

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 27<sup>th</sup> October 2021.**

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**APPLICATION REF. NO:** 21/00964/FUL.

**STATUTORY DECISION DATE:** 15<sup>th</sup> October 2021.

**WARD/PARISH:** COLLEGE.

**LOCATION:** 274 Carmel Road North.

**DESCRIPTION:** Erection of a porch with new stepped access to the front elevation, the demolition of the existing detached garage and the erection of a single storey rear extension incorporating the insertion of 2 no. Roof-Lights, conversion of the existing loft into a habitable space incorporating the insertion of a hip to gable roof extension with extended rear dormer and the formation of additional blocked paved parking area to front of property and associated internal alterations (amended description 14.10.2021).

**APPLICANT:** Mr. Nick Hall.

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**RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS:** (See Details Below).

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**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=documents&keyVal=QXMHS4FP0F600>**

**APPLICATION AND SITE DESCRIPTION:**

1. The application site comprises a two-storey semi-detached house located on the eastern side of Carmel Road North and to the south of its junction with Thornbury Rise and the Staindrop Road/Woodland Road roundabout. Carmel Road North consists predominantly of detached and semi-detached housing. There are a number of preserved trees within the front garden of the application site that are protected by a Tree Preservation Order dated 1962.

2. This application seeks permission for:-

- The erection of a porch with new stepped access to the front elevation.
- The demolition of the existing detached garage and the erection of a single storey rear extension incorporating the insertion of 2 no. rooflights
- The conversion of the existing loft into a habitable space incorporating the insertion of a hip to gable roof extension with extended rear dormer.
- The formation of additional blocked paved parking area to the front of the property and associated internal alterations.

#### **RELEVANT PLANNING HISTORY:**

3. Site History: -

a. 99/00161/TF - Pruning of two trees included in the County Borough of Darlington Tree Preservation (no.3) Order 1962 - Granted with Conditions.

#### **MAIN PLANNING ISSUES:**

4. The main issues for consideration with this application are as follows: -

- Impact on visual and residential amenity
- Parking considerations.

#### **PLANNING POLICIES:**

5. Relevant Local Plan policies include those seeking to ensure that new development:-

- Is in keeping with the character, design and external appearance of the property and in keeping with the street scene and surrounding area, maintains adequate daylight entering the principal rooms of nearby buildings; maintains adequate privacy in the rooms, gardens and other outdoor areas of nearby buildings and is not overbearing when viewed from neighbouring properties. Adequate parking or garaging and other external space with the curtilage must be maintained or provided (Saved Policy H12 of the Borough of Darlington Local Plan 1997).
- Planning Guidance Note 7 – Alterations and Extensions to Dwellings is also relevant to this application.

#### **RESULTS OF TECHNICAL CONSULTATION**

6. No objections in principle have been raised by the Council's Highways Officer.

#### **RESULTS OF PUBLICITY AND NOTIFICATION:**

7. Following the Council's publicity exercises relating to the original submission, three letters of objection were which raise the following issues:

- Roof extension too large and out of character with adjoining property and neighbouring houses
- Loss of privacy due to overlooking of garden and property from roof extension

## **PLANNING ISSUES/ANALYSIS**

### **(a) Impact on Visual and Residential Amenity**

8. The proposed single storey rear extension is not considered to be large in terms of its scale and footprint relative to the application property which itself is a modest semi-detached two storey dwelling. When viewed from the street scene, the single storey extension would not be visible from Carmel Road North as it would be located to the rear of the site, however the proposal would be partially visible from Thornbury Rise. The extension would be single storey, and would be of a sympathetic design and scale, built of matching materials, and would not result in an adverse impact when viewed from Thornbury Rise.
9. The adjoining property at 272 Carmel Road North has previously been extended to the rear. The proposed rear extension will extend approximately 3.3 metres from the rear of the application property and complies with the 45-degree code with regard to the adjoining property. The extension is sufficiently distant from the nearest properties to the north on Thornbury Rise so as not to affect the amenities of these properties in terms of loss of light, outlook or privacy.
10. The proposed porch to the front of the property would project out by 1.714-metres (approx.) and be 2.842-metres in height at the eaves (approx.) and the 3.490-metres in height at the ridge. The roof runs in line with the existing front facing roof. Materials would match the host dwelling. By virtue of its design, footprint and finish, the proposed porch would be a form of minor development which would not significantly alter the appearance of the principal elevation of the host dwelling, which is set back from the street and screened by protected trees. It would therefore not have any detrimental impact upon the uniformity of the street scene. Nor would it unacceptably impact upon the amenities of the adjoining property.
11. It is also proposed to create a new parking area to the front of the property. The parking area will be constructed from permeable paving (porous material that enables rainwater to flow through it) and would be permitted development under Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This element of the proposal would give rise to no issues of visual or residential amenity.
12. The proposed hip to gable roof extension with the erection of a dormer window across the rear of the extended roofspace would represent a significant alteration to this pair of semi-detached properties. The hip to gable roof extension will be visible from both Carmel Road North and Thornbury Rise with the proposed dormer window being most

