

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 4 August 2021

APPLICATION REF. NO:	21/00460/FUL
STATUTORY DECISION DATE:	21 st June 2021 (Extension of time agreed 10 th August 2021)
WARD/PARISH:	PARK WEST
LOCATION:	21 Langholm Crescent Darlington DL3 7ST
DESCRIPTION:	Erection of part single storey rear extension with partial glazed roof and part two storey rear extension. Loft conversion including construction of 2 no. dormer windows to rear, 2 no. roof lights to front roof slopes and associated works (as amended by plans received 03/06/2021)
APPLICANT:	Mr & Mrs Jackson

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

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/simpleSearchResults.do?action=firstPage>

APPLICATION AND SITE DESCRIPTION

1. The application site comprises a traditional red brick mid-terraced north facing property with an enclosed rear yard accessed from a back lane. The property has a part two storey and single storey off-shoot to the rear which mirrors that to the rear of the adjoining property at 19 Langholm Crescent. The property is located within the West End Conservation Area and the surrounding area is predominately residential in character.
2. Planning permission is sought to alter and enlarge the existing dwelling as follows:

- Erection of a single storey rear extension to the side of the existing two storey off-shoot and to extend to the rear of the off-shoot with a two storey extension on the footprint of the single storey element of the off-shoot
 - Construction of two rear dormers to rear roof slope and installation of two rooflights to front roof slope to facilitate the conversion of the roofspace
3. The single storey extension is modern in design and will be set in from the boundary with No. 23 by approximately 0.5m, it will have a projection of 7.7m, will be 2.8m wide and will sit under a mono-pitch roof with eaves height of approximately 2.6m and ridge height of 4m. The roof will have 4 glazed panels and two existing windows at first floor on the side elevation, and which will serve the new larger family bathroom will be reduced in depth to accommodate the new roof. The ground floor extension will create a large open plan kitchen/dining area with a separate utility room and will have thin framed aluminium glazed rear doors, black in colour.
 4. The two-storey element will replace the existing single storey extension, being built on the same footprint. It will measure approximately 3.6m wide and will project approximately 1.4m from the rear of the existing two-storey off-shoot. The mono-pitched roof will continue over the extension at the same eaves and ridge height.
 5. Improvements have been negotiated following concerns raised by the Conservation Officer in that the two rear box dormers have been replaced with traditional style dormers with slate/lead cheeks and white timber sash windows and which are in alignment with other windows on the rear elevation. The dormer windows will measure approximately 1.5m wide, 2m deep with a maximum projection of approximately 3.7m. The addition of the dormers will facilitate the loft conversion which will create an additional bedroom (making four in total), shower room and study.

MAIN PLANNING ISSUES

6. The main issues for consideration are: -
 - a) Visual Amenity and Impact on West End Conservation Area
 - b) Residential Amenity
 - c) Highway Safety

PLANNING POLICIES

7. Relevant Local Plan policies include those seeking to ensure that new development:
 - a) Reflects the characteristics of the sites surroundings and protects the amenity of neighbouring properties and ensures the development maintains adequate privacy in the rooms, gardens, and other outdoor areas of nearby buildings. (H12 of the Saved Local Plan 1997).

- b) Reflects or enhances Darlington's distinctive built and historic environment; creates a safe and secure environment (CS2 of the Core Strategy 2011)
 - c) Protects and where appropriate, enhances the distinctive character of the Borough's built, historic, natural, and environmental townscapes (Policy CS14)
 - d) Protects the general amenity and health and safety of the local community (CS16 of the Core Strategy 2011)
8. Planning Guidance Note 7 – Alterations and Extensions to Dwellings and the National Planning Policy Framework 2021 are also relevant to this planning application.

RESULTS OF TECHNICAL CONSULTATION

9. The Council's Highways Engineer has no objections to the proposal.
10. The Council's Conservation Officer has been consulted on the application and has raised the following concerns regarding: -
- the historic window being on the existing rear elevation needs to be blocked up in a more sympathetic manner
 - the first-floor extension being stepped out would break the existing symmetry and would see the loss of the historic small single storey lean-to extension at ground floor
 - the impact of the proposed alterations to the roof by the construction of dormer windows and rooflights

RESULTS OF PUBLICITY AND NOTIFICATION

11. Three letters of objection have been received with responses summarised below:
- The design and appearance of the proposal will have an impact on the building, the street scene and the character and appearance of the West End Conservation Area contrary to policy and is not sympathetic to or in keeping with the Conservation Area
 - Impact on residential amenity in regard to loss of light and outlook to both adjacent dwellings and their gardens
 - Proposal does not accord with Policies H12, CS14 and NPPF Section 16
 - GPDO guidance does not allow side extensions on Victorian properties in conservation areas
 - Impact on future residents
 - Impact on Highways and parking especially to the rear of the properties due to the extensive building works required.

