

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 10 March 2010

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APPLICATION REF. NO: 09/00868/FUL

STATUTORY DECISION DATE: 04/03/10

WARD/PARISH: PIERREMONT

LOCATION: Holy Trinity Community & Youth Centre
Pierremont Road
DARLINGTON
DL3 6DG

DESCRIPTION: Erection of gazebo to side and shed to rear of building (amended description and plan received 17 February 2010)

APPLICANT: Mrs Susan Tinkler Pierremont Playgroup

APPLICATION AND SITE DESCRIPTION

Planning Permission is sought for the construction of a gazebo and metal shed.

The gazebo would be of a timber construction and would be located in the south east corner of the site and would be some 4m by 4m in an octagonal shape. The gazebo would be 3.2m in height. A playgroup is already in operation at the Community Centre and the gazebo is proposed to allow children to play in.

The applicant has advised that pre-school children would be the main users of the gazebo and that this would take place four mornings per week from 9.30am to 11.30am during term times. There is also a playgroup for disabled children operating over school holidays.

The shed would be of a steel construction and would be located to the south west corner of the building and would be 2.4m by 1.5m and 2.2m in height. This location has been amended as it was originally proposed to site the shed in the south west corner of the site close to the boundary fence.

The Youth Centre is sited to the west of Pierremont Road and to the south of Orchard Road. The site is bounded to the west by the back gardens of properties on Bracken Road.

The application property is a small community building located within its own small grounds. The boundary treatment to the west (with the residential properties) consist of high timber fencing.

PLANNING HISTORY

81/00735/MISC, on 30 December 1981 planning permission was granted for the erection of a 1.5m close boarded fence and creation of a play area.

09/00098/FUL, on 21 April 2009 planning permission was granted for the construction of a ramp to rear fire escape.

PLANNING POLICY BACKGROUND

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

Policy E29 – The Setting of New Development.

Policy E46 – Safety and Security

Policy H15 – The Amenity of Residential Areas.

RESULTS OF CONSULTATION AND PUBLICITY

Consultation letters were sent to occupiers of neighbouring properties and a site notice was displayed. An objection letter was received from the occupier of 27 Pierremont Road. The points raised are summarised below:

- *This structure is unnecessary as there is already a roll down canopy on this building which I am told is for the use of the children when the weather is inclement.*
- *This extra building will do nothing to promote the wellbeing of the neighbourhood and will only increase the noise levels coming from that area especially when the DAD [Darlington Association on Disability – children with disabilities] play scheme is in operation.*
- *During the School Holidays the only respite we have from the noise (from DAD) is when the weather is inclement and the children are indoors.*

An objection was also raised from the occupiers of 27 Bracken Road. The points raised are summarised below:

- We are writing to object to the erection of a metal shed at the above location until we are satisfied with the following details: the height of the shed; the colour of the shed; the distance of the shed from the dividing fence and; will the shed have a flat roof?
- We are concerned that if the shed has a flat roof and is close to our back fence then this is a security concern for us from persons being able to gain easier access to our back garden and our property.
- We have no objections to the erection of a gazebo at the above location.

An objection was received from the occupier of 25b Pierremont Road. The points raised are summarised below:

- *I have no reservations about the gazebo which will be 4' x 4' positioned a few feet from a boundary fence.*
- *I expressed concern regarding the position of the metal shed to be erected right in the corner close to the boundary on which line runs my garage and a brick wall.*

- *As I intend to demolish this garage and wall in the near future, erect another garage with pitched roof and fence to replace the wall. I was concerned regarding accessibility any builder would encounter.*
- *As the Community Centre is also used for meetings and social activities during daytime and early evening, with being an 'open area' young teenagers find this type of site attractive, I've had problems in the past with vandalism and anti-social behaviour positioned as planned it might cause issues as outlined, security problems for myself included. She [organiser of one of the play groups] acknowledged this and agreed to erect this shed some 2 – 3 feet from the original plan. I suggested a position behind the community centre it would also be less noticeable.*
- *I have been unsure whether to comment bearing this conversation [with the organiser of one of the play groups] in mind but after being given the opportunity thought it would be wise to forward my views for the record.*

Amended plans re-siting the proposed shed (to the rear of the building rather than next to the boundary) were received on 17 February 2010. Occupiers of neighbouring properties have been consulted on this amendment and any comments received will be reported verbally to the Committee.

The Highways Engineer raised no objections to the proposal.

PLANNING ISSUES

The main planning issues to be determined in consideration of this application are planning policy, visual amenity and residential amenity.

Planning Policy

Policy E29 (The Setting of New Development) of the Borough of Darlington Local Plan ensures that new development will respect the character of its setting in terms of siting, design, materials and landscape. Policy E46 (Safety and Security) requires that new development will reduce opportunities for crime whilst creating a safe and secure environment.

Policy H15 (The Amenity of Residential Areas) presumes against the establishment, enlargement or material intensification of non-residential uses that would harm the amenities of surrounding residential areas and the quiet enjoyment of dwelling houses and gardens.

visual amenity

The proposed gazebo, by reason of its size, siting and design would be in keeping with the external appearance of the community centre building and would not cause significant harm to the character and appearance of the surrounding area.

The proposed shed, by reason of its size, siting and design would be in keeping with the external appearance of the community centre building and would not cause significant harm to the character and appearance of the surrounding area.

Residential Amenity

The proposed gazebo and shed do not affect the use of the property which currently includes times when children play in the grounds. The proposal would not, therefore, result in increased

issues of noise or disturbance. The proposed gazebo would, however, provide a further opportunity for children to play outside during inclement weather.

The gazebo would be located to the south of the site close to the boundary with No. 25b Pierremont Road. The small size of the structure and its siting are such that it will not have any detrimental impacts in relation to the light or outlook of neighbouring properties.

The proposed shed does not raise significant issues in respect of residential amenity given its small scale and position next to the community centre building.

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 gazebo and shed would not be harmful to the character of the host property or be harmful to the visual amenity of the area. Due to the size and siting of the proposed structures, the proposal would not result in any significant detrimental impacts with regard to residential amenity.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITION:

1. A3 Implementation Limit (3 years)
2. B5 Detailed application (Accordance with Plans)
3. Notwithstanding the submitted plans, the shed shall not be installed until details of a colour scheme for the external finish have been submitted to and approved by the Local Planning Authority. Thereafter, these works shall be carried out and retained in accordance with the approved details.

REASON: In the interests of the visual amenity of the area and in accordance with Policy E29 (The Setting of New Development) of the Borough of Darlington Local Plan.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposed development is considered acceptable and will not cause significant harm to the character and appearance of the area. The proposal has no significant impacts in terms of residential amenity. The proposal does not adversely impact on highway safety. No issues are raised in relation to crime prevention. The proposal is considered acceptable in light of the following Policies of the Borough of Darlington Local Plan 1997:

E29 – The Setting of New Development

E46 – Safety and Security
H15 - The Amenity of Residential Areas