

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 6 July 2011**

**Page**

---

<b>APPLICATION REF. NO:</b>	<b>11/00229/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>13 June 2011</b>
<b>WARD/PARISH:</b>	<b>MOWDEN</b>
<b>LOCATION:</b>	<b>4 Barnes Close, Darlington</b>
<b>DESCRIPTION:</b>	<b>Erection of first floor extension to gable end, addition of pitched roof to garage and canopy to front elevation (additional information submitted 17 and 21 June 2011)</b>
<b>APPLICANT:</b>	<b>Sue Williams and Gary Crane</b>

---

**INTRODUCTION**

The application was deferred from the previous Planning Committee to enable Members to visit the site. The applicant was also requested to submit a Sunlight/Daylight analysis in order to show how the proposed extension would impact upon the rear garden of No 2 Barnes Close.

The applicant has confirmed that the commissioning of such an analysis is prohibitively expensive but he has submitted additional photographs showing how the extension at No 6 Barnes Close (which is very similar to the proposal) impacts upon his own property. The photographs show the shadowing effect at different times of the day and it is considered that this will help Members to understand the impact of the proposed extension upon the garden of No 2 Barnes Close.

**APPLICATION AND SITE DESCRIPTION**

This is a detached three bedroom dwelling with a flat roofed attached garage to the side and a flat roofed canopy over the front entrance. The dwelling forms part of a cul de sac within a residential area.

The proposal involves the erection of a first floor bathroom extension above a section of the existing garage and erection of a pitched roof over the remainder of the garage and the front canopy.

**PLANNING HISTORY**

None

## PLANNING POLICY BACKGROUND

Policy H12 (Alterations and Extensions to Existing Dwellings) of the Borough of Darlington Local Plan 1997 is relevant along with Planning Guidance Note 7 – Alterations and Extensions to Dwellings

## RESULTS OF CONSULTATION AND PUBLICITY

Three letters of objection have been received and the concerns that have been raised can be summarised as follows:

- *Due to the size and proximity of the proposed extension it would completely dominate our garden (2 Barnes Close)*
- *We would lose sunlight to approximately 75 percent of our garden*
- *It would have a huge impact on us being able to enjoy our garden*
- *It would reduce natural light entering our dining room*
- *We would lose privacy to the seated area at the end of our garden*
- *We would be forever faced with an unsightly structure*
- *Future maintenance of the new building, roof and guttering would be very difficult with trespassing on our property*
- *It would impact on our property to find a future buyer*
- *We would not have bought this property if this structure had been in existence*
- *It would destroy our view from our upstairs*
- *It would reduce the value of our property*
- *I would object to the windows being able to look directly into at least three gardens that it would overlook. This would greatly affect the current privacy of the gardens in question. Currently the only window that overlooks the gardens is a small frosted bathroom window which does not cause any problems*
- *The proposed structure will substantially cut out/reduce the light to my back garden/property. I spent recreational time enjoying my garden (67 Barnes Road) and feel this would effect it.*
- *The structure will be extremely dominant in view of my garden/property with the properties being built in close proximity*
- *We would have privacy issues to consider as windows in the north elevation will overlook my property. Current windows are obscure and at Least I would expect the same for any new build*
- *Although you mention in your letter that de-valuing the property is not considered a planning issue, I think in this current economic climate any proposal that will effect the sale of a property must be considered*

## PLANNING ISSUES

The main issues to be considered here are whether or not the proposed development is considered acceptable in the following terms:

- Impact upon the Visual Appearance and Character of the Area

- Residential Amenity

### **Visual Appearance**

The proposal involves the erection of a first floor bathroom extension over the rear section of the existing flat roofed garage and the erection of a pitched roof over the remaining section of the garage and the canopy over the entrance.

The extension would measure 4metre long; 2.5 metres wide with an overall height of 4 metres under a hipped roof. It would be constructed from facing bricks and concrete roof tiles to match the existing dwelling. The front elevation of the extension is set approximately 4.4 metres behind the front elevation of the main dwelling and the roof on the extension is approximately 0.6metres below the existing ridge line of the dwelling.

The design, scale and position of the extension would minimise its impact upon the street scene and a condition can be imposed to ensure that appropriate materials are used. The pitched roof over the remainder of the garage and the front canopy would improve the visual appearance of the property.

