

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 16 January 2013

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APPLICATION REF. NO:	12/00724/FUL
STATUTORY DECISION DATE:	04/01/13
WARD/PARISH:	Sadberge and Whessoe
LOCATION:	4 Church View Sadberge, Darlington
DESCRIPTION:	First Floor rear extension (Revised Plans).
APPLICANT:	Mr N Taylor

APPLICATION AND SITE DESCRIPTION

The application site comprises a detached house on the frontage facing the church and within the Sadberge Conservation Area. The dwelling is two storey plus roof dormers on the rear elevation.

Planning permission was granted in 2011 for a first floor extension on the rear and this has been completed but with an additional first floor window.

This therefore is a revised planning application (retrospective) for the extension as approved but with an additional bedroom window in the west elevation – to be fixed closed and with obscure glazing. The window is currently in place with clear glazing.

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PLANNING HISTORY

11/00844/FUL – First floor rear extension – approved March 2012.

PLANNING POLICY BACKGROUND

Darlington Local Plan – Policy H12 – Alterations and extensions to dwellings.

RESULTS OF CONSULTATION AND PUBLICITY

Objections have been received from the neighbour to the south west raising the following issue:

- Loss of privacy from overlooking into the dining room from the additional window. Requests that this window is removed and bricked up.

The Conservation Officer has no objections to the proposal

No other responses have been received.

PLANNING ISSUES

The main planning issue relating to this application – bearing in mind the main body of the extension has already been approved under 11/00844/FUL – is the impact of the new window upon the amenities of the neighbour.

As can be seen from the photograph to be displayed at the Meeting there is already a degree of privacy loss caused by the other first floor windows nearer the neighbour's property. However the window in question, though relatively small, does enable direct overlooking of the neighbour's property.

It is considered that if obscure glazing (minimum level 3) is installed and the window made non opening, then the likelihood of any privacy loss to the neighbour will be considerably reduced to such an extent that there will be no material loss of amenity.

A condition can be imposed to achieve this.

Overall therefore the proposed revised extension is considered to be acceptable in planning terms.

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 Planning Permission be granted with the following conditions:

1. B4A – Matching materials
2. B5 – In accordance with submitted plans
3. Within 28 days of the date of this Notice, the first floor west elevation window shall be replaced so that it comprises a single fixed pane (without any means of opening) which is obscure glazed to a level no lower than Pilkington Level Three. The replacement window shall thereafter be retained as such in perpetuity unless otherwise agreed in writing with the local planning authority.
Reason – In the interests of residential amenity.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

It is considered that the proposed amendments to the design of the window that can be secured through planning condition 3 will serve to maintain adequate levels of privacy in keeping with Darlington Local Plan – Policy H12 – Alterations and extensions to dwellings. In all other respects the extension would be in keeping with that permitted under planning permission reference 11/00844/FUL.