

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 30th September 2020

APPLICATION REF. NO: 20/00154/FUL

STATUTORY DECISION DATE: 11th May 2020

WARD/PARISH: SADBERGE AND MIDDLETON ST GEORGE

LOCATION: Prospect House,
Middleton Road,
Sadberge

DESCRIPTION: Demolition of existing conservatory and erection of two storey rear extension, erection of canopy over patio, alterations to rear porch roof and insertion of sun tube to main rear roof, demolition of outbuilding and erection of single storey annexe with mezzanine level (as amended by plans received 09.07.20)

APPLICANT: Mr David Nicholson

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS (see details below)

This report is being presented to this Committee following its removal from the 2nd September 2020 Planning Application Committee to, enable an Officer site visit to take place, which was not possible during the height of the Pandemic. A visit has now taken place observing strict social distancing with a protective mask being worn by the officer.

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website via the following link: <https://publicaccess.darlington.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q696JUFPJH600>

APPLICATION AND SITE DESCRIPTION

1. The application property is a west facing end of terrace two storey dwelling set within a very large plot. The surrounding area is predominantly residential in character. The property lies within the Sadberge Conservation Area and is in close proximity to Thorn Cottage. Which is a Grade II Listed Building.
2. Planning permission is sought for the demolition of existing conservatory and erection of two storey rear extension, erection of canopy over patio, alterations to rear porch roof and insertion of sun tube to main rear roof, demolition of outbuilding and erection of single storey annexe with mezzanine level.
3. The annexe would be for the use and enjoyment of the property and would be occupied by the existing occupiers of the main house and their family only. The ground floor of the annex will provide kitchen, dining, lounge, office and storage. The bathroom will be via a dog-leg staircase to the mezzanine level.
4. The building would sit in the same position as the existing outbuilding but measuring 5.3m deep x 6.3m wide at the front and 7.9m wide at the rear. The proposed building will be set down 0.9m from the existing ground level to reduce the overall visual impact. The proposal will have a dual pitched roof with eaves at 3.4m and the ridge at 4.738m. This building will be no higher than the building situated to the rear of it. The proposal will have bifold doors and two Velux windows to the front.
5. The proposed extension to the rear will project 2.825m. The single storey element will infill between the existing building and the boundary wall with the first floor being set in from the boundary by 1.3m. The two storey will have a hipped roof with eaves at 4.49m and the ridge at 5.95m. The single storey will have a glazed and timber pitched roof which will extend to form a canopy over the patio.
6. The ground floor space will be used as a dining room with bi-fold doors opening out onto the patio. The first floor will be an enlargement of bedroom 4 and the sun tube is to allow natural light into the existing bathroom.
7. The materials for the proposals will be:
 - Two storey extension: Walls to be rendered white, Windows to be white UPVC, Doors to be Bi-fold doors coated aluminium and the roof to be pantile to match existing.
 - Annex: Walls to be reclaimed brick to match existing, Windows to be timber, Doors to be Bi-fold coated aluminium and the roof to be pantile to match existing, roof lights to be flush with the roof material.

MAIN PLANNING ISSUES

8. The main issues for consideration are:
- (a) Impact on Heritage Assets;
 - (b) Impact on visual amenity;
 - (c) Impact on residential amenity;
 - (d) Impact on highway safety;
 - (e) Impact on trees.

PLANNING POLICIES

9. Relevant Local Plan and National Planning Policy Framework policies include those seeking to ensure that new development: -

- Is in keeping with character, design and external appearance of the dwelling, street scene and surrounding area and that adequate privacy in rooms, gardens and other outdoor buildings is maintained (H12)
- Protect the Borough's distinctive character by protecting buildings, their settings and features and archaeological local importance in conservation areas (CS14)
- Should enhance, preserve make and make a positive contribution to the asset (Paragraph 200 NPPF)

RESULTS OF TECHNICAL CONSULTATION

10. **The Highway Officer** stated that the dwelling has sufficient parking within the curtilage to accommodate the parking need of the proposed development without detriment to the highway and raised no highway objection to the proposal.

