

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 2 April 2014

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APPLICATION REF. NO:	13/00262/CON
STATUTORY DECISION DATE:	22 April 2014
WARD/PARISH:	BANK TOP
LOCATION:	Site Of Former Eastbourne Nursery School Belgrave Street
DESCRIPTION:	Approval of details reserved by condition 3 (means of enclosure), 5 (remediation statement), 6 (landscaping), 7 (trees), 8 (arboricultural method statement), 9 (construction management plan), 11 (surface water) attached to planning permission 13/00262/FUL dated 1 August 2013 for erection of a residential development comprising 2 No semi-detached dwellings; 6 No terraced properties and 4 No apartments
APPLICANT:	R Bland Limited

APPLICATION AND SITE DESCRIPTION

When determining the planning application (ref no: 13/00262/FUL) for the redevelopment of the site for residential purposes at the Planning Applications Committee in July 2013, Members requested that local residents should be consulted on any future application to discharge condition 3) which states:

Prior to the commencement of development, or such other period as may be agreed with the Local Planning Authority, the details of any walls, fencing or other means of enclosure shall be submitted to, and approved by, the Local Planning Authority. The approved means of enclosure shall be erected prior to the approved development being brought into use, or within any approved phase of the development prior to that phase of the development being brought into use.

REASON - In the interests of visual and/or residential amenity.

Members also requested that this application to discharge the condition should then be referred back to the Committee for determination.

This application has been submitted to discharge all of the relevant conditions attached to the planning permission but only the details that have been submitted to discharge condition 3) are to

be discussed today. The other conditions would be considered by Officers and discharged under the Council's scheme of delegated powers.

The site is currently enclosed to the north by a mixture of timber fences and post and mesh fencing, to the east by timber fencing and a mature hedge, to the south (with Eastbourne Park) by green steel palisade fencing, and to the west by the gable end and yard wall of No 79 Belgrave Street. At the entrance, there is a section of railings either side of the access.

PLANNING HISTORY

13/00262/FUL In August 2013 planning permission was granted for the erection of a residential development consisting of two semi-detached dwellings; six terraced dwellings and four apartments

PLANNING POLICY BACKGROUND

Not relevant

RESULTS OF CONSULTATION AND PUBLICITY

No objections have been received following the Council's consultation exercise.

PLANNING ISSUES

The main issues to be considered here are whether the proposed means of enclosure are acceptable in visual and residential amenity terms.

The existing palisade fencing on the south boundary with Eastbourne Park would be retained and augmented with landscaping within the rear garden areas of the Plots. A 1.8m high close boarded fence would be erected on the east and west boundaries and along a section of the north boundary. The remainder of the northern boundary would be enclosed by 1.2m high post and mesh fence.

There is a set of existing railings at the Belgrave Street entrance to the site. The section on the right hand side of the entrance would be removed to allow for the continuation of the existing footway into the site and the railings on the left hand side would remain in situ. The occupier of No 79 Belgrave Street (end terrace property on the right hand side) has a low fence on the east boundary of their front garden which the developer has agreed to remove and replace with a section of railings on a dwarf wall (overall height 1.8m), which would be designed to match the entrance railings.

It is considered that the proposed means of enclosure are acceptable in visual terms and the amenities of the occupiers of the existing dwellings and the potential occupiers of the development will not be adversely affected.

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 means of enclosure is considered to be acceptable in visual terms and will not

adversely affect the amenities of the neighbouring dwellings or the future occupiers of the housing development

RECOMMENDATION

THAT CONDITION 3) ATTACHED TO PLANNING PERMISSION REFERENCE 13/00262/FUL BE DISCHARGED