visible from the rear of immediately neighbouring properties on Thornbury Rise to the north and Carmel Road North to the south. A total of 3 objections have been raised to this element of the proposal on the grounds that the hip to gable extension and rear dormer would be out of character with the property and surrounding area and would give rise to overlooking of neighbouring properties.

13. The adjoining property has a hipped roof, albeit this property has been altered and extended over the years, and the proposed hip to gable extension would be most noticeable in the context of this pair of semi-detached properties when viewed from Carmel Road North. Both properties are however set back approximately 30 metres from the road with mature trees in the front garden of both properties protected by tree preservation order which provide some screening of the properties which are slightly elevated above the road. In this instance it is not considered that the proposed hip to gable extension would have such a significant impact on the character and appearance of either the application property or the surrounding area so as to warrant refusal of the application on this basis.
14. The proposed dormer window being located to the rear of the property would similarly have a limited impact on the character and appearance of the surrounding area, with any views being limited from between properties on Thornbury Rise to the north. Similarly, it is not considered that this would have a harmful impact on the character and appearance of the surrounding area.
15. Overlooking of the rear gardens of neighbouring properties will be possible from the windows in the proposed dormer window. Two windows are proposed which serve a bedroom and shower room. A high level window is also proposed in the north gable end of the property serving a stairwell. There is a degree of overlooking from existing first floor windows between properties, however it is not considered that overlooking from an additional bedroom window in the dormer extension will give rise to an unacceptable loss of privacy of surrounding properties. The windows serving the stairwell and shower room will be obscure glazed which will reduce the potential for overlooking from these windows.
16. Notwithstanding the objections received to this element of the application and considerations of these matters set out above, the proposed hip to gable extension and rear dormer window elements of this application are considered to meet the requirements of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and could be constructed as permitted development. This represents a fallback position for the applicant and is an important material consideration to which weight can be attached in consideration of the application. Should the application be refused on the grounds of visual or residential amenity, the applicant would have a strong fallback position in that they could proceed anyway with the construction of these elements of the application under householder permitted development rights for the property.

**(b) Parking considerations.**

17. Despite the increase in the dwelling size, the formation of an additional blocked paved parking area to front of the property will mitigate for the increase in the dwelling size by providing additional on-site parking. The Council's Highways Officer has no objection to raise.

**PUBLIC SECTOR EQUALITY DUTY:**

18. 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:**

19. 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:**

20. The design, appearance and materials of the proposed development will relate relatively well to the residential character of the existing dwelling and the character of its residential surroundings. The proposed development does not raise any material highway safety concerns and will provide sufficient on-site parking. The proposed single storey rear extension and porch elements of the proposals will not have a significant adverse impact on visual or residential amenity. On balance, for the reasons set out in the report the proposed hip to gable roof extension and rear dormer window will not adversely impact upon visual or residential amenity. Notwithstanding this, a fallback position exists for the applicant that these elements of the application can be built under householder permitted development rights. Weight can be attached to this as a material planning consideration. Accordingly, it is recommended:

**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. The development hereby permitted shall be constructed in accordance with the external materials/finishes as set out in the application, unless otherwise agreed, in writing, with the Local Planning Authority.

REASON - To ensure that the external appearance of the development is of an appropriate design in accordance with Saved Policy H12 (Alterations and extensions to existing dwellings) of the Borough of Darlington Local Plan 1997 (Alterations 2001).

3. PL00 Approved Plans.

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

- Dwg No. 2021/152/F1 - Existing and Proposed Layout.
- Dwg No. 2021/152/F2 - Block Plan.
- Dwg No. 2021/152/F2 REV A - Block Plan Indicating Trees.

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

4. D1 - Obscure Glazing

The window formed in the north elevation serving the stairwell shall be obscure glazed, (hinged to open inwards) and shall not be repaired or replaced other than with obscured glazing.

REASON - To prevent overlooking of the nearby premises.