# **DARLINGTON BOROUGH COUNCIL**

### PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 8 APRIL 2	2009 Page
APPLICATION REF. NO:	08/00994/DC
STATUTORY DECISION DATE:	09/04/09
WARD/PARISH:	CENTRAL
LOCATION:	Play Area, Pensbury Street, Darlington
DESCRIPTION:	Erection of entrance feature
APPLICANT:	Director Of Corporate Services

# APPLICATION AND SITE DESCRIPTION

This is a full application under Regulation 3 of the Town and Country Planning General Regulations 1992.

The application site is located to the eastern side of Pensbury Street which is close to Bank Top Railway Station. The play area occupies an area flanked by terraced properties on either side. The play area is located at a lower level than the entrance from Pensbury Street.

There is an entrance to the park which consists of a gap approximately 2m in width with fencing to either side. Planning permission is sought for the erection of an entrance feature in this gap which would consist of a stainless steel circle with a resin casting of a flower design attached at the top.

The entrance feature would be approximately 2.5m in width and 3m in height. The steel tube would have a diameter of approximately 11 centimetres. The existing railings would be altered to take account of the new entrance feature.

### PLANNING HISTORY

There is no relevant planning history identified.

# PLANNING POLICY BACKGROUND

The following policies of the Borough of Darlington Local Plan 1997 are relevant to consideration of the application:

E3 – Protection of Open Land E29 – The Setting of New Development

# **RESULTS OF CONSULTATION AND PUBLICITY**

A site notice has been displayed and no objections have been received.

The Highways Officer was consulted and raised no objections to the proposal.

Consultations were carried out by the applicants before the application was submitted. In the application it is identified that Pensbury Street Residents' Group and local children have been involved in the development of the design and all residents have been informed of the proposal. The Artist held workshops with local children and the final design was influenced by their work.

# PLANNING ISSUES

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

### **Visual Amenity**

The proposal is considered to be of an acceptable scale and to be located in an appropriate position. The entrance feature is not considered to raise any significant issues in respect of its impact on the visual amenities of the locality. The artwork is intended to enhance the play area and the streetscene.

### **Residential Amenity**

The proposed artwork would be in such a position and of such a scale that it would not have a harmful impact of the residential amenity of nearby residential dwellings.

#### 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 give rise to conditions prejudicial to local amenity or highway safety. The application does not raise any issues in relation to highway safety or crime prevention

#### 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 (3 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 give rise to conditions prejudicial to local amenity or highway safety. The application does not raise any issues in relation to highway safety or crime prevention The proposal is considered to comply with the relevant policies in the development plan as set out below.

Borough of Darlington Local Plan (1997) E3 – Protection of Open Land E29 – The Setting of New Development