

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 3 June 2009

Page

APPLICATION REF. NO:	09/00253/FUL
STATUTORY DECISION DATE:	15 June 2009
WARD/PARISH:	Haughton East
LOCATION:	Red Barns Cottage, Haughton Road, Darlington DL1 2EA
DESCRIPTION:	Demolition of single storey garage and erection of two storey extension
APPLICANT:	Mr Eddie Grant

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the erection of a two storey side extension following the demolition of an existing single storey garage.

The proposed extension would be built on the footprint of the existing garage and would be approximately 5.1m in length and 5.3m in width. The extension would be 5.4m in height to eaves level and a further 2m to ridge level.

The extension is proposed as consisting of a living room at ground floor and a bedroom at first floor. The main front door of the cottage is proposed as being re-sited onto the extension. There would also be 3 windows in the front elevation, 4 windows in the rear elevation. Two conservation style rooflights are proposed to the front elevation and two in the rear elevation.

The extension is proposed as being constructed from re-claimed bricks. Red Barns Cottage has been rendered although the majority of the original building (from which Red Barns Cottage has been created when it was subdivided) is of a brick finish.

Conservation area consent is not required for the demolition as the existing garage has a volume of less than 115 cubic meters. Furthermore this matter will be considered as part of the application for listed building consent which appears elsewhere on this agenda.

This application also includes some alterations to the original house.

The application property is a north east facing (grade II listed) house which is part of a larger building which has been subdivided into different dwellings.

The subdivision is complex and results in the area that appears to be the application property's back garden actually belonging to the adjoining house. The area of the garden to the rear of the application property includes an area used for vehicular parking.

The property is accessed via a private road off McMullen Road. To the north of the site is Whinfield Road.

The site is located within Haughton Village Conservation Area.

PLANNING HISTORY

85/00509/LBC – on 6 November 1985 an application for listed building consent was withdrawn for the erection of a single storey extension at the side to form a bathroom and kitchen extension.

87/00464/LBC – on 21 October 1987 listed building consent was granted for the partial demolition of a wall and replacement with a garage door.

05/00922/LBC – on 7 March 2006 listed building consent was refused for the installation of a UPVC window (retrospective application).

PLANNING POLICY BACKGROUND

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

H12 – Alterations and Extensions to Existing Dwellings

E29 – The Setting of New Development

Planning Policy Guidance Note 15 – Planning and the Historic Environment – is also relevant to the consideration of the application.

RESULTS OF CONSULTATION AND PUBLICITY

Occupiers of neighbouring properties were advised of the proposed development by way of letter. Three letters of objection have been received from occupiers of neighbouring properties.

The points raised are by the occupiers of 2 Red Barns House are summarised below:

- *We feel that altering the exterior of the building would ruin the aesthetic of the original grade II listed structure.*
- *We purchased the building because of its beauty and character; therefore changing any aspect of the building other than updating its original state, will make it less appealing and over-developed.*
- *The owners have already changed the roof, which now means that the roof has two separate levels; instead of one continuous level as before.*
- *If the owners receive planning permission to undertake this work, then where will the planning applications end?*
- *From a personal point of view, we were unable to receive retrospective planning permission to keep the patio doors that had been installed by the previous owner, before us. Instead they had to be changed and custom made at a great expense to us, to be in keeping with the rest of the property. We were happy to change these so that the*

property's grade II listed status was upheld and agree that this has improved the appearance of the property.

- *By changing Red Barns in its entirety, this is in complete contradiction to the rules set out for us.*
- *Also, if this work goes ahead then all the areas that are currently 'private' will be overlooked by the two storey extension.*

The points raised by the occupiers of Tanglewood, Red Barns are summarised below:

- *There appear to be several errors which may or may not be relevant to the application. The applicant (Mr Grant) had not previously discussed this application with us; Mr Grant does not own any of the out buildings on the property and; The drawing shows that the land immediately in front of the current garage to be his and it is the understanding of ourselves and our neighbour that according to our deeds this is 'common land' and as such can be used for parking and access by all the other residents.*
- *A further drawing outlining the borders of his property also appeared to be incorrect.*
- *We have no objections to the replacement of timber and UPVC windows with sliding sash window or blocking up existing rear door. Nor do we have any problems with the proposal to put conservation type roof lights in to the existing building.*
- *However we do have several concerns regarding the Demolition of the single storey garage and the erection of a two storey extension.*
- *At present the rear garage wall faces into our garden, (there is no gap between this wall and where our garden starts). Were the plans to be approved as they stand it would mean that we would acquire an additional Eight windows which would look directly into our garden, not only would this have implications for us regarding privacy but would also directly impact on any future plans we may have for this area. It would in effect feel like a property being built in our garden. We have been given to understand that this building may have been two storey at some point in its history but it has never had windows in the existing wall which borders our property.*
- *Additionally we are concerned about access to our property. At present our only vehicular access is through the gap between the two properties. As it stands this is difficult in a car and impossible for larger vehicles attempting deliveries or for emergency vehicles. The gap is not only narrow but the wall is not straight so the width of the gap varies considerably and the corner of the wall in question bears witness to this having being damaged many times in its history. We are naturally concerned about the possible implications of future damage and have suggested to Mr Grant that it would perhaps be appropriate to make this gap slightly wider by following the line of the wall at the front of the existing garage rather than the rear as according to the plans the current building is to be demolished anyway, however we have been informed that he does not intend to demolish the existing building.*
- *We are well aware that the buildings in question are old, and quirky (that is part of their attraction and we are happy to work with that) however we feel that any changes proposed should not detract from the charm of the building nor should they have a negative impact on the other residents. Also if there are major changes being considered*

then these should hopefully meet current guidelines with regards to privacy and vehicular access.