11. **The Senior Arboricultural Officer** has stated that care will be needed when building materials and skip wagons are delivering to the site so as not to damage the Horse Chestnut tree. It is of paramount importance that the root area of the Horse Chestnut (*Aesculus hippocastanum*) is completely protected from damage by compaction, severance, or from material spillage. This will only be possible through the installation of protective fencing in accordance with BS5837 2012. It is recommended that this fencing is put into position prior to any further works on the site (demolition or development), and that the extent of this protection is inspected by a Council Officer prior to work commencing. This fencing should be at least 2m high and consist of galvanized tube, braced to resist impacts, supporting by a welded mesh wired to the uprights and horizontals to dissuade encroachment

12. **The Parish Council** have objected to the proposal. Their objection states the new build annex with an increased footprint will impact on the village view as will the proposed two storey extension. The appearance of a ridge in the landscape of the village should be protected. Major reservations regarding the impact on neighbouring properties

13. The Conservation Officer stated that he would not consider that the proposal will have a significant impact to the Conservation Area or the neighbouring Listed Building.

14. A site notice was posted outside of the property.

RESULTS OF PUBLICITY AND NOTIFICATION

15. **Four** properties in Middleton Road were consulted in accordance with the regulations and 4 objections have been received. The main concerns are: height of the proposed annex; overlooking issues; fear that the annex will become a new separate dwelling; loss of light and restricting views.

PLANNING ISSUES/ANALYSIS

(a) Impact on Heritage Assets

16. The proposal extension and annex will be set to the rear of the more historic properties fronting onto Middleton Road. The proposed new annex will be set down and will be no higher than the outbuilding situated to the rear of the proposal. The two-storey extension and canopy at the rear would be largely hidden from the wider aspect due to existing buildings and the site boundary. There are therefore very limited views of the proposal.

17. Whilst the Conservation Officer has stated that it is a large addition to the rear of the property, he does not consider that this would have a significant impact to the Conservation Area. The rear of the property is not visible from any critical view or site lines, or wider angles. The annex would see the loss of the existing outbuilding and being replaced with a larger building. The existing outbuilding as noted appears to be of the first half to the mid-20th century its loss would not have a significant impact. Consideration however is required as it is attached to a listed section of wall. The removal of the structure would need to be carried out using hand tools only, no use of drills or cutting equipment or sledgehammers. Any works to this listed wall would require a separate application for Listed Building consent. The proposed annex has been slightly amended from the initial proposals moving it away from the Listed section of wall. The proposed materials are satisfactory.

18. Overall, the proposal is considered to have a neutral impact on the Sadberge Conservation Area, and due to the distance and the positioning, no impact on the setting of the nearby Grade II listed Thorn Cottage. The proposal is therefore considered to accord with policy CS14 in this respect.

(b) Impact on Visual Amenity

19. The proposed works are considered to be quite large in terms of its scale and footprint relative to the application property which itself is a modest detached two storey dwelling. In this instance the application property is situated within a large plot and is surrounded by similar dwellings.

20. The extension and annex have been designed to limit the impact of them on the character and appearance of both the application property and the surrounding area.

21. Due to the siting of the existing property and the positioning of the extension on the rear of the dwelling slightly contravenes the requirements of the 45-degree code. The ground floor will have no detrimental impact due to the positioning of an existing high boundary wall and the first floor will project 0.6m further than the 45-degree line due to being set off the boundary by 1.3m. This is considered acceptable as the nearest windows in the adjoining property serve a kitchen on the ground floor and a bathroom with obscure glazing on the first floor.

22. Due to the positioning of the windows, none should impact significantly on the neighbouring properties.

23. As considered above the proposed building is nestled within the site, and surrounded by other buildings and landform, such that it would not have a discernible impact on the visual amenities of the locality. Accordingly, the proposal does not conflict with policy CS2, CS14, E4, H7 or H12 in this regard.

(c) Impact on Residential Amenity

24. The demolition of existing conservatory and erection of two storey rear extension, erection of canopy over patio, alterations to rear porch roof and insertion of sun tube to main rear roof, demolition of outbuilding and erection of single storey annexe with mezzanine level (as amended by plans received 09.07.20) would be in keeping with the character of the property and would not, therefore, be harmful to visual amenity.

25. The proposal would not result in any significant detrimental impacts in terms of light, outlook and overlooking to neighbouring residential properties.

26. It is not considered that this proposal will impact significantly on the residential amenities of the adjacent properties to the extent that it would be justified refusing planning permission on these grounds.

(d) Highway Safety

27. The proposed development has sufficient parking within the curtilage to accommodate the parking need of the proposed development without detriment to the highway and raises no highway issues. The Highways Engineer has raised no objections. Accordingly, the proposal does not conflict with policy CS2 in this respect.

