

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 30 June 2010

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APPLICATION REF. NO:	10/00204/FUL
STATUTORY DECISION DATE:	19 July 2010
WARD/PARISH:	BARMPTON
LOCATION:	Collings House, Low Skerningham Lane, Barmpton
DESCRIPTION:	Erection of pigeon loft (retrospective)
APPLICANT:	Mr P Ward

APPLICATION AND SITE DESCRIPTION

The application is situated within a group of former agricultural buildings now converted to dwellings, situated approximately 1.3km to the north of the Town.

The application seeks retrospective planning permission for the retention of a pigeon loft located on the north eastern boundary of the property. It has maximum dimensions of 13.25m in length, 4.4m in width and 2.2m in height. It is of timber construction and stained in a dark brown finish.

The development would normally benefit from permitted development rights. However these were removed by condition with the grant of planning permission for the residential conversions of the former agricultural buildings in 2005.

PLANNING HISTORY

04/1322 – Planning permission was granted in March 2005 for the conversion and extension of redundant agricultural building to form three dwelling units.

06/1129 – Planning permission was granted in January 2007 for 2 garages, store rooms and loft storage in the form of a single linked building.

PLANNING POLICY BACKGROUND

The following policies in the Borough of Darlington Local Plan are relevant: -

- E4- New Buildings in the Countryside
- E7 – Landscape Conservation

H12 –Alterations and Extensions to Existing Dwellings

RESULTS OF CONSULTATION AND PUBLICITY

There have been no objections to the development from neighbour notification. However five emails have been received from members of the public objecting to the pigeon loft on the following grounds: -

- It is visually intrusive detracting from the appearance of the surrounding countryside.
- Volume of the birds
- Size of the loft
- Impact on the surrounding neighbours
- Disturbance to walkers
- Serious health risks from a number of diseases that can be contracted from pigeons

The Council's Public Protection Division has raised no objections to the development but comment that the loft is well managed and in a good condition. Should the standard of husbandry fall appreciably with a marked impact on the neighbours, then action under their statutory nuisance legislation could be considered.

The Council's Highway's Engineer has no objections to the development on highway grounds.

The Council's Countryside Access Officer has commented that the development raises no rights of way or other countryside issues.

PLANNING ISSUES

The main issues to be considered are:-

- Visual Amenity
- Residential Amenity; and
- Highway matters

Visual Amenity

The pigeon loft is sited against a high brick wall which for the most part is approximately 2m in height and also adjoins a large garage building. With its close proximity to the residential conversions the structure is not readily visible within the wider context of the surrounding countryside. Closer views can be had from a nearby public right of way which passes through the building complex and from an unmade access track to Low Skerningham. However given its proximity to other buildings it is readily assimilated within the building complex here generally and as such would not be visually intrusive.

Residential Amenity

The location of the pigeon loft in relation to nearby residential properties is unlikely to give rise to conditions that would materially harm the amenities of the neighbouring occupiers, providing that the loft is managed properly. Should care of the facility deteriorate to the extent there is an impact on neighbouring residents action under the statutory nuisance legislation would need to be considered.

Highway Matters

No objections are raised to the development on highway grounds.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposed development is considered acceptable in this location and will not cause any material harm to the character and appearance of the surrounding countryside. Neither would it give rise to conditions prejudicial to residential amenity or highway safety. The application does not raise any issues in relation to highway safety or crime prevention.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS: -

- 1) A3 – Implementation Limit (Tree Years)
- 2) B5 – Detailed Drawings(Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposed development is considered acceptable in this location and will not cause any material harm to the character and appearance of the surrounding countryside. Neither would it give rise to conditions prejudicial to residential amenity or highway safety. The application does not raise any issues in relation to highway safety or crime prevention. The proposed development therefore complies with the relevant policies of the development plan, as listed below.

Borough of Darlington Local Plan 1997

- E4- New Buildings in the Countryside
- E7 – Landscape Conservation
- H12 –Alterations and Extensions to Existing Dwellings