

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 11th March 2009**

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<b>APPLICATION REF. NO:</b>	<b>08/00978/DC</b>
<b>STATUTORY DECISION DATE:</b>	<b>12th March 2009</b>
<b>WARD/PARISH:</b>	<b>NORTHGATE</b>
<b>LOCATION:</b>	<b>George Dent Nursery School, Elms Road, Darlington</b>
<b>DESCRIPTION:</b>	<b>Erection of single storey lean to canopy to north elevation</b>
<b>APPLICANT:</b>	<b>DIRECTOR OF CORPORATE SERVICES</b>

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**APPLICATION AND SITE DESCRIPTION**

The application site is the George Dent Nursery School situated on the east side of Elms Road within a predominantly residential area.

This is a full application under Regulation 3 of the Town and Country Planning General Regulations 1992. Approval is sought for the erection of a lean-to canopy to the northern elevation of the building for use as shelter for parents and children during dropping off and picking up times. It measures 1.5m in width and some 4m in length and is situated adjacent to an existing side entrance to the building. It is constructed of a white aluminium frame with a polycarbonate roof. The development has already been carried out without the benefit of planning permission. .

A Design and Access Statement has been submitted as required by the Regulations.

**PLANNING HISTORY**

The planning history of the site is varied and lengthy and therefore only the most recent and relevant applications are listed for the purposes of this assessment:

08/00419/FUL – In July 2008 planning permission was granted for the erection of a canopy roof to an existing conservatory.

**PLANNING POLICY BACKGROUND**

**Borough of Darlington Local Plan (1997)**

E29 - The Setting of New Development

R1 – Designing for All

R2 – Access for People with Disabilities

R25 - Provision of Community Facilities and Services

**National Policy Guidance**

PPS1: Delivering Sustainable Development (2005)

PPG15: Planning and the Historic Environment (1994)

**RESULTS OF CONSULTATION AND PUBLICITY**

No objections received.

**PLANNING ISSUES**

The principal issue to be considered is whether the proposal would materially affect the visual amenities of the locality or impact on residential amenity.

The proposed extension is modest in size and is of a light construction that does not detract from the character of the original building. It is positioned in such a way that it is not readily visible from public vantage points and therefore raises no street scene implications. It is considered that the proposal has a neutral impact on the character or appearance of the Stanhope Road / Grange Road Conservation Area, which part of the site sits in, which meets the necessary tests established by case law. The extension relates to the provision of shelter adjacent to an existing entrance. It is not considered that the proposal raises any issues in respect of its impact on the residential amenity currently enjoyed by existing residents, being located within the site itself and separated from properties on West Crescent by an additional area of land within the school site. The proposal is consequently considered to be acceptable in respect of its impact on the visual amenities of the locality and on residential amenity. The proposal raises no further planning issues.

**Section 17 of the Crime and Disorder Act 1998**

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

**RECOMMENDATION**

THAT PURSUANT TO REGULATION 3 OF THE TOWN AND COUNTRY PLANNING GENERAL REGULATIONS PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

**INFORMATIVE**

The proposal is considered to be an acceptable form of development in this location and does not give rise to any issues of highway safety or crime prevention. The proposal is considered to comply with the relevant policies of the development plan as listed below:

**Borough of Darlington Local Plan 1997**

E29 - The Setting of New Development

R1 – Designing for All

R2 – Access for People with Disabilities

R25 - Provision of Community Facilities and Services