

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 26th August 2009

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APPLICATION REF. NO:	09/00491/FUL
STATUTORY DECISION DATE:	14 September 2009
WARD/PARISH:	MIDDLETON ST GEORGE
LOCATION:	Former Thorntree House, Middleton Lane, Middleton St George
DESCRIPTION:	Erection of detached dwelling and garage (amended plan)
APPLICANT:	S Charlton.

APPLICATION AND SITE DESCRIPTION

The application site is within the remaining grounds of Thorntree House, a late 19th century domestic dwelling situated on the western side of Middleton Lane at its junction with Neasham Road and located within the Middleton One Row Conservation Area.

Planning permission is sought for the erection of a two-storey dwelling house to the grassed area immediately to the north of Thorntree House. The dwelling has been designed to take the form of a gatehouse building with design features consistent with the main dwelling such as external treatment and quoin stones. It has been designed to read as a modest and subservient dwelling associated with the house. Members will note from the planning history section below that planning permission for a very similar dwelling has already been granted under 08/00143/FUL.

This revised scheme relates to the increase in height of the garage roof by 400 mm to enable a room to be accommodated within the roofspace. This application is presented to Members as officers are mindful of the contentious nature of previous planning applications on this site .

PLANNING HISTORY

The site has a lengthy planning history, however, only the most relevant are included for the purposes of this report:

79/00573/FUL – In September 1979 outline planning permission was refused for the erection of eight detached dwelling houses with garages.

04/01077/CAC - In February 2005 Conservation Area Consent was granted for the demolition of the detached double garage at Thorntree House.

04/01076/FUL – In February 2005 detailed planning permission was granted for the erection of eight dwelling houses and the provision of a double garage to Thorntree House to replace that to be demolished under planning permission reference number 04/01077/CAC to allow for the construction of an access road to serve the development.

05/00669/FUL - In August 2005 planning permission was granted for an amendment to the above scheme to permit amended designs to house no's 1-4.

06/00518/FUL – In September 2006 planning permission was granted for the demolition of the rear wing of Thorntree House, conversion of the existing dwelling to 2 No. dwellings and the construction of 3 No. terraced dwellings and double garage.

08/00143/FUL – Erection of dwelling – amended plan – approved June 2006.

PLANNING POLICY BACKGROUND

The following policies of the Borough of Darlington Local Plan are relevant: -

H11 - Design and Layout of New Housing Development

The principle of a dwelling on this site of very similar design has already been established under the approval 08/00143/FUL noted above. This application relates to a minor variation to the design.

RESULTS OF CONSULTATION AND PUBLICITY

A letter of objection from two residents at the same address raising the following issues :

- This should be treated as a new application for a revised design
- Proposal compounds the harm caused to the Conservation Area by nearby development and should be refused.
- Increase in garage roof height will increase prominence of the dwelling and harm the character of the Conservation Area.

The Council's Highways Officer has raised no objections to the proposed development.

Northern Gas Networks has raised no objections to the proposed development.

- Middleton St George Parish Council object to the proposal as being “ over development at Thorntree House”.

PLANNING ISSUES

The principle of residential development on this site has been established by the granting of planning permission for the construction of a dwelling in 2008, which remains extant. As there has been no material change in planning circumstances the main planning issue to be considered in the determination of this application is whether the new scheme and its location on the site,

relative to adjoining properties and site constraints, raises further planning issues. As such, the main issues are:

- Visual amenity and impact on the character or appearance of the Middleton One Row Conservation Area

The only changes now proposed to the design of the house already approved is to the roof of the attached garage in that it will be raised by 400mm and two roof lights (not dormers) are to be inserted within the rear roof slope.

It is considered that these changes are minimal and do not materially affect the appearance of the proposed dwelling nor the character of the Conservation Area.

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.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A3 Implementation Limit (Three Years)
- 2) B5 Detailed Drawings (Accordance with Plan)
- 3) E2 Landscaping (Submission).
- 4) C5 Restriction of PD Rights (Residential)
- 5) All doors and windows shall be recessed from the front face of the brickwork to the face of joinery framing in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority.

REASON - In order to ensure a satisfactory appearance to the development in the interests of visual amenity.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within the development limits identified in the development plan. The design and layout of the development accords with the relevant policy in the development plan.

The development respects the amenity and character of the area.. The development accords with the relevant policies in the development plan, as listed below:

Borough of Darlington Local Plan (1997)

H11 - Design and Layout of New Housing Development