

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 3 June 2009

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APPLICATION REF. NO:	09/00151/CAC
STATUTORY DECISION DATE:	11 May 2009
WARD/PARISH:	HEIGHTON AND CONISCLIFFE
LOCATION:	Laburnum House, Denton
DESCRIPTION:	Conservation Area consent for demolition of existing dwelling (Retrospective application)
APPLICANT:	Mrs Jane Mannion

APPLICATION AND SITE DESCRIPTION

The application site falls within the Denton Conservation Area. The existing dwelling was a traditional modern two storey dwelling constructed from a concrete tiled roof, rendered brick work and concrete block walls. The dwelling had experienced fire damage in the 1970s, which was cosmetically faced over as opposed to being repaired to a correct structural standard.

Previously two planning applications were submitted and subsequently withdrawn for the demolition of the dwelling and the erection of a replacement dwelling following officer advice in order to improve the design of the new dwelling. In the meantime, the existing dwelling has been demolished without the benefit of conservation area consent and therefore this is a retrospective application.

A planning application (reference number 09/00149/FUL) for the erection of a replacement dwelling also forms part of this Agenda

The Council's "Denton Conservation Area Character Appraisal" describes Denton as a small agricultural village located approximately six miles north west of Darlington. There are two farm cottage style properties adjacent to the application site, which form the remainder of the street frontage. Fields belonging to Denton Hall Farm form the north and west boundaries.

PLANNING HISTORY

08/00149/FUL In January 2009 an application for the erection of a replacement dwelling was withdrawn

08/00911/CAC In January 2009 an application for conservation area consent to demolish the existing dwelling was withdrawn

PLANNING POLICY BACKGROUND

Planning policy advice relating to the demolition of buildings in conservation areas is contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment (PPG15)

RESULTS OF CONSULTATION AND PUBLICITY

One letter of objection has been received from Raby Estates, who are the owners of the adjacent properties. The letter does not raise any objections, in principle, to the demolition of the dwelling although it is stated that the demolition has resulted in physical damage to the Estate property and that there has been a breach of the Party Wall Act. These are matters, which lie outside Planning and Conservation Area legislation and are not therefore for consideration. Other issues raised will be considered as part of the planning application (reference number 09/00149/FUL) for the replacement dwelling.

Denton Parish Meeting

Denton Parish Council has recommended that the application be approved.

PLANNING ISSUES

PPG15 advises that in conservation areas there is a general presumption in favour of retaining buildings, which make a positive contribution to the character and appearance of the conservation area. Proposals to demolish such buildings should be assessed against the same criteria as proposals to demolish listed buildings. In less clear cut cases, where a building makes little or no such contribution, the Local Planning Authority will need to have full information about what is proposed for the site after demolition. Demolition consent should only be granted if the redevelopment proposals for the site are acceptable.

The existing dwelling was a traditional modern two storey dwelling constructed from a concrete tiled roof, rendered brick work and concrete block walls. The dwelling had experienced fire damage in the 1970s, which had been cosmetically faced over as opposed to being repaired to a correct structural standard. A Structural Report identified that there were structural defects to the property, which were of serious concern and it recommends that the property should be demolished and rebuilt as opposed to attempting to remedy the problems. The Council's Conservation Officer has commented; "*I have no objection to the demolition of this property, which had a negative effect on Denton Conservation Area. Laburnum House was constructed in the early 1970s prior to the designation of Denton Conservation Area in 1981 and was not characteristic of Denton*".

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

This is a retrospective application for the demolition of a dwelling within the Denton Conservation Area. The dwelling was constructed prior to the designation of the Conservation Area and it is considered that the building did not contribute to the character and visual

appearance of the Area. The demolition of the building and the proposals to redevelop the site are considered acceptable and therefore the development complies with the requirements of PPG15 (Planning and The Historic Environment)

RECOMMENDATION

THAT CONSERVATION AREA CONSENT BE GRANTED

SUGGESTED SUMMARY OF REASONS FOR GRANTING CONSERVATION AREA CONSENT

This is a retrospective application for the demolition of a dwelling within the Denton Conservation Area. The dwelling was constructed prior to the designation of the Conservation Area and it is considered that the building did not contribute to the character and visual appearance of the Area. The demolition of the building and the proposals to redevelop the site are considered acceptable and therefore the development complies with the requirements of PPG15 (Planning and The Historic Environment)