

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 17 December 2008

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APPLICATION REF. NO:	08/00805/FUL
STATUTORY DECISION DATE:	4 December 2008
WARD/PARISH:	SADBERGE
LOCATION:	West View Cottage, Darlington Road, Sadberge
DESCRIPTION:	Erection of a dwelling
APPLICANT:	Mr J Facan

APPLICATION AND SITE DESCRIPTION

The application site is situated on the western edge of Sadberge and forms part of the garden area to West View Cottage. It also incorporates part of an adjoining grass verge within the adjacent public highway. The garden area to West View Cottage is elevated above the adjoining grass verge by approximately 1.8m and rises away from the highway. The site has a maximum depth of 12.4m and width of 9m.

The proposal would involve cutting into the garden area to provide a two storey dwelling measuring some 5.2m in width, 6.4m in depth and 6.8m in height at ridge level. Much of the ground floor of the dwelling would not be visible, accept from the adjoining highway. Accommodation provided by the dwelling would comprise a bedroom with walk-in wardrobe and separate bathroom on the ground floor, with a lounge/dining room and kitchen on the first floor.

Private amenity space for the dwelling is provided to the side and consists of an external hardstanding area, which measures 4.8m in depth by 3.6m in width.

Car parking provision for two vehicles is made at the front of the site, primarily within the highway verge.

The site lies within the Sadberge Conservation Area.

PLANNING HISTORY

Planning permission for the erection of West View Cottage was granted in September 2000 (Ref: 00/102) an amended scheme was subsequently approved in June 2001(Ref: 01/309).

PLANNING POLICY BACKGROUND

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

- E2 Development Limits
- E29 The Setting of New Development
- H3 Locations for New Housing Development
- H11 Design and Layout of New Development
- H13 Backland Development
- T13 New Developments – Standards
- T24 Parking and Servicing Requirements for New Development

Government guidance on conservation areas is contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment (PPG15)

RESULTS OF CONSULTATION AND PUBLICITY

Sadberge Parish Council has recommended that the application be approved.

PLANNING ISSUES

The main issues to be considered are: -

- The Planning Policy
- Character of the area and visual amenity
- Residential Amenity
- Highway Matters

Planning Policy

The application site lies within the development limits for the urban area and therefore it would comply with Policies E2 (Development Limits) and H3 (Locations for New Housing Development) of the Borough of Darlington Local Plan.

The development is considered to be acceptable in principle, subject to detailed matters of development control, which are considered in the remaining sections of this report.

Character of the Area and Visual Amenity

The site lies within the Sadberge Conservation Area and therefore PPG15 (Planning and the Historic Environment) is relevant.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act imposes a duty on Local Planning Authorities to pay special attention to the impact of new development on the character and appearance of conservation areas.

The style of the traditional buildings and groupings of the conservation area originates largely from the 18th Century with progressive modifications through the 19th and 20th Centuries. A variety of building types exist with many under pitched tile, slate and pantile roofs with brick or colour wash rendered walls

The site for the proposed house sits in the west of the conservation area. The former village school (now village community centre), a late 19th Century building, lies to the north of the site on the opposite side of Darlington Road, adjacent to which are a several late 20th Century bungalows. A modern housing estate of late 20th Century origin is situated to the rear (south) of the site. West View Cottage to the east is itself a recent addition to the conservation area, erected approximately seven years ago. The primary character of this part of the conservation area is of residential properties with garden areas front and rear. No such space is provided around the proposed dwelling other than a small hard standing area at the side. Consequently the development would appear cramped and would be out of keeping with the prevailing pattern of development here. Given that the site is also at a highly visible location near the western entrance to the conservation area this would be more apparent.

It is considered therefore that the development would have a significant detrimental impact on the character and appearance of the area and thus a harmful impact on the Sadberge Conservation Area.

Residential Amenity

Policy H11 (Design and layout of New Housing Development) sets out a number of criteria against which new housing development must be assessed, which relate to the need to provide an attractive and safe environment, adequate privacy standards in rooms and gardens, the relationship of the proposed dwellings with existing dwellings, car parking standards and safe pedestrian access.

