

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 2 June 2010**

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<b>APPLICATION REF. NO:</b>	<b>10/00187/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>19 May 2010</b>
<b>WARD/PARISH:</b>	<b>SADBERGE</b>
<b>LOCATION:</b>	<b>Land to rear 3-4 Laurel Terrace, Sadberge</b>
<b>DESCRIPTION:</b>	<b>Erection of a dwelling house</b>
<b>APPLICANT:</b>	<b>Mrs M Howard</b>

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**APPLICATION AND SITE DESCRIPTION**

The application site is situated towards the centre of Sadberge village close to the junction of Norton Back Road and is within the Sadberge conservation area. A short terrace of two storey dwelling houses (Laurel Terrace) lies to the south of the site, open ground to the west and the Three Tuns Public House to the north of the opposite side of the highway. Further residential properties are located to the east.

The site is irregular in shape, measuring some 0.07 hectares in area. The ground level within the site falls sharply away from the adjacent residential terrace to the south towards Norton Back Road. It is generally in an unkempt condition with piles of building materials strewn around the site.

This is a detailed application for the erection of a contemporarily designed two storey, five bedroom dwelling, with integral garage. Vehicular access to the site would be achieved via Laurel Terrace.

The application is essentially a resubmission of a scheme granted in July 2004 (Ref:04/184).

**PLANNING HISTORY**

Other than the previous application mentioned above there is no other planning history relevant to this site.

## PLANNING POLICY BACKGROUND

### Development Plan

*RSS: The North East of England Plan, Regional Spatial Strategy to 2021:*

Policy 2 – Sustainable Development

Policy 8 – Protecting and Enhancing the Environment

Policy 11 – Rural Areas

*Saved Policies of the Borough of Darlington Local Plan:*

E2 - Development Limits

E29 - The Setting of New Development

E34 - Archaeological Sites of Local Importance

H3 - Locations for New Housing Development

H11 – Design and Layout of New Housing Development

T24 - Parking and Servicing New Development

T31 – New Development and Public Transport

### National Planning Policy

PPS5 – Planning for the Historic Environment

## RESULTS OF CONSULTATION AND PUBLICITY

**Sadberge Parish Council** has objected to the proposed development and the following comments are made: -

- It would not be in keeping with the surrounding buildings and would be detrimental to the character of the village. This would be a large house in a prominent position in the centre of the village close to the old properties in the original village centre.
- The proposed dwelling would extend beyond the Sadberge development limit. This is not acceptable.
- The property would be within the Sadberge Conservation Area.
- Concerns are raised about the car parking provision for a four- bedroom house in a location where parking is already a problem.

**Northern Gas Networks** has no objection to the development.

**The Council's Highways Engineer** has commented as follows: -

*“The proposed access is at the point of a previous entrance to a detached garage and though this is not ideal (in relation to the area of land available for manoeuvring of vehicles within the back lane) I would not consider that this would be sufficient reason for recommending refusal of the application.*

*I would, therefore, raise no highway objection to the proposal. However, there is a footpath adjacent to this site that is showing some deterioration because of works at the site and I would suggest that a condition is included requiring that this footpath is reinstated in good order.”*

**The Council's Public Protection Division** has been consulted on the application and request the imposition of the standard condition on contamination to any approval.

**The Council's Conservation Officer** considers that the scheme in its current form would not preserve or enhance the character or appearance Sadberge Conservation Area.

## **PLANNING ISSUES**

Main issues to be considered are: -

- Planning Policy
- Character of the area and the visual amenities of the street scene
- Residential Amenity
- Highway Matters

### **Planning Policy**

The bulk of the proposed dwelling lies within the development limits for Sadberge, which Policy H3 identifies as a suitable location for housing development. Notwithstanding the marginal encroachment beyond the development limits, it is considered that there is no material conflict with policy. Similarly there are no contentious issues with the position of the garden area, which lies outside the limits (this issue has already been addressed in the previous permission and has been accepted).

The other plan policies that are of relevance in this case are all matters of detailed development control, which are addressed in the following sections of this report.

### **Character of the Area and Visual Amenity**

The site is situated within the Sadberge Conservation Area and therefore national planning policy statement (PPS) 5 – Planning for the Historic Environment is of relevance.

The style of the traditional buildings and groupings in the conservation area originates largely from the 18th Century with progressive modifications through the 19th and 20th Centuries. A variety of building types exist with many under pitched tile, slate and pantile roofs with brick or colour wash rendered walls.

The site for the proposed house sits towards the east of the conservation area. The Grade II listed 3 Tuns public house lies to the north. Laurel Terrace to the south is of mid to late 20th century origin whilst to the north east a small number of late 20th Century houses are present, beyond which is later 20th century housing development that falls outside the conservation area.

