

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 18 November 2009

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APPLICATION REF. NO:	09/00592/FUL
STATUTORY DECISION DATE:	27 October 2009
WARD/PARISH:	HEIGHINGTON AND CONISCLIFFE
LOCATION:	Land adjoining 2 Hall Lane, Heighington
DESCRIPTION:	Demolition of existing double garage and erection of a dormer bungalow
APPLICANT:	MR ERIC DOBINSON

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the demolition of an existing double garage and the erection of a detached, two-bedroom bungalow in its place. The proposed bungalow is to measure approximately 7.5 metres wide by 10.3 metres deep, under a pitched roof 4.7 metres in height at ridge level. Access to the property would be gained from Hall Lane with provision made for the parking of two cars at the front of the property. A modest garden area would be provided to the rear of the property. Planning permission was granted for an identical scheme in September 2006, which has recently expired.

The application site is a narrow plot of land, which currently houses a double garage and forms part of the garden area of a property at 12 Redworth Road to the south-west. The plot measures approximately 10 metres wide by 30 metres, with a frontage onto Hall Lane. The site is bounded other residential property to its south, east and west sides and is located within the Heighington Conservation Area.

A Design and Access Statement has been submitted with the application.

PLANNING HISTORY

06/00300/FUL - Development of dormer bungalow with integral garage. WITHDRAWN 12 June 2006

06/00631/FUL – Development of site to provide two bedroom bungalow. GRANTED 25 September 2006

PLANNING POLICY BACKGROUND

The following policies of the Borough of Darlington Local Plan 1997 are relevant to the consideration of the application:

E2 – Development Limits
H3 – Locations for New Housing Development
H11 – Design and Layout of New Housing Development
T24 – Parking and Servicing Requirements for New Development

Planning Policy Guidance Note 15 – Planning and The Historic Environment

RESULTS OF CONSULTATION AND PUBLICITY

CE Electric UK

Advises that all cables and overhead lines within the vicinity of the site must be assumed to be live.

Northern Gas Networks

No objections to the proposals, however there may be apparatus in the area that may be at risk during construction works.

Northumbrian Water

The application has been examined and Northumbrian Water has no objection to the proposed development.

Heighington Parish Council

No comments

DBC Conservation Officer

Unaware of any change in circumstance since permission was granted over three years ago and can see no reason why permission should not be granted.

DBC Highway Engineer

There have been similar applications at this site and the highway comments would remain unchanged. The loss of the existing garages is considered not to be significant and the proposal for forecourt parking is sufficient for the proposed use. Would therefore raise no highway objection to the proposal. If approval is given a number of informatives will be required.

Two letters of objection have also been received which raise the following issues:

- *This is a crucial piece of green space in close proximity to the village centre.*
- *New house in this location could impact upon our lives in a very negative way.*
- *We live in a relatively modest house within the Heighington Conservation Area. Our garden areas are relatively small and crucial to us. Redworth Road to the front can be very busy and this is compensated for to a degree by the privacy available in our small rear garden.*
- *Our garden is south facing and a high hedge contains nearby development. The outlook is superb, one you would expect of conservation area status.*
- *Primary concern is that the development site is narrow, particularly in relation to the site of larger, neighbouring properties.*
- *Future development could directly encroach on our property in the form of noise, loss of privacy, loss of sunlight and potentially loss of enjoyment of our garden and rear of our property. Currently our bathroom, dining room, kitchen and rear bedroom are not overlooked.*

- *In the immediate future, the area faces threat from development within the loss of amenity, wildlife and the creation of noise, dust and the longer term loss of a green strip.*
- *Any increase in housing density in this locality is negative and to the detriment of the historic village.*
- *If the development cannot be prevented, urge that the development is stringently restricted in terms of its scale, use of materials etc. Also request restrictions regarding the height of the boundary fence/hedging and prohibition on further extensions.*
- *Do not consider that the proposed infill development would be in keeping with the conservation area.*
- *This new build property will not sit well on this boundary to the village in the context of more mature properties.*
- *The plot of land in question is considerably higher than my plot on which my bungalow stand. The height of the ridge of the proposed bungalow would have an 'over-bearing' aspect when viewed from my property.*
- *Would expect both windows in the east elevation to be obscure glazed. The smaller window may also be affected by the flue from my boiler situated in my garage.*
- *Do not wish to be responsible for any water from the proposed new development. When the existing garage is demolished, the earlier agreement to connect a drain carrying rain water from the garage into my drain ends and I would expect the existing connection to be sealed.*
- *Since 1979 I have grown a mature hedge along the border of my land with the application site to offer some privacy and sound dampening from the houses on Redworth Road. Should the development be approved I will lose some privacy and these mature trees are in danger of being destroyed during the construction period.*

PLANNING ISSUES

The application site lies within the development limits for Heighington as defined by the Borough of Darlington Local Plan 1997. Although the site is located within the Heighington Conservation Area, the site itself is not subject to any other policies or proposals. The proposal therefore complies with Policies E2 (Development Limits) and H3 (Locations for New Housing Development) contained therein. Furthermore, planning permission was granted for an identical scheme in September 2006, which has recently lapsed. The proposal must also be assessed with reference to the following matters of development control:

- Impact on the Character and Appearance of the Heighington Conservation Area
- Impact on Residential Amenity
- Highway Matters
- Other Issues

Impact on the Character and Appearance of the Heighington Conservation Area

Planning Policy Guidance Note 15 – Planning and the Historic Environment states that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of a conservation area.