The proposed new dwelling would, in the main, be positioned forward of West View cottage (a bungalow) and separated from the existing dwelling by a distance of 6m. A number of windows are situated within the facing flank wall of West View Cottage, namely, windows providing light to a living room and bedroom. However, in view of the location of the proposed dwelling and the fact that there are no windows within the facing side elevation there is unlikely to be an issue of overlooking between the respective dwellings. Similarly there is unlikely to be any overbearing impact due to much of the proposed dwelling being located below the level of the remaining garden area. Nevertheless the occupants of the existing property are likely to experience problems of overlooking and loss of privacy in respect of their garden area to the rear of the proposed house, as a consequence of a kitchen window within its gable end, which would be sited hard up against the boundary with the garden. Nonetheless it would be possible to ensure that the window is obscure glazed and of a non-opening type, by way of a condition, to address this problem.

In terms of impacts on residents further away, the nearest dwelling lies to the south, No 11 Beacon Grange Park, which is at an oblique angle to the proposed dwelling and would be some 26m from it. Therefore, there is unlikely to be any adverse effects on the amenities of the occupiers of that property

Residential amenity space for the proposed dwelling is very limited. Effectively this is provided by way of the small hard standing area (4.8m deep x 3.6m wide) on the eastern side of the dwelling and which is identified for bin storage and clothes drying area. The restricted outdoor space within the site curtilage offers very little opportunity for personal relaxation by the residents of the house. Consequently it is considered that as such the amenity space is substandard for a dwelling house and fails to provide an adequate level of private amenity space for future occupants.

Highway Matters

The Council's Highways Engineer has made the following comments: -

"The visibility required at the access to the site would be 2.4m.x 43m. (Manual for Streets) This can be achieved within the highway boundary to the east of the proposed access point however to the west the sightline is obstructed by a retaining wall on the disused reservoir site and it is only possible to achieve a visibility splay of approx. 2.4m.x 20m. The reservoir site is outside the control of the applicant it will therefore not be possible to carry out any works to secure the required visibility.

Given the location of the site I would expect 2no. In-curtilage parking spaces to be provided. The site is on a section of Darlington Road where forward visibility is poor and on street parking could potentially create a road safety problem. Though the application drawing does indicate two parking spaces both of these are sited partly within highway land. It is not possible to provide two spaces within the site and if an external hardstanding for bin stores/clothes line/amenity space is retained it is not even possible to provide a single in-curtilage space."

In view of this he has recommended that the application be refused.

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 application site lies within the development limits of Sadberge as identified in the Development Plan. However, the proposal represents a cramped form of development, which would be detrimental to the character and appearance of the prevailing pattern of development in this part of the Sadberge Conservation Area. The development would have no significant effects in terms of overbearing impact, loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy for existing occupiers. Nevertheless it is considered that the proposal would provide a substandard living environment for the occupiers of the proposed dwelling due to the lack of adequate private amenity space within the site curtilage. The proposal is also likely to give rise to conditions that would be prejudicial to highway safety as a consequence of poor visibility splays at the junction of the site with the adjoining highway that would be exacerbated by unsatisfactory parking provision.

RECOMMENDATION

THAT PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS: -

1. The proposal would result in a cramped form of development, which would have a detrimental impact on the character and appearance of the Sadberge Conservation Area and would thereby be contrary to Planning Policy Guidance Note 15 – Planning and the Historic Environment.

2. The proposed development fails to make provision for adequate levels of private amenity space within the site which would result in an unsatisfactory living environment for the future occupiers of the site and would thereby be contrary to policy H11 – Design and Layout of New Housing Development of the Borough of Darlington Local Plan 1997.
3. The visibility splays provided at the vehicular access to the site are considered to be inadequate to secure the visibility necessary for the safety and convenience to the traffic associated with the development and would thereby be contrary to policy T13 – New Development –Standards and policy T24- Parking and Servicing Requirements for New Development of the Borough of Darlington Local Plan 1997.
4. Adequate car parking provision cannot be made on site for the parking of vehicles in a satisfactory manner and would thereby be contrary to Policy T24 – Parking and Servicing Requirements of the Borough of Darlington Local Plan 1997.