

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 7 May 2014

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APPLICATION REF. NO: 14/00100/FUL

STATUTORY DECISION DATE: 4 April 2014

WARD/PARISH: HEIGHTINGTON AND CONISCLIFFE

LOCATION: Site Of Former Laburnum House, Denton

DESCRIPTION: Variation of condition 7 (approved plans) of planning permission 09/00149/FUL (for demolition of existing dwelling and erection of replacement dwelling with detached single garage) to permit omission of roof water tables; alterations to design of windows on front elevation; enlargement of front entrance porch; alterations to rear extension incorporating flat roof lantern; and repositioning of building footprint (as part amended by plans received 7 April 2014)

APPLICANT: Mrs Jane Mannion

APPLICATION AND SITE DESCRIPTION

In 2009 planning permission and conservation area consent were granted (See Planning History) to demolish Laburnum House and to erect a replacement dwelling. This is an application seeking consent to vary the design of the replacement dwelling in the following ways:

- Remove the water tabling on the gable ends of the roof and replace with roof tiles (This has been implemented):
- Replace the windows in the front elevation with wider openings and revised designs;
- An enlargement of the front porch. (This has been substantially completed)
- The replacement of the pitched roof on the rear single storey extension with a flat roof with a central glazed lantern (This has been substantially completed)
- The repositioning of the building footprint (This has been implemented)

The application site is within the Denton Conservation Area. Public Footpath No 6 is located approximately 47m to the south west of the application site.

PLANNING HISTORY

09/00149/FUL In July 2009 planning permission was GRANTED for the demolition of the existing dwelling and the erection of a replacement dwelling with a detached single garage

09/00151/CAC In July 2009 conservation area consent was GRANTED for the demolition of the existing dwelling

PLANNING POLICY BACKGROUND

The relevant local development plan policies are:

Darlington Core Strategy Development Plan Document 2011

CS2 Achieving High Quality Sustainable Design

CS14 Promoting Local Character and Distinctiveness

CS16 Protecting Environmental Resources, Human Health and Safety

Government guidance on conservation areas is contained within the National Planning Policy Framework 2012

RESULTS OF CONSULTATION AND PUBLICITY

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

- *It is my understanding that the use of UPVC windows does not comply with the requirements of the conservation area. I have no objections to the change in the size of the windows but would object if these were to be done in UPVC which is not in keeping with the surrounding houses both in terms of size and style and use of larger UPVC windows will only serve to make this difference more obvious as the house is visible from the main road through the village and from the public footpath. Allowing to go ahead with UPVC will set a precedent for the area and may result in other properties using this materials having wider implications for the nature of the village and conservation area;*
- *The two properties adjacent to Laburnum House are old stone cottages with timber windows. This will make Laburnum House more out of place and the applicant should be making changes to the property to allow it to better blend in with the other properties and not make it stand out further*
- *The material for the roof lantern is not stated on the application but I am presuming it will be UPVC. The lantern as a whole is not in keeping with the conservation area and other properties in the area, most of which date back to the 18th and 19 century*
- *The front porch is 50% larger than the original permission granted and the windows in the porch will be twice the size. The porch was erected prior to submitting this application and looks like a single storey extension on the front of the property, not a porch. This would look hideous in area, let alone a conservation area. As the porch is now significantly larger than the permitted on, this is going to make the driveway even shorter. The track at the front is actually well used by farm vehicles*
- *I oppose the retrospective planning permission. It would seem the Chair of the Parish (the applicant) believes she can recommend and bend regulations to suit her own needs. This is not what permission is about in any area, especially a conservation area. I feel that this is unfair and inappropriate for this area. It appears to be unlawful too*
- *As of yet the chimney has not been erected. I am not sure if this is intended to go on but this is something I would like the Council to keep an eye on to ensure this part is not overlooked*

- *The internal layout has already been changed from the approved plans. Staircase removed, downstairs toilet moved and the window for the downstairs toilet has been moved. I also believe the applicant has inserted a fixed staircase up to the attic area*

Following the submission of the amended plans revising the design of the windows, one further letter of objection has been received:

- *My objection still stands and I still object to the enlargement of the windows to the front elevation. Laburnum House can be seen when entering or passing through the village and is directly opposite a public footpath. There is another property in the village with UPVC windows but it is at the far end of a dead end road and therefore will be seen by very few people and is not in the prominent position that Laburnum House is. Allowing a house in this position to display large UPVC windows will have a detrimental visual impact on the village*

PLANNING ISSUES

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

Impact upon the Denton Conservation Area
Residential Amenity
Parking

Impact upon the Denton Conservation Area

Paragraph 131 of the National Planning Policy Framework 2012 (NPPF) is concerned with the desirability of new development making a positive contribution to local character and distinctiveness. A new development should sustain or enhance the significance of a conservation area.

