

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 12th March 2014

Page

APPLICATION REF. NO:	13/01010/FUL
STATUTORY DECISION DATE:	21/02/14
WARD/PARISH:	Heighington and Coniscliffe
LOCATION:	Rear of The Dog Inn, Cross Lanes, Heighington
DESCRIPTION:	Temporary buildings for use by The Dog Clay Target Shooting Club
APPLICANT:	The Dog Clay Target Shooting Club

APPLICATION AND SITE DESCRIPTION

The application site comprises a grassed field to the rear of the Dog Public House (currently closed) which is located at the Cross Lanes crossroads on the A68 south west of Heighington.

Under Part 4 of the Town and Country Planning (General Permitted Development) Order (as amended) 1995, land can be used for a variety of purposes – including clay pigeon shooting – for not more than 28 days in any calendar year. The applicants exercise this right, so at the present time there is no planning permission in place for the use of the land for clay pigeon shooting and any issues arising from complaints relating to noise or other nuisance from this use are dealt with by Environmental Health Officers.

Whilst the use of the land for this temporary use does not require planning permission, the erection of the non-moveable structures which are the subject of this permission do. Since the Dog Inn closure, the Gun Club have not had the use of its facilities. Since May last year an office building has been placed on the site together with a store, entrance cabin and portable toilet. A flag pole has also been erected adjacent the roadside.

PLANNING HISTORY

99/00839/CU – Use of land for Caravan Park – Refused March 2000 on visual impact grounds.

PLANNING POLICY BACKGROUND

LDF Core Strategy Policy CS14 – Promoting Local Character and Distinctiveness.

RESULTS OF CONSULTATION AND PUBLICITY

Local residents were consulted and responses were received from three residents raising the following issues:

- The buildings will enable the noisy use of the site to continue, which is currently causing a nuisance to local residents.
- The structures are visually intrusive in an area of open countryside.
- The locality was designated as an area of high landscape value – this development does not conform to that designation.
- Precedent will be set for other development nearby such the gypsy sites.
- Impact on the local field environment.

There have been a number of other issues raised relating to the gun club use of the site such as impact on the bridleway nearby, disturbance to livestock and ground pollution.

However these are not directly related to the siting of the structures as applied for and so are not considered to be material issues in this instance.

Parish Council No objections in principle but consider the external finish should be more in keeping with the rural locality.

Rights of Way Officer Concerns over impact of use of land on users of the adjacent bridleway.

Environmental Health Officer Concerned that approving the buildings will increase likelihood of complaints being received relating to the use (but see head of report and below) and has suggested time restrictions on the use of the site for shooting.

Highways Engineer No objections.

PLANNING ISSUES

The main planning issue relating to this proposal is that of the visual impact of the development on the immediate surroundings which are in an open countryside location.

The Dog Clay Target Shooting Club uses the land on a periodical basis, without the need for planning permission, for competitive clay target shooting. The lack of alternative facilities requires accommodation for storage of equipment, a small office and toilet facilities.

If planning permission is refused for the current proposal then it would be likely that the club would not be able to operate, therefore a balance has to be made between the reasonable expectations of the Club and the visual impact of the buildings on the local rural environment.

Whilst the buildings can be seen from parts of Walworth Road through gaps in the hedge, they tend not to be prominent from more distant views. Nevertheless they are of a design and external appearance which cannot be said to “blend in with the countryside”.

It is considered that if the buildings were painted say a dark green or brown colour then their visual impact would be reduced.

There is also a significant gap in the roadside hedgerow which if filled with more planting would go some way to further reducing the visual impact of the buildings.

On balance then, it is considered that it would be reasonable to require the existing buildings to be painted a dark colour to be agreed with the Local Planning Authority, and for additional planting to be undertaken along the roadside hedge adjacent the buildings. The planning permission should be for a temporary period to enable the Local Planning Authority to monitor the condition of the buildings and require their renewal if necessary when a planning permission renewal application is submitted.

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.

RECOMMENDATION

That temporary planning permission is **Granted** subject to the following conditions:

1. This permission shall be for a limited period only, expiring three years from the date of this Notice.
Reason The type of building is not one that the Local Planning Authority is prepared to approve on a permanent basis in view of its appearance and construction.
2. Within 28 days of the date of this notice details of the proposed painting to the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such an agreed scheme shall be carried out within 3 months of the date of this Notice.
Reason In the interests of visual amenity within this countryside location.
3. Within 28 days of the date of this notice details of the proposed hedgerow planting adjacent the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such an agreed scheme shall be carried out within the first planting season after the date of this Notice. Any landscaping that dies, is removed or becomes seriously diseased shall be replaced and maintained to the satisfaction of the Local Planning Authority.
Reason In the interests of visual amenity.