



## Middleton St George Parish Council

[www.middleton-st-george.org.uk](http://www.middleton-st-george.org.uk)

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14<sup>th</sup> November, 2017.

Lisa Hutchinson – Planning Case Officer  
Planning Department  
The Town Hall  
Darlington  
DL1 5QT

Dear Lisa,

Re: 17/00911/FUL  
Mixed use development comprising of A1 convenience store and residential development  
comprising erection of 10 dwellings  
Land Opposite Acorn Close Yarm Road MIDDLETON ST GEORGE, DARLINGTON

### **OBJECTION**

Middleton St George Parish Council objects to this application on the following grounds:

#### Site Planning History

The proposed development site is not on the “Call For Sites” list within the context of the draft Local Plan.

The proposed site is also outside the village's Development Limits, and so contrary to the current Plan. With the Richborough case Supreme Court judgment, any proposed developments dealing with such a mixed development means that the Darlington Borough Council Approved Development Plan is still a valid policy in planning terms, and therefore must be given weight when considering the Application, even though the Borough Council still does not have an approved up to date 5-year housing land supply. In Paragraph 2.4 of the Planning Statement, the Applicant argues that other sites have been granted planning permission even though they are outside the Development Limits of the village. This, in itself, is not sufficient grounds to grant permission, especially given the outcome of the Richborough Judgment. And neither does it subsequently mean that the Application site is sustainable on that basis.

There is a development proposed for the field adjacent to this site (Ref. 17/00847/FUL) which is for 44 houses. The site had previously been given planning permission for a doctor's surgery and 26 houses, on the basis that the doctor's surgery would be built, even though it was not an “enabling” application. The developers have now submitted a revised application for houses only, which is 18 more than originally given planning permission for. It would not be unreasonable, at this stage, to consider the combined effects of the two developments on the village in terms of safety, congestion, lack of education provision, loss of amenity for neighbouring houses, lack of suitable drainage and sewerage, and noise.

## Convenience Store

There are already two convenience stores in the centre of the village, and a Morrisons not far away. Whilst this, in itself, does not have weight in planning terms, putting a convenience store on this site would be placing retail services in the village in an ad hoc way when what is needed is to plan for such services in a more sustainable manner. The Parish Council and the Borough Council is currently in discussions in order to do this. The proposed siting of the convenience store at this location is not appropriate for sustainable development in the village. (See also reference to Highway Officer's Response under "Transport and Road Safety", below).

## Transport and Road Safety

As mentioned above, it is recommended (and necessary) to take into account the cumulative impact of both proposed developments on the immediate area, and on the village as a whole.

We stated, in our response to the Application for the adjacent site of 44 houses, that Paragraph 36 of the National Planning Policy Framework sets out that, in determining whether a Travel Plan will be needed for a proposed development the local planning authorities should take into account the following considerations:

- the cumulative impacts of multiple developments within a particular area;
- whether there are particular types of impacts around which to focus the Travel Plan (e.g. minimising traffic generated at peak times)

Therefore, the cumulative impact of other developments in Middleton St George (both already granted permission, and pending) should be taken into consideration. This includes the current Application under consideration here for the convenience store and 10 houses.

The Parish Council letter dated 26.10.2016 regarding Cumulative Impact of Development on the village (enclosed), lists the number of homes we were faced with at that time, along with the increased traffic and hazards these would entail. The update is as follows:

### Permission Granted:

- 13/00940/OUT Up to 250 dwellings, Sadberge Road (under construction)
- 15/00976/OUT Up to 200 dwellings at High Stell/Grendon Gardens
- 16/00578/OUT 350 dwellings and local services at Durham Tees Valley Airport
- 16/00396/OUT – 55 Houses Lancaster House at Durham Tees Valley Airport
- 16/00972/FUL 27 dwellings off Middleton Lane/Neasham Road

### Pending:

- 16/00976/OUT Up to 226 dwellings and primary school, Station Road
- 17/00847/FUL – 44 houses Yarm Road

### Other Applications which will be expected:

- All the sites on the "Call for Sites" List (which includes two proposals which we have recently become aware of: one for 430 houses, a school, supermarket and other shops, and another for 70 houses further along Yarm Road)

With the doctor's surgery having been granted permission for change of location (temporary at the moment) to Middleton Hall, there will be increased movement along that stretch of road (Yarm Road).

With the adjacent site for 44 houses, the impact on this road will be greater, creating pinch points at existing, and proposed, access roads and junctions.

There is also existing on-street parking along the narrow Yarm Road (at Killinghall Row), for the terraced houses. Further development on Yarm Road will exacerbate the situation.