The dwelling would be constructed with rough cast render and pantile roof tiles and it is currently under construction. The revisions to the scheme are as follows:

Remove the water tabling on the gable ends of the roof and replace with roof tiles:

Whilst these can be traditional features on some dwellings in the area, they are not present on the neighbouring properties and are not considered to be essential components of the finished design of the dwelling.

Replace the windows in the front elevation with wider openings and revised designs;

The previously approved window openings in the front elevation of the dwelling had stone heads and cills with a central stone mullion separating the areas of glazing. The proposed windows would still have stone headers and cills but the central mullion would be removed and the windows would be slightly wider to allow more natural daylight to enter the building. The frames would remain UPVC, which was previously agreed as part of the 2009 approval. The design of the frames has been amended so that three separate windows are formed within each opening.

The windows have been redesigned to reflect the windows within the immediate neighbouring dwellings and other dwellings in the village (Denton Hall Cottages), albeit in UPVC rather than timber. The property is not a listed building and the Conservation Area is not supported by an Article 4 Direction which prevents timber windows being replaced by UPVC. As a result, the use

of UPVC was considered to be acceptable in 2009 and it is still considered to be acceptable albeit within larger openings and with a revised design.

An enlargement of the front porch. (This has been substantially completed)

The approved front porch measured approximately 3m wide; 2.5m long with an overall height of 3.5m under a dual pitched roof. The new porch measures 3.37m wide; 3.1m long with an overall height of 3.3m under a dual pitched roof. It is considered that the difference between the approved porch and the new porch is not significant and would not adversely affect the design of the host dwelling or the wider Conservation Area.

The replacement of the pitched roof on the rear single storey extension with a flat roof with a central glazed lantern (This has been substantially completed)

The single storey extension was approved with a pitched roof. The revision involves replacing the pitched roof with a flat roof with a central lantern projecting above the roof line to allow daylight to enter the building. Whilst the design of the previously approved extension was consistent with other neighbouring lean-to extensions, the rear elevation of the dwelling is not prominent as the land falls away as the village is entered from the north east. Mature planting as well as a property known as Barn House and its outbuilding screen the rear elevation from this viewpoint. Whilst this vista is considered to be an important view in the Denton Conservation Area, the proposed revision would not adversely affect that view.

The repositioning of the building footprint (This has been implemented)

The front elevation of the dwelling is located behind the neighbouring property in a similar position to the previous dwelling that was erected on the site. The dwelling has been erected 0.8m from the east boundary and between 1.1m and 1.2m from the west boundary of the site. It is considered that the repositioning of the dwelling would not affect the significance of the Denton Conservation Area.

To conclude, it is considered that the proposed revisions to the approved scheme are acceptable and would not adversely impact upon the significance of the Denton Conservation Area. The chimney on the roof has yet to be constructed but the applicant's Agent has confirmed that it is to be built as per the approved plans.

It is noted that the internal layout of the building may have been altered; however, this is not a planning matter.

Residential Amenity

The dwelling, as approved, was positioned further forward than the dwelling that was originally on the site. However, the dwelling has now been built in approximately the same place as the original dwelling so that its front elevation is behind the rear elevation of the neighbouring house. It has also been erected so that it is closer to the boundary with the neighbouring dwelling than previously approved.

There is a condition attached to the original planning permission which restricts the formation of any openings in the north eastern elevation of the dwelling and this condition would remain in force.

It is considered that the revisions to the proposal, including the repositioning within the site would not raise any residential amenity issues.

Parking

There would be a forecourt with a depth of approximately 6m between the front porch and the back edge of the track at the front of the site which would provide sufficient depth to park a vehicle without overhanging the track.

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 revisions to the previously approved scheme would not have a harmful affect upon the significance of the Denton Conservation Area, the amenities of the neighbouring properties or the parking provision for the dwelling.

RECOMMENDATION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. Implementation Limit (Three Years)
2. Detailed Drawings (Accordance with Plan)

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:**National Planning Policy Framework 2012****Darlington Core Strategy Development Plan Document 2011**

CS2 Achieving High Quality Sustainable Design

CS14 Promoting Local Character and Distinctiveness

CS16 Protecting Environmental Resources, Human Health and Safety