PLANNING ISSUES/ANALYSIS

(a) Visual Amenity and Impact on West End Conservation Area

12. Saved Local Plan Policy H12 states that alterations and extensions to existing dwellings will be permitted where they are in keeping with the character, design and external appearance of the property and are in keeping with the surrounding street scene and area. Policy CS2 of the Core Strategy requires that high quality, safe, sustainable design will be promoted in all new developments and should reflect and enhance Darlington's built and historic characteristics that positively contribute to the character of the local area.
13. Policy CS14 is also relevant as it seeks to protect and enhance buildings and features which contribute to and protect local character and distinctiveness including built heritage, their settings, and features of historic importance within conservation areas. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving and enhancing the character or appearance of that area.
14. Paragraph 197 of the NPPF, 2021 requires that in determining planning applications, local planning authorities should take account of new development making a positive contribution to local character and distinctiveness. Paragraph 206 also requires that local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.
15. The site is within the West End Conservation Area and a brief Heritage statement has been submitted with the application. The application property forms part of a long run of terraced dwellings built on land once owned by the Cleveland Dairy. The West End Conservation Area Character Appraisal identifies these terraced dwellings as being designed with a high degree of uniformity and are of high value due to their relatively intact windows, door boundaries and roof lines, which adds to the character of this part of the conservation area.
16. The proposed single storey lean-to extension to the side of the existing two-storey off-shoot is of a modest size and subservient to the main off-shoot to the rear of the dwelling. The extension will be built from matching materials, although will incorporate an area of glazing within the lean-to roof and a fully glazed door to the rear. The proposed extension will result in some alterations to the size of first floor windows in the rear off-shoot to accommodate the roof structure, however these are already modest bathroom and w.c. windows discreetly located close to the rear of the main dwelling, and the proposed alterations will have little discernible impact on these windows themselves or on the wider conservation area.
17. In view of the modest size of this extension located to the rear of the dwelling which is largely obscured a ground floor level by an existing brick boundary wall which enclosed the property from the rear lane, subject to appropriate matching materials being used, to be secured by planning condition, the extension is considered to be in keeping with the main

dwelling and would not detract from the character and appearance of the surrounding West End Conservation Area.

18. The proposed extension to the rear of the existing off-shoot would be built on the footprint of the existing single storey extension below and would project approximately 1.4 metres from the rear of the off-shoot at first floor level, continuing the mono-pitched roof above. The extension would result in the loss of an existing first floor bay window and some interruption to the symmetry of the pair of off-shoots to the rear of 19 and 21 Langholm Crescent. The Conservation Officer has expressed concern regarding these aspects of the proposed two storey extension and the impact this will have on the character of the conservation area.
19. Whilst acknowledging these concerns, the proposed extension would be modest in scale with a projection of approximately 1.4 metres. Although the upper part of the extension and the break in symmetry would be visible from the back lane above the rear boundary wall, these changes would only be discernible from the back lane that runs between Langholm Crescent and Cleveland Terrace/Coniscliffe Road and as such would have a limited impact on the character of the West End Conservation Area. The proposed changes from this aspect would be seen in the context of the rear of properties many of which have undergone a degree of extension and alteration, including alterations to rear boundary walls to include modern garages and garage door openings, as well as other extensions and alterations to the rear of the properties and their roofs. The degree of uniformity referred to in the Conservation Area Appraisal is less noticeable from the rear lane in the context of these changes and as such in view of the modest projection of the extension and the use of matching materials, the proposed extension is not considered to constitute harm in the context of the overall character and significance of the Conservation Area and is therefore considered to be acceptable in accordance with Core Strategy Policy CS14.
20. Two dormer windows are proposed in the rear roofslope, the scale and design of which have been amended since the application was first submitted. Two rooflights are also proposed in the front elevation. The proposed dormer windows in their amended form have been designed to align with the first floor windows below and are to have slate pitched roofs and slate/lead cheeks. They have been reduced in scale and form from the flat roofed dormers originally proposed. Although this will result in some interruption to the rear roofslope, the proposed dormer windows in their amended form are acceptable in terms of their scale, siting, and design. Being located to the rear of the property, with other dormer windows close by, they are similarly considered to have a limited impact on the character and appearance of the Conservation Area.
21. The proposed rooflights in the front elevation will sit flush with the roof slope and can be installed as permitted development without the need for planning permission. While concerns regarding the installation of the rooflights and the impact these alterations have on the character and appearance of the conservation area are acknowledged, permitted development rights remain in place that allow properties within conservation areas to be altered unless those rights have been removed by way of an Article 4 Direction. There is no

