

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 2 April 2008

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APPLICATION REF. NO:	08/00118/FUL
STATUTORY DECISION DATE:	10 April 2008
WARD/PARISH:	NORTH ROAD
LOCATION:	Aldam Street Motors, Gurney Street, Darlington, DL1 2HR
DESCRIPTION:	Demolition of existing garage and erection of 6 No. single bedroom apartments (amended plans received 11 March 2008)
APPLICANT:	MR C WHITFIELD

APPLICATION AND SITE DESCRIPTION

This is a detailed application for the demolition of an existing garage on the corner of Aldam Street and Gurney Street and the erection of a two-storey building consisting of six one bedroomed apartments (three on the ground floor and three at first floor level). There would be a rear yard area containing a bin store. The development would not include any off street parking.

The surrounding area is predominately residential consisting of terraced dwellings.

PLANNING HISTORY

94/00035/MISC - In April 1994 planning permission was GRANTED for a change of use of premises used for car sales with ancillary repairs, to MOT testing station and ancillary car repairs.

PLANNING POLICY BACKGROUND

The relevant policies within the Borough of Darlington Local Plan are:

- E2 Development Limits
- E29 The Setting of New Development
- H3 Locations for New Housing Development
- H11 Design and Layout of New Housing Development
- R1 Designing For All
- T24 Parking and Servicing Requirements for New Development

RESULTS OF CONSULTATION AND PUBLICITY

One letter of objection has been received from Advocacy in Darlington, on behalf of the occupier of No 61 Gurney Street, raising the following issues:

- *The apartments would interfere with the quiet enjoyment (of 61 Gurney Street) and breach their human rights;*
- *This latest application will cause not only great distress but also presents a significant risk to their health*
- *They will be overlooked as a result of these proposals if they are passed and built as they appear on the plans and these flats will directly be able to look into the bathroom of No 61*

CE Electric UK raises no objections to the proposal.

Northern Gas Networks raises no objections to the proposal.

Northumbrian Water raises no objections to the proposal,

PLANNING ISSUES

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

- Planning Policy
- Residential Amenity
- Visual Appearance and Character of the Surrounding Area
- Highway Matters

Planning Policy

The site falls within the development limits of the urban area as defined by policies E2 (Development Limits) and it would comply with Policy H3 (Locations for New Housing Development). The development is considered to be acceptable in principle, subject to detailed matters of development control, which are considered in the remaining sections of this report.

Residential Amenity

The existing building is used as an MOT testing station on the corner of Aldam Street and Gurney Street. The building is single storey with the sloping roof rising away from the end elevation of No.61 Gurney Street. There is a small bathroom window in the gable of No 61.

The proposal involves the erection of a two-storey replacement building and the scheme has been amended to take account of the bathroom window and the location of the rear windows of No 61 Gurney Street. The party wall with No 61 has been partially detached from the dwelling at first floor level leaving a gap of 90cm to allow the occupier access to the window to maintain it. The first floor section of the development has been reduced and redesigned so that it would comply with the 45o code when measured from the first floor rear windows of No 61. The first floor level window directly overlooking the yard area of No 61 is a bathroom window, which would be fitted with obscure glazing. The ground floor windows are a bathroom (again obscured) and a bedroom window but both would look out onto the existing boundary yard wall between the neighbouring properties. The privacy issues from the remaining windows looking out onto Aldam Street and Gurney Street are considered acceptable.

In general amenity terms, the proposed development would result in the removal of the garage and therefore residential amenity levels should improve and increase.

Visual Appearance

The existing garage is of no visual merit and does not contribute to the appearance of the area and therefore no objections would be raised to its demolition. The neighbouring properties are terraced dwellings and the proposed development has been designed to complement its surroundings. There is a step down in the rooflines between the end terrace (No 61 Gurney Street) and the new building, which is a common feature of the street scene and the building turns the corner under a hipped roof. The development would be constructed from red facing brickwork with smooth render and paint finish above.

The proposed development would improve the visual appearance of the site and also the wider street scene.

Highway Matters

The Council's Traffic Manager has commented as follows:

- *The proposed scheme provides for no in-curtilage parking, however there are frontages on Aldam Street and Gurney Street available for on-street parking. Also, the site is close to North Road where there is a good quality bus service and there will be a requirement for secure cycle parking as part of the scheme (condition required to reflect this).*
- *A condition will also be required for reinstatement of redundant crossings in normal pavement construction.*
- *Provided the above conditions are included with an approval I would raise no highway objection to the proposal.*

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 application site lies within development limits identified in the development plan. The existing building does not contribute to the visual appearance and character of the area and the design and layout of the development accords with the relevant policy in the development plan. The development has been amended to respect the residential amenity of the neighbouring dwellings and it is in keeping with the general character of the area. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposal accords with the relevant policies in the development plan set out below:

- E2 Development Limits
- E29 The Setting of New Development
- H3 Locations for New Housing Development

H11 Design and Layout of New Housing Development
R1 Designing For All
T24 Parking and Servicing Requirements for New Development

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A3 Implementation Limit (Three Years)
- 2) B4 Details of Materials (Samples)
- 3) Notwithstanding the details shown on the approved plans, the ground and first floor bathroom windows in the north elevation of the building shall be obscure glazed and shall not be replaced or repaired other than with obscured glazing.

REASON - To prevent overlooking of neighbouring dwellings.

- 4) J2 Contamination
- 5) Notwithstanding the details shown on the approved plans, details of a secure cycle parking area shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details

REASON - To ensure a satisfactory secure cycle parking area is provided.

- 6) A scheme for the reinstatement of redundant footpath crossings to footways shall be submitted to the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - In the interests of pedestrian safety.

- 7) B5 Detailed Drawings (Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application site lies within development limits identified in the development plan. The existing building does not contribute to the visual appearance and character of the area and the design and layout of the development accords with the relevant policy in the development plan. The development has been amended to respect the residential amenity of the neighbouring dwellings and it is in keeping with the general character of the area. The application is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposal accords with the relevant policies in the development plan set out below:

Borough of Darlington Local Plan 1997

E2 Development Limits

- E29 The Setting of New Development
- H3 Locations for New Housing Development
- H11 Design and Layout of New Housing Development
- R1 Designing For All
- T24 Parking and Servicing Requirements for New Development

INFORMATIVE

The applicant is advised that works will be required within the public highway 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 Sec.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 Engineering (contact Ms P Goodwill 01325 388760) to discuss naming and numbering of the development.