The immediate vicinity of the application site comprises a variety of plots sizes and a mix of dwelling types, with detached bungalows with long rear gardens located to the east of the application site, and more modest semi-detached properties set in smaller gardens to the west, facing Redworth Road. The design of the proposed bungalow is unremarkable, constructed of

brick and tile, with a pitched roof, presenting itself gable-end on to Hall Lane. Although the application site sits slightly higher than the neighbouring property to the east, this level change will be barely discernible in the wider streetscene. The proposed development would also facilitate the removal of the existing double garage on the site, which is of little value in streetscene terms, and in this respect the proposal is considered to have a neutral effect on the Heighington Conservation Area. The Council's Conservation Officer has commented on the application who advises that as there has been no change in circumstance since permission was last granted, she sees no reason why permission should not be granted again.

Impact on Residential Amenity

Local Plan Policy H11 (Design and Layout of New Housing Development) is a criteria based policy and requires, inter alia, that the design and layout of new housing development provides adequate privacy for adjoining occupiers and the occupiers of the proposed development and provides an attractive, efficient and safe residential environment with adequate garaging/parking and other private amenity space.

The application site sits between two existing bungalows and although there is a minor ground level difference either side of the site this is not considered to have a significant impact on the amenities of adjacent properties. The principal windows in the property are to be provided in the front and rear elevations. The orientation of the property and its relationship with neighbouring properties are such that the proposed dwelling will not give rise to an unacceptable degree of overlooking of these neighbouring properties. Likewise adequate privacy levels will be achieved in respect of the application property itself and the amenity space to the rear. A total of three windows are to be provided in the side elevations, however the plans indicate that two of these windows are to be obscure glazed, with the third being a high level window the lowest part of which will be approximately 1.5 metres above the finished floor level. As such it is not considered that this arrangement would present any overlooking or privacy issues.

In this instance it is considered appropriate to remove permitted development rights to retain control over future development of the site. Although the relationship of the proposed dwelling with existing properties is considered satisfactory, in view of the limited size of the plot and its close relationship with neighbouring properties, future uncontrolled extensions to the property could be injurious to the amenities of these existing properties.

A private garden is to be provided to the rear of the property with provision for the parking of two vehicles being made to the front of the property. This is considered to be acceptable in the context of the relevant criteria set out in Policy H11.

Highway Matters

The Council's Highway Engineer has considered the application and raises no highway objection on the basis that the loss of the existing garages is not considered to be significant and the proposal for forecourt parking is sufficient for the proposed use. The sightline to the east is obstructed by vegetation within the verge and by an overgrown hedge to the front of 2 Hall Lane. However this can be dealt with under Section 154 of the Highways Act 1980 and an appropriate informative is attached.

Other Issues

The occupier of 2 Hall Lane, in objecting to the application, has raised the issue of the drainage of surface water from the site. The application form indicates that foul and surface water will discharge to the mains sewer. Northumbrian Water has been consulted on the application and

raise no objection, however the applicant will however need to seek Northumbrian Water's approval to connect to the main sewer.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

CONCLUSION

The principle of development is considered to comply with Policies E2 (Development Limits) and H3 (Locations for New Housing Development) of the Borough of Darlington Local Plan 1997. Furthermore the proposal is considered to have a neutral impact on the character and appearance of the Heighington Conservation Area, does not have an unacceptable impact on the amenities of neighbouring residential properties in terms of loss of light, overbearing impact or loss of privacy and does not to raise any issues in relation to parking provision or highway safety. The proposal is therefore considered to comply with Policies H11 (The Layout of New Housing Development) and T24 (Parking and Servicing Requirements for New Development) of the Borough of Darlington Local Plan 1997 and advice contained within Planning Policy Guidance Note 15 – Planning and The Historic Environment.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3
2. B4
3. B5
4. The windows formed in the east and west elevations of the dwelling hereby approved shall be obscure glazed, in accordance with the plan entitled 'Proposed Elevations to Bungalow' dated June 2006, and shall thereafter be so maintained.

REASON – To prevent overlooking of the nearby premises.

5. C5
6. E2
7. E5

SUGGESTED REASONS FOR GRANTING OF PLANNING PERMISSION

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INFORMATIVES TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

The applicant is advised that works are required within the public highway for removal of vegetation at the vehicle crossing point and contact must be made with the Assistant Director - Highways and Engineering (contact Mr A Ward 01325 388743) to arrange for the works to be carried out or to obtain authority under Section 184 of the Highways Act 1980 to execute the works.

The applicant is advised that contact must be made with the Assistant Director – Highways and Engineer (contact Ms P Goodwill 01325 388760) to discuss naming and numbering of the development.