

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 17 December 2008

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APPLICATION REF. NO:	08/00864/FUL
STATUTORY DECISION DATE:	17 December 2008
WARD/PARISH:	HURWORTH
LOCATION:	4 Dibdale Road, Neasham
DESCRIPTION:	Erection of dwelling
APPLICANT:	Mr S Charlton

APPLICATION AND SITE DESCRIPTION

The application is situated within the northern extension of Neasham village. It extends to approximately 0.06ha and forms part of the garden area to No 4 Dibdale Road. The dwelling is elevated above the adjoining highway and its garden area rises steeply away from the roadside.

The proposal would involve cutting into the garden area to provide a two storey dwelling with maximum dimensions of 18m in width, 13m deep and 9m in height at ridge level. Accommodation provided by the dwelling would comprise a kitchen/dining room, cloakroom, and integral double garage on the ground floor, with three bedrooms (one with en- suite facility) and separate bathroom above.

The proposed dwelling would front onto Dibdale Road and sit to the south of No4. An existing two storey dwelling (No.2 Dibdale Road) adjoins the south western boundary of the site and a bungalow lies adjacent to its southern boundary. The latter property (No.15 Neasham Hill) is located on much higher land and sits back from this boundary.

Vehicular access to the site would be obtained via the main vehicular access which serves No. 4 Dibdale Road.

PLANNING HISTORY

There are a number of entries within the planning register relating to extensions and alterations to No4 Dibdale Road including the construction of a new vehicular access (Ref: 04/580) which would also serve the proposed dwelling.

PLANNING POLICY BACKGROUND

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

- E2 - Development Limits
- E12- Trees and Development
- 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

RESULTS OF CONSULTATION AND PUBLICITY

One letter has been received from a local resident objecting to the proposed development on the following grounds: -

- The proposal is a bad example of infill development .The Council’s policy should be to protect gardens not support their destruction. Gardens remain an important part of any flood defence system.
- The application involves the removal of several trees and a significant part of the grass bank to extend the driveway, which would be detrimental to the appearance of the village.
- The building works being so close to the road / road bank will cause major disruption to both pedestrians and vehicles and present a significant safety risk
- If permission is granted the Council will need to consider the risks associated with badly parked vehicles and ensure stipulations on parking to safeguard the safety of pedestrians and motorists alike.

Neasham Parish Council has recommended that the application be approved.

Northern Gas Networks – No objection

Northumbrian Water - No objection

PLANNING ISSUES

The main issues to be considered in the determination of this application are: -

- The Planning Policy
- Visual Amenity
- Residential Amenity
- Trees
- Highway Matters

Planning Policy

The site lies within the development limits for Neasham and therefore falls within provisions of Policy E2 and H3 of the Borough of Darlington Local Plan.

Policy H3 (Location of New Housing Development) is a general policy, which states that new housing development will normally be approved within the urban area and the development limits of the rural settlements "provided the site is not specifically proposed or safeguarded for another use and that the development accords with other plan policies". The proposal is not on a site reserved or safeguarded for any particular use and therefore complies with Policy H3 and E2 (Development Limits).

Visual Amenity

The immediate locality is characterised by a mixture of modern two storey and single storey dwellings with the latter being the more prominent.

The design of the proposed dwelling generally reflects the character of the surrounding area and would easily be assimilated within the streetscape without resulting in any harm to the visual amenities of the locality.

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.

In terms of its impact on adjoining and neighbouring dwellings the proposed dwelling would be sited at an oblique angle to No.4 Dibdale Road itself and separated from it by a distance of some 17m. A detached garage/ plant room to No.4 lies between the existing dwelling and proposed residential unit. Given this context there is unlikely to be any significant impact on the amenities of the occupiers of No 4.

Similarly there is unlikely to be any adverse effects on the residents of the dwelling to the south west of the site (No.2 Dibdale Road). Whilst the proposed dwelling would project approximately 9m beyond the rear wall of No2 the impact of this on the adjoining property would be mitigated by the fact that the new dwelling would be on a lower ground level and an existing 2m high (approximate) timber fence on the common boundary would help to screen much of the brickwork. Furthermore as the rear part of dwelling would be angled away from the boundary fence, and the roof plane would also slope away from it, it is considered that there is unlikely to be any overbearing impact. Two roof lights are proposed within the facing roof plane of the dwelling but in view of the spatial relationship between the proposed and existing dwellings and factors already mentioned there is unlikely to be any significant issues regarding overlooking or loss of privacy. Moreover the principal windows within the rear elevation of No2 Dibdale Road, in the main, overlook the steeply rising land immediately behind it.

There is unlikely to be any material harm caused to the amenities of the occupiers of the other dwelling which adjoins the site (No.15 Neasham Hill) to the south. This property is positioned on higher land and would be some 4m above the finished ground level of the nearest, rear part of the proposed dwelling and located 18m from the rear elevation of the dwelling. Given the differences in height between the dwellings and that No 15 Neasham Hill (a bungalow) is set back the common boundary by a distance of roughly 6m problems associated with overlooking or loss of privacy are unlikely to arise.

It is considered that the relationship of the proposed dwelling with adjoining and neighbouring properties also provides a satisfactory level of residential amenity for its future occupants. Similarly adequate private amenity space is afforded within the site. With regard to the concern about flooding, the site is not located within a higher risk flood area. Northumbrian Water has raised no objection to the development.

Trees

There are several conifer trees around the periphery of the site none of which are of any significant visual value. Nevertheless there are several semi/mature pine trees within the garden of the neighbouring property to the south (No.15 Neasham Hill) situated close to the boundary fence, which are in reasonable form and condition. In order to ensure that they are not damaged during construction works, should permission be granted, it would be advisable to implement a scheme of protection, which can be achieved by way of a condition.

Highway Matters

The Council's Highways Engineer is satisfied with on site parking provision and access arrangements. Consequently there are no highway objections to the proposed development.

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 development limits identified in the development plan. The design and layout of the development accords with the relevant policy in the development plan. The development respects the amenity and general character of the area and would not result in any material harm to the amenities of adjoining or neighbouring residents. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS: -

- 1) A3 Implementation Limit (Three Years)
- 2) B4 Details of Materials (Samples)
- 3) B5 Detailed Drawings (Accordance with Plan)
- 4) C5 Restriction of PD Rights (Residential)
- 5) J2 Contamination

- 6) Notwithstanding the submitted plans, development shall not commence until details of all boundary treatments have been submitted to and approved by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

REASON - In the interests of the amenity of the development and of the area.

- 7) E11 Tree Protection

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within development limits identified in the development plan. The design and layout of the development accords with the relevant policy in the development plan. The development respects the amenity and general character of the area and would not result in any material harm to the amenities of adjoining or neighbouring residents. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposal accords with the relevant policies in the development plan set out below:

Borough of Darlington Local Plan 1997

E2 - Development Limits

E12- Trees and Development

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

INFORMATIVES

The applicant is advised that contact must be made with the Assistant Director; Highways and Engineering (contact Ms. P. Goodwill 01325 388760) in relation to naming of the development.