

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 20 October 2010

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APPLICATION REF. NO:	10/00445/FUL
STATUTORY DECISION DATE:	15 October 2010
WARD/PARISH:	SADBERGE AND WHESSOE
LOCATION:	1 Church View, Sadberge, Darlington DL2 1SD
DESCRIPTION:	Erection of two storey rear extension to form kitchen and bedroom
APPLICANT:	Mr Peter McGee

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the erection of a two storey rear extension to form a kitchen and bedroom.

The proposed extension would be 4.2m in width (the same width as the house) and 2.7m in length. Eaves level would be at a height of 4.5m and there would be a further 1.2m to the ridge.

The application property is a south east facing end terraced house. The other properties in the block are of differing designs and layouts. The rear building line of the house currently projects beyond the neighbouring property to the east by some 3m at two storey level and a further 2.5m at single storey level.

PLANNING HISTORY

77/00581/MISC on 7 December 1977 planning permission was granted for the erection of an extension above a kitchen to form bedrooms.

PLANNING POLICY BACKGROUND

The following policy of the Borough of Darlington Local Plan is relevant: -

H12 – Alterations and Extensions to Existing Dwellings

The Council's Planning Guidance Note 7 (Alterations and Extensions to Dwellings) is also relevant to the application.

RESULTS OF CONSULTATION AND PUBLICITY

The occupiers of neighbouring properties were advised of the proposed works by way of letter. An objection was received from the occupier of **Number 2 Church Close** on the grounds of the reduction of light to the rear of the property that the proposed extension would cause.

The **Highways Officer** raised no objections to the proposal.

The **Arboriculture Officer** commented that tree protection measures would be required if planning permission is granted.

Sadberge Parish Council commented that the application should be approved.

PLANNING ISSUES

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

- Planning Policy
- Visual Amenity
- Residential Amenity

Planning Policy

Policy H12 (Alterations and Extensions to Existing Dwellings) of the Borough of Darlington Local Plan includes provision that extensions and alterations to dwellings will be permitted providing that they are in keeping with the design of the property, street scene and surrounding area. Policy H12 also seeks to ensure that adequate daylight and privacy to neighbouring properties is maintained.

Visual Amenity

The design of the proposed extension would be in keeping with the design and appearance of the application property and would not be harmful to the visual amenity of the area. Due to its siting to the rear, the proposal would not be a highly visible feature in the area.

Residential Amenity

The neighbouring property to the east (Number 2 Church View) has two bedroom windows at first floor level and a kitchen window at ground floor level. The rear elevation of No. 2 does not project as far into the garden as the rear elevation of the application property and the proposed extension would result in a two storey feature projecting some 5.2m beyond the rear elevation of No. 2. This two storey feature would also be sited right up to the boundary line and there would be no intervening fence or other form of boundary treatment. The proposed extension would not comply with the 45° rule as set out in the Council's Planning Guidance Note.

Due to the size and siting of the proposed extension, it would result in an overbearing impact in relation to Number 2 Church View and would be detrimental to residential amenity in terms of light and outlook.

Number 3 Church View also has habitable room windows on its rear elevation as well as on its side elevation. The proposal would comply with the 45° rule with regard to the rear windows on

Number 3 and due to the separation distances, the proposal would not result in a significant detrimental impact to the residential amenity of this neighbouring property.

There are no properties located immediately to the north or west of the application property and the proposal would not, therefore, raise any issues of residential amenity in this regard.

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 two storey rear extension would be in keeping with the design of the host property and would not be harmful to the visual amenity of the area. However due to its size and relationship with the neighbouring property (Number 2 Church View), the proposal would have an overbearing character that would be to the detriment of the residential amenity in terms of light and outlook.

RECOMMENDATION

THAT PLANNING PERMISSION BE REFUSED.

Suggested summary of reasons for refusing planning permission

1. The proposed two storey rear extension would, by virtue of its size and siting, result in the creation of an overbearing feature that would be harmful to the residential amenity, in terms of light and outlook, of the adjoining residential property (Number 2 Church Close). As such the proposal fails to accord with Saved Policy H12 (Alterations and Extensions to Existing Dwellings) of the Borough of Darlington Local Plan 1997 and fails to accord with the Council's Planning Guidance Note 7 (Alterations and Extensions to Dwellings).