The proposed extension would comply with the requirements set out in Planning Policy Guidance Note 7 – Alterations and Extensions to Dwellings.

Whilst each application is considered on its own individual merits, a similar extension was approved at No 6 Barnes Close in 2006 and it does not have an adverse impact upon the street scene

### **Residential Amenity**

No 2 Barnes Close is positioned further forward than the dwelling within the application site. The rear elevation of No 2 is approximately two metres in front of the front elevation of No 4 and the extension would be sited approximately 8 metres from the nearest openings in the rear elevation of No 2. The rear garden of No 2 is quite small and triangular in shape so the proposed extension would be visible from the rear ground and first floor windows and garden of the neighbouring dwelling.

However, as the proposed extension does not extend the full length of the existing garage and its overall height sits below the main dwelling, it is considered that the extension would not be significantly overbearing when viewed from inside No 2 Barnes Close or from its garden. The existing dwelling will already cast a shadow over the rear garden of No 2 Barnes Close and it is considered that the extension, which is lower than the main roof and has also has a hipped roof, would not significantly increase the existing levels of overshadowing.

The extension would not comply with the 45 degree code when measured from rear windows of No 2 Barnes Road but neither would the dwelling house within the application site and therefore officers consider that on balance, it is not appropriate to recommend a refusal of planning permission on these grounds.

Nos 67 and 69 Barnes Road lie to the north of the application site and their rear elevations would directly face onto the existing north elevation of No 4 Barnes Close. The proposed extension would be approximately 12 metres from the proposed extension which is an acceptable proximity distance considering the extension does not extend the full length of the existing garage. Again, any increase in overshadowing of these neighbouring properties is considered minimal

The proposed extension includes the insertion of a window in the western elevation which would be fitted with obscure glazing. There are no window openings in the north and east elevations of the extension. It is considered appropriate to impose planning conditions to prevent openings being inserted into the blank elevations and to ensure that obscure glazing is fitted in the proposed window opening in the interests of residential amenity. The existing landing window in the side north elevation of the dwelling would be slightly repositioned within the elevation but this would not increase the existing levels of overlooking.

It is considered that due to the size and design of the extension, it would not have an adverse impact upon the amenities of the neighbouring dwellings subject to planning conditions relating to window openings.

### **Other Matters**

The objectors have raised concerns over how the extension would be maintained and that the extension would have an adverse impact upon property prices. These issues are not planning matters and the application can not be refused on these grounds.

### **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**

It is considered that the proposed extension by reason of its size, position and appearance is in keeping with the external appearance of the property and will not cause significant harm to the character and appearance of the host dwelling or the surrounding area. The extension has no significant impact in terms of loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy. The proposal does not adversely affect car parking provision on the site nor impact on highway safety. No issues are raised in relation to crime prevention. The proposal is considered acceptable in the light of policy H12 (Alterations and Extensions to Existing Dwellings) of the Borough of Darlington Local Plan 1997 and the Council's adopted supplementary planning guidance.

### **RECOMMENDATION**

#### **PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS**

1. A3 – Implementation Limit (Three Years)
2. B4 – Details of Materials (Samples)
3. The windows formed in the west elevation of the first floor extension hereby approved shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing. The level of obscurity and the method of opening for the window shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development

REASON - To prevent overlooking of the nearby dwellings.

4. No additional flank windows or other glazed openings shall be formed in the north and east walls of the first floor extension hereby approved without the prior written consent of the Local Planning Authority.

REASON - To protect the amenities of the neighbouring residential property against increased overlooking with resultant loss of privacy.

5. B5 – Detailed Drawings (Accordance with Plan)

**SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION**

It is considered that the proposed extension by reason of its size, position and appearance is in keeping with the external appearance of the property and will not cause significant harm to the character and appearance of the host dwelling or the surrounding area. The extension has no significant impact in terms of loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy. The proposal does not adversely affect car parking provision on the site nor impact on highway safety. No issues are raised in relation to crime prevention. The proposal is considered acceptable in the light of policy H12 (Alterations and Extensions to Existing Dwellings) of the Borough of Darlington Local Plan 1997 and the Council's adopted supplementary planning guidance.