The Applicant refers, in 2.2.2. of the Transport Statement, to the occurrence of two slight accidents within the last 5 years at the A67/Yarm Road roundabout junction. However, when taken with the other 7 on nearby adjoining roads in the village, and given the increased levels of speeding along Yarm Road and throughout the village in general (to which the proposed reduction in speed limit is unlikely to make much difference), together with the increased hazards that will be produced by the extra junctions proposed, it is only a matter of time before there is an increase in frequency of such incidents, as well as, in all probability, an increase in their severity.

The proposed access onto Yarm Road from the convenience store at the eastern end of the proposed development, the separate access road proposed for the houses at the western end of the development, as well as the direct access for each of the three houses located in between, will cause added problems for traffic and pedestrians along Yarm Road.

The Transport Statement has listed various traffic trip data for housing developments around the country. However, most of this information concerns around 79 dwellings. It has not taken into consideration the cumulative traffic trips from the area (in this case village) as a whole. As mentioned previously, Yarm Road is increasingly being used by more people and traffic in the village for general trips for work and leisure but also for school runs, as a result of all the housing developments being granted permission, and with the relocation of the doctor's surgery, this will also mean more trips along that road. The Statement also gives a range of data for similar convenience stores, but there is no information given with regard to whether these are located on a similar junction to the one proposed, affording lorries little room to manoeuvre, and with all the added hazards for pedestrians and nuisance for existing and potential residents these would cause.

The Highways Officer Response (6<sup>th</sup>/7<sup>th</sup> November) highlights the potential overspill of vehicles from the commercial unit onto Yarm Road, in an attempt to park, thereby creating further hazard. He also goes on to say, in relation to the current DBC recorded average speed for that stretch of road: "Manual for Streets states that a Stopping Sight Distance for 37mph is to be 59m, therefore the junction would not comply with national or local guidance. Should the speed limit be reduced to 30mph, the Stopping Sight Distance could reduce accordingly to 43m, however given the nature of the commercial access it should still comply with the minimum junction spacings for safety reasons." In conclusion, he states: "The location of the retail access would compromise the position of such a feature, and therefore for the above reasons I would be minded to refuse the retail element of the application for safety reasons."

A combined travel sweep analysis of the highway and road safety risks for both applications (the current one and the one for 44 houses alongside) should therefore be carried out, and also include a detailed prediction of the disturbance and loss to amenity caused by the extra vehicles servicing the convenience store. And, in addition, the Highways Officer's Response should be taken into account.

## Noise

The site of the proposed development is adjacent to a railway line which serves the Darlington to Teesside route, and which has a half-hourly service, in both directions. There are also freight trains running through the night.

The Additional Noise Survey measurements show an average of 60db, which is above the 55db acceptable limit. Incredibly, in the bedrooms of plots 3, 4 and 5, the noise level would be 81db, requiring a reduction of 36db, for which a combination of measures is proposed (double glazing, double plasterboard to ceiling, and acoustic trickle vents). Does this then mean that the residents will not be able to open their windows whenever they wish, but rather to keep them closed? Moreover, the Applicant has not taken into account the added noise which would be produced from delivery vehicles to the convenience store.

Paragraphs 4.4 and 4.5. of the Noise Assessment for the adjacent site application show that the level of noise from the railway are above the 55db acceptable limit, and the site is also on the busy Yarm Road,

from where a great deal of noise is generated. In the Noise Assessment (4.2) of that application it states that unusually high levels of noise emanates from the traffic on Yarm Road at night, due to speeding vehicles and the type of vehicles.

Given the current levels of noise to this proposed Application site, as well as the combined noise produced from the adjacent site of 44 houses, the Parish Council's opinion is that the amenity of residents would be severely affected, and the mitigation measures proposed would not suffice to offset this.

### Ecology

Though the Ecological Appraisal does not show any significant risk for wildlife on the actual proposed site, the increase in building, especially with the convenience store and the corresponding additional noise and pollution will present a risk. The site is on greenfield, and is also fairly close to the Whinnies Nature Reserve.

### Statement of Community Involvement

With regard to pre-application consultation in the village undertaken by the Applicant, the responses received were mixed (see Planning Statement, Paragraph 4). Leaflets were distributed to households by the Applicant, however many residents have reported the Parish Council that they had not received a leaflet, despite the wide area of distribution (2,500 households) as shown in the Planning Statement.

The Applicant did meet with members of the Parish Council on 13<sup>th</sup> September to explain their proposal, and subsequently agreed to a Drop In for members of the public which was held on 19<sup>th</sup> September. However, the members of the Parish Council did express their concerns at the time regarding the lack of educational provision as well as the fact that what the village needed was housing for older residents of the village as well as one to two bedroom houses. There is currently a plethora of four bedroom houses being built, which there is no actual need for, and which are too expensive for the current village population, which is the reason they are not selling.