(e) Impact on Trees

28. There are no tree issues within this application.

29. The trees within the curtilage of the property are not protected by a Tree Preservation Order but they are within a Conservation Area.

30. The Council's Senior Arboricultural Officer has stated that care will be needed when building materials and skip wagons are delivering to the site so as not to damage the Horse Chestnut tree. It is of paramount importance that the root area of the Horse Chestnut (*Aesculus hippocastanum*) is completely protected from damage by compaction, severance, or from material spillage. This will only be possible through the installation of protective fencing in accordance with BS5837 2012. It is recommended that this fencing is put into position prior to any further works on the site (demolition or development), and that the extent of this protection is inspected by a Council Officer prior to work commencing. This fencing should be at least 2m high and consist of galvanized tube, braced to resist impacts, supporting by a welded mesh wired to the uprights and horizontals to dissuade encroachment.

THE PUBLIC SECTOR EQUALITY DUTY

31. In considering this application, the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

CONCLUSION AND RECOMMENDATION

32. The development accords with relevant Local Plan policies in that it respects the character and appearance of the host property and relates well to the surrounding area. The development does not raise any issues that would not be capable of being dealt with by standard conditions.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 Implementation Limit (3 years)
2. The development hereby permitted shall be constructed in accordance with the external materials/finishes as set out in the email received 19 August 2020 from the Agent.

REASON – To ensure that the external appearance of the development is of an appropriate design and quality in accordance with Saved Local Plan Policy H12 and Policy CS2

3. The development hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Prospect House, Middleton Road, Sadberge and shall not be independently occupied.
REASON – To ensure that the additional accommodation is not severed from the main dwelling to provide a self-contained dwelling unit, which would be contrary to the development plan, and in order that the Local Planning Authority is able to exercise control over the future development of the site.
4. The removal of the outbuilding would need to be carried out using hand tools only, no use of drills or cutting equipment or lumb or sledgehammers.
REASON – To protect the listed wall from any damage which might occur whilst carrying out the development hereby permitted.
5. No additional flank windows or other glazed openings shall be formed in any of the walls of the extension or annex hereby approved without the prior written consent of the Local Planning Authority.
REASON - To protect the amenities of the neighbouring residential property against increased overlooking with resultant loss of privacy.
6. No demolition, site clearance or building operations shall be commenced until fencing of a height of not less than 2 metres has been erected around the trees, adjacent to the site. The distance of the fence from the trunk of each tree on the perimeter of the group shall be whichever is the greater distance of the following:-
 - a. five metres from the base of the tree; or
 - b. the area described by the limit of the spread of the branches of the tree.Such fencing is to be maintained during the course of the development to the satisfaction of the Local Planning Authority.
REASON - To enable the Local Planning Authority to ensure the retention of the trees on the site and their protection from damage, in the interests of visual amenity.
7. Tree Protection (During development)
None of the following activities shall be carried out under the canopy spread of any trees or within a minimum of five metres of the trunks whichever is the greater, except with the consent in writing of the Local Planning Authority: -
 - (i) the raising or lowering of levels in relation to the existing ground level;
 - (ii) cutting of roots, digging of trenches, removal of soil;
 - (iii) the construction of buildings, roads or the carrying out of other engineering operations;
 - (iv) the lighting of fires;
 - (v) driving vehicles over the area below the spread of the branches of the tree; and
 - (vi) the storing of materials or equipment.REASON - To ensure that a maximum level of protection in order to safeguard the wellbeing of the trees on the site and in the interests of the visual amenities of the area.
8. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

8069 (-9) 1 - Existing Site and Location Plan
8069 (21) 2 - Rev B – Proposed Elevations
8069 (-9) 3 - Rev A – Proposed Roof Plan

8069 (00) 4 - Rev A – Proposed Ground Floor Layout Plan and Tree Plan
8069 (00) 5 - Rev A – Proposed First Floor Layout Plan
8069 (00) 6 - Rev B – Proposed Roof Plan (larger Scale)

REASON – To ensure the development is carried out in accordance with the planning permission.

INFORMATIVES

Notwithstanding the above report the applicants' attention is drawn to the fact that the wall to rear of the property is curtilage Listed and not in their ownership. A report has been submitted with the application which sets out a methodology for undertaking foundation work in the vicinity of this wall and attached building.

Extreme care should be taken when undertaking work in this area to avoid damage to this Listed Structure.