The points raised by the occupiers of Flat 1, Red Barns are summarised below:

- *I have two main concerns the first being the number of roof lights proposed on the plan. I do not feel that eight roof lights are necessary unless he plans to develop the loft space (into what?) in both the original roof and the proposed new extension roof nor do I believe that visually they are in keeping with the building.*
- *My other concern is that the outbuilding directly opposite the proposed extension does not belong to Mr Grant, although the plans seem to imply it does, it is in fact my garage (with a large storage area). Mr Grant is claiming that the land immediately in front of his cottage also belongs to him which my understanding is, that it does not - it is common land and allows me access to my garage. Without that access I have no way of using my garage for my car. As my previous car was vandalised when parked in the lane I am sure you can appreciate use of the garage is a major issue for me.*
- *My neighbours and I did approach Mr Grant and arrange a meeting to discuss our feelings however the plan he brought to the meeting was not the one we had studied at the council offices.*
- *I have no objection in principal to an extension as I believe it will vastly improve the appearance of the building but would like the above issues to be considered. I also fully support my neighbours concerns about the width of access to their property - it would seem an ideal opportunity to improve both the building and their access.*
- *I have no objections to the replacement of timber and UPVC windows with sliding sash windows and blocking up the existing rear door*

The Conservation Officer commented that this grade II listed building has suffered substantial alterations and has been subdivided into four properties, to its detriment. Over the years, both prior to and since Listing in 1977, there have been a number of unsympathetic alterations and additions, some without the benefit of listed building consent. The Conservation Officer made no objections to the application.

The Highways Officer was consulted and raised no objections to the proposal.

PLANNING ISSUES

The main issues to be considered in this case are:

- Residential Amenity; and
- Impact on the listed building and conservation area.

Policy H12 (Alterations and Extensions to Existing Dwellings) of the Borough of Darlington Local Plan includes provision that extensions and alterations to dwellings will be permitted providing that they are in keeping with the design of the property, street scene and surrounding area. Policy H12 also seeks to ensure that adequate daylight, outlook and privacy to neighbouring properties is maintained.

Policy E29 (The Setting of New Development) of the Borough of Darlington Local Plan ensures that new development will respect the character of its setting in terms of siting, design, materials and landscape.

Planning Policy Guidance Note 15 (Planning and the Historic Environment) seeks to provide protection to the setting and appearance of listed buildings.

Residential Amenity

The unique circumstances surrounding the subdivision of the property results in the rear elevation overlooking the garden of the adjoining house. This is a large garden and the resulting overlooking would not make the situation significantly worse. The adjoining house also has areas of its garden which are not overlooked from the application property. Furthermore the part of the adjacent property that would be directly overlooked would not be the most private part of the outdoor area and includes an area where cars tend to be parked. It is not therefore considered to be as sensitive to privacy issues. The extension is considered to be far enough away from the adjoining property not to affect light and outlook.

The application drawings identify the proposed extension as being on the same footprint as the existing garage and it is not, therefore, considered that this will have any significant impacts with regard to the manoeuvring of vehicles. The Highways Officer raised no objections to the proposal.

Listed Building and Conservation Area Issues

The design, scale and massing of the proposed extension is in keeping with the character and appearance of the application property. This includes the fenestrations detail, the disposition of the windows and the eaves detail. Conservation rooflights are proposed which would not project beyond the roof slope and would not be harmful to the overall design of the extension. The roof space would not be of a sufficient size that it could be used as a habitable room and internal staircase access is not proposed.

The extension is proposed as featuring timber windows, cast iron gutters and as being constructed out of re-claimed bricks.

The existing garage that would be replaced by the proposed two storey extension does not contribute positively to the character or appearance of the listed building or its setting. The loss of this building and its replacement with the proposed two storey side extension is considered to be a positive improvement that would enhance the appearance and setting of the listed building.

A listed building application has been submitted for consideration. The proposal is not considered to harm the building, its setting or any architectural or historic interest that it possesses.

Other Issues

The Objectors have referred to concerns regarding land ownership. Certificate A has been signed on the appellations forms to state that all of the proposed works will take place within the applicant's land. Issues with regard to land ownership would, in any case, be a civil matter and would not be a martial planning consideration.

The proposed plans show some slight re-grading of the hardstanding to the side elevation of Red Barns Cottage and to the front of the proposed extension. This work can be carried out as 'permitted development' and does not, therefore, require planning permission.

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 proposal is not considered to raise any significant issues with regard to residential amenity. The proposal is not considered to be harmful to visual amenity, the character and appearance of the conservation area or to the historic and architectural character of the listed building.

RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions:

1. A3 Implementation Limit (3 years)
2. B4 Details of Materials (Samples)
3. B5 Detailed Drawings (Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposed development is considered acceptable and will not cause harm to the character and appearance of the area. The proposal has no significant impacts in terms of residential amenity. The proposal does not adversely impact on highway safety. No issues are raised in relation to crime prevention. The proposal is considered acceptable in light of the following Policies of the Borough of Darlington Local Plan 1997:

H12 – Alterations and Extensions to Existing Dwellings
E29 – The Setting of New Development