### Cumulative Impact on Infrastructure and Facilities

The Applicant argues, in Paragraph 2.6 of the Planning Statement, that "as demonstrated by the above [list of approved planning developments] there is development taking place both adjacent to the application site and in close proximity, providing evidence that the area is experiencing growth in residential development and infrastructure." We would point out here that, conversely, there is no accompanying infrastructure happening alongside these developments.

It must be borne in mind that, with all these housing developments, there has been relatively little carried out to date with regard to upgrading and improving essential infrastructure within the village itself in order to go any way to mitigate the impact on essential services.

The main aspects of Section 106 planning obligation contributions to date have been only for education and for some highway improvements, but this has, in effect, been minimal within the actual village. The primary school has expanded to its absolute limit, and this was only to take account of pupils from 4 housing developments (Sadberge Road, High Stell Grendon Gardens, and the two developments at the airport). No provision has been made to take into account children from other developments. With regard to highway improvements, those which have been agreed are for minimal improvements along pavements and bus stops in the village, as well as for major work at the A66/A67 Bypass and roundabout, because it has been acknowledged that, as it is at the moment, the roads will not be able to cope.

What we actually need is more education provision, as well as an improved bus service in terms of better frequency and route, not to mention all the other improvements to village infrastructure and community facilities outlined in our letter to the Planning Office dated 26<sup>th</sup> October 2016. We understand that an evening bus service is being considered in light of current planning applications at Hurworth, and would

stress here that, given the fact that Middleton St George is being targeted with many more houses, and a change in location of the doctor's surgery, it is just as vital that we have an improved bus service, too.

The Applicant is wrong to argue that "the location is a sustainable settlement .... The proposals will round off the existing settlement with much needed new housing...." This development, along with its convenience store, is not needed. The convenience store would be in the wrong place, and the housing type is over and above what is needed in the village, and the wrong type. It is on greenfield (when the Government advocates building on brownfield first), and it is outside the Development Limits.

#### Ongoing Infringement of Planning Conditions from existing developments

Since the building on the Sadberge Road site began, the building contractors have continually breached the planning conditions, with the result that the Enforcement Officer has had to eventually send warning letters to both sets of contractors, with copies to the head offices of Miller Homes and Story Homes. The conditions breached have ranged from numerous instances of out of hours working, dangerous condition of the main road, lorries using the road going past St Georges Gate rather than coming into the site straight from the A67 roundabout, litter on the verge and in the trees, to light pollution.

Whilst there has been some improvement, the out of hours working as well as the poor condition of the road left by site vehicles and access past St Georges Gate is continuing. This is completely unacceptable.

Work has recently begun at the Neasham Road side of the Middleton Lane development (27 houses, including 6 affordable houses at Neasham Road side, Ref. 16/00972/FUL), and we are starting to experience similar problems from this site, too, in addition to those from the Sadberge Road site (which can be evidenced from our email correspondence with the Enforcement Officer). We would also like to remind everyone that development at this side of the site is with access onto a sharp, blind, bend on Neasham Road, which we advised at the time was hazardous at any time, and even more so during peak hours, especially with the school being so close.

No further developments should be granted permission until the build has been completed on the Sadberge Road site and the Middleton Lane/Neasham Road site. Residents should not have to endure this.

#### Conclusion

This Application cannot be viewed only in isolation, but must be considered together with all the other developments in terms of cumulative impact, and especially alongside the proposed adjacent site for 44 houses.

In economic terms, this proposed development would generate negligible value for the village in terms of the NPPF requirements. The site would not secure the employment of that many people. Also, it is unlikely that people living in the houses would be contributing to the economic survival of the village. "Extra housing" does not, as it is claimed in Paragraph 5.4 of the Planning Statement, automatically "enhance the rural economy..."

In social terms, this proposed development would generate negligible value for the village in terms of the NPPF requirements. The inclusion of any mixed or affordable housing proposed would be far outweighed by the lack of educational provision as well other community facilities, which have not received any contributions for improvement from developers.

In environmental terms, this proposed site would only serve to increase the hazards in terms of road safety, resident amenity and impact on the biodiversity in the village.

For reasons set out in this letter, there are overwhelming factors to demonstrate that this proposed development is not sustainable – that the cumulative impact would definitely outweigh any perceived economic, social or environmental benefits, and we recommend that the Application should be refused.

Yours sincerely,

Alan Macnab,  
Clerk to the Parish Council.