Article 4 Direction in place for the West End Conservation Area.

22. Overall, it is considered that the proposed works would not result in harm to the existing dwelling and surrounding West End Conservation area in terms of Visual Amenity and would accord with Policies H12, CS2, CS14 and the requirements of the NPPF, 2021.

(b) Residential Amenity

23. The application site is bounded by to the west by 23 Langholm Crescent and to the east by 19 Langholm Crescent and objections have been received from both properties in regard to the impact the proposals will have the amenities of these properties in terms of loss of light, outlook and privacy.

24. The single storey extension will be set in from the common boundary with No. 23 by approximately 0.5m. 23 Langholm Crescent has been extended by a single storey in-fill extension with the solid brick wall which projects approximately 2.2m. This extension forms part of the boundary between the two properties with the remainder of the boundary being a 1.8m high brick wall reinforced with hedging. The proposed single storey extension will project 7.7 metres from the rear of the property and does not meet the 45-degree code in respect of the single storey extension to the rear of 23 Langholm Crescent.

25. This room is currently used a storage room, however outlook from this room is already limited by the boundary wall and hedging between the two properties. The proposed extension is to be set in from the common boundary by 0.5 metres with an eaves height of 2.6 metres which rakes away from the boundary to a ridge height of 4m. The slight increase in height of the extension above the existing boundary wall, set in from the common boundary, and sloping away from the boundary will not, on balance, significantly worsen the already limited outlook from the window in the extension to the rear of No. 23 so as to warrant refusal of the application on this basis.

26. The two storey extension will be visible from No. 23, however in view of the distance away from 23 Langholm Crescent it is not considered this will adversely impact upon the amenities of this property in terms of loss of light or outlook. This extension complies with the 45-degree code when measured from the nearest first floor window in the rear of this property.

27. The proposed two storey extension also complies with the 45-degree code in respect of the existing bay window at first floor level to the rear of the adjoining property at 19 Langholm Crescent. There will be no discernible impact at ground floor level since the extension is to be built on the footprint of the existing ground floor extension.

28. There will be some overlooking of the rear garden areas of neighbouring properties due to the addition of the dormer windows to the rear elevation. This will not result in any significant deterioration of privacy levels over and above overlooking from existing first floor rear windows. Similarly, the addition of the roof lights to the front elevation will raise

no issues in regard to residential amenity.

29. Having taken into account the objections raised by the occupiers to either side it is considered that the overall effect of the alterations and extensions would not be unduly harmful and on balance would not cause material harm to the living conditions of the occupiers such that planning permission be refused.
30. Overall, it is considered the proposals would accord with Saved Policy H12 of the Borough of Darlington Local Plan 1997.

(c) Highway Safety and Parking

31. The Highways Engineer has no objections to the proposal as the property has no in-curtilage parking and the loft conversion can be undertaken without the need for planning permission.

THE PUBLIC SECTOR EQUALITY DUTY

32. 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.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

33. 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 AND RECOMMENDATION

34. The proposal for the erection of a part single, part two storey rear extensions, two traditional dormers to the rear roof slope, and two roof lights to the front roof slope are considered to accord with relevant policies CS2 and CS14 of the Core Strategy 2011, Policy H12 of the Saved Local Plan 1997 and the NPPF 2021. The proposal does not cause any unacceptable issues in terms of visual amenity, residential amenity or highway safety and is therefore acceptable. The proposal does not result in harm to the West End Conservation Area and is therefore considered to be acceptable.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 Implementation Limit (Three Years)

The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.

REASON - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.

2. Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.

REASON - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

3. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

Proposed Floor Plans Drawing No. L020143-004 dated April 2021

Proposed Elevations Drawing No. L020143-005 Rev A dated April 2021

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