The site is thus located at a point of transition between mainly 20th century development and older historic fabric within the core of the conservation area. Consequently it is considered that the site lends itself to a freestanding structure in a location that would benefit from a strong visual statement. Development in close proximity to the highway affords the opportunity to create a gateway effect, at the edge of the historic part of the village.

The proposal adopts a contemporary approach incorporating 2 duo pitched roofed elements running parallel with the road with open glazed gables. Below the roof plans is extensive glazing over solid walls punctuated with openings. East and west elevations have large simple

ground floor openings with obscure glazing above. The plan is essentially 2 interconnecting rectilinear forms.

In commenting on the previous application the Council's Conservation Officer at the time made the following comments: -

*"So far as the contemporary approach is concerned, it seems to me that this is a valid expression of a 21st Century living in a mixed conservation area context, much in line with examples of best practice jointly published by the Commission for Arts and the Built Environment and English Heritage in their publication Buildings in Context, which demonstrates that old and strikingly new can sit comfortably together in a variety of historically sensitive contexts."*

As mentioned previously the Council's present Conservation Officer does not concur with this view. However, officers consider that there have been no material changes in circumstances since the original approval to now warrant a refusal of planning permission, and are of the view that in the very least the development would have a neutral impact on the Sadberge Conservation Area.

Fine detailing is of paramount importance in achieving a good outcome, consequently any approach needs to be subject of appropriate conditions to cover constructional details.

### **Residential Amenity**

The physical relationship with existing dwellings is considered acceptable. Only one property lies adjacent to the site, No. 1 Laurel Terrace which is situated beyond the intervening footpath, that provides access to the rear of the four properties in the terrace. The southern elevation of the proposed dwelling contains extensive glazing elements at first floor level most of which is frosted glass. The majority of the clear glazing sections look onto the blank gable end of No. 1. Of the two clear glazed windows only one marginally overlooks the end part of the back garden to No. 1 and would not result in any undue loss of privacy to the occupiers of that property. There are also several ground floor openings but the differences in ground levels between the two dwellings and the presence of an existing high hedge to No. 1 and future boundary treatment for the proposed house, would avoid problems of overlooking.

### **Highway Matters**

Parking provision complies with the adopted standards and vehicular access is considered acceptable. Consequently the Council's Highways Officer has raised no objections to the proposed development on highway safety 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**

The application site lies substantially within the development limits identified in the development plan.

The scale, design and appearance of the development are considered acceptable, which has been established by the previous planning approval, and will not harm the appearance or character of the Sadberge Conservation Area or the visual amenities of the locality generally. The development has no significant effects in terms of overbearing impact, loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy. 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) E5 Boundary Treatment Submission.
- 5) J2 Contamination
- 6) Prior to the commencement of development the following details shall be submitted to and approved by the Local Planning Authority:-
  - a) Joinery details (including doors, windows and timber panels)
  - b) Eaves details of a scale of 1:10
  - c) Frosted glazing
  - d) Window surrounds
  - e) Guttering
  - f) Hardstanding/Hard landscaping
  - g) Wall copings

The development shall not be carried out otherwise than in accordance with the approved details

REASON - To ensure that the detailed finish of the dwelling is consistent with the character of the Sadberge Conservation Area.

- 7) Prior to the commencement of development, a detailed scheme for improvements to the public footpath adjacent to the site shall be submitted to , and approved by, the Local Planning Authority. The scheme shall not be carried out otherwise than in accordance with the approved details and shall be carried out prior to the occupation of the dwelling or within such extended period as may be agreed in writing by the Local Planning Authority.

REASON – In the interests of highway safety

- 8) No development shall take place until the applicant has secured the implementation of an agreed phased programme of archaeological works, to include evaluation, and where

appropriate, mitigation, in accordance with the written scheme of investigation. This should be submitted by the applicant and approved by the Planning Authority.

REASON - The site is in a area of high archaeological potential

- 9) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H and within Schedule 2, Part 2, Classes A to C of that Order shall take place without the prior written consent of the Local Planning Authority.

REASON - In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site.

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

The application site lies substantially within the development limits identified in the development plan.

The scale, design and appearance of the development are considered acceptable, which has been established by the previous planning approval, and will not harm the appearance or character of the Sadberge Conservation Area or the visual amenities of the locality generally. The development has no significant effects in terms of overbearing impact, loss of daylight or sunlight to adjoining dwellings and maintains adequate levels of privacy. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention.

Therefore the proposed development is considered to comply with the policies in the development plan and Government planning policy set out below: -

#### **Development Plan**

*RSS: The North East of England Plan, Regional Spatial Strategy to 2021:*

Policy 2 – Sustainable Development  
Policy 8 – Protecting and Enhancing the Environment  
Policy 11 – Rural Areas

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#### **National Planning Policy**

PPS5 – Planning for the Historic Environment

**INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED**

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