of Darlington Local Plan 1997 and the Council's adopted Affordable Housing Supplementary Planning Document</p> <ul style="list-style-type: none"> The developer has failed to provide conclusive evidence that the development will not have an adverse impact on protected species, namely bats and Great Crested Newts contrary to policy E23 (Nature and Development) of the Darlington Local Plan. The content of a planning agreement in relation to the proposed development potentially including financial contributions to bus stop improvements, off site open space and play equipment provision and education provision has not been finalised.
10/00015/FUL	Residential development comprising 7 No. flats and 1 No. studio (revised application)	Garage Block Adjoining 31 Pendower Street	<ul style="list-style-type: none"> In the opinion of the Local Planning Authority the proposed development, by virtue of its scale, height and design would amount to over-development of the site and would be out of keeping with the scale, height and design of surrounding buildings and the character of the Northgate Conservation Area contrary to policy H11 of the Borough of Darlington Local Plan 1997 and Planning Policy Statement 5 (Planning for the Historic Environment) In the opinion of the Local Planning Authority the proposed development would lead to further intensification in the numbers of flats and apartments in the Northgate Ward, part of the Darlington Central sub-area, which are not needed and which would be in conflict with Planning Policy Statement 3 (Housing) and the findings of the Tees Valley Strategic Housing Market Assessment 2009. In the opinion of the Local Planning Authority the proposed development would lead to an increase in the concentration of on-street car parking on Pendower Street which would make it more difficult for vehicles to manoeuvre to the detriment of highway safety contrary to policy H11 of the Borough of Darlington Local Plan 1997.
07/00152/RM3	Details Of Appearance, Landscaping And Scale Pursuant To Outline Planning Permission 07/00152/Out Dated 17 July 2007 For	Croft House, Hurworth Place	<p><i>(An appeal against this refusal has been allowed)</i></p> <ul style="list-style-type: none"> By virtue of its scale the development is considered inappropriate on this plot on the edge of Hurworth Place Village. Of particular concern is the overbearing impact on the public footpath to the north of the site and the existing single storey residential dwelling to the south and the development's appearance in the Countryside. The proposal fails to respect the character of its landscape setting in terms of landscaping, protection of existing landscape features and relationship to adjoining buildings, having regard to the distinctive landscape characteristics of the locality

	<p>Conversion Of Existing Dwelling To Form 4 No. Apartments And Erection Of 2 No. Detached Houses And 13 No. Town Houses With Access Road</p>		<p>and is therefore contrary to Policies E7 and E10 of the Borough of Darlington Local Plan.</p> <ul style="list-style-type: none"> • In addition to the overbearing impact of the proposed dwellings the proposed footpath located towards the southern boundary will directly overlook Cumana bungalow and its rear curtilage significantly compromising the residential amenity it is currently afforded. The proposal is therefore contrary to Policy H11. • The proposed works to modify ground levels result in an unacceptable impact upon the protected trees and other trees identified for retention within the application site and in particular trees T764 (Weeping Beech) , T761 (Common Lime) and several Mature Limes on the western boundary. • Whilst mitigation measures have been suggested to minimise damage to these trees it is not considered sufficient to guarantee the long term health and viability of these trees which not only have value as individual specimens but also play a key role in the long term landscaping of the proposed development. • The proposal is therefore contrary to Policies E11, E12 and E14 of the Borough of Darlington Local Plan. • The sunken garden area is larger than that indicated on the outline permission (07/00152/OUT). Whilst it is acknowledged additional storage is beneficial on a site vulnerable to flooding this additional capacity has been created at the expense of the health and wellbeing of the protected mature Lime trees on the western boundary. • Works to create this sunken garden will result in trees having their crown spread breached by the proposed works due to the removal of soil to facilitate the proposed lowering of the soil levels, root loss and the change of the water table, which could stress the trees creating a possible avenue for disease to drastically reduce the lives of the trees. The loss of these trees, which represent a key landscape feature, would have a devastating affect on the landscape and street scene of this area. • The proposal is therefore contrary to Policies E11, E12 and E14 of the Borough of Darlington Local Plan.
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