

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 16<sup>th</sup> February 2022**

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<b>APPLICATION REF. NO:</b>	21/01241/FUL
<b>STATUTORY DECISION DATE:</b>	23 <sup>rd</sup> December 2021 (Extension of time agreed until 18 <sup>th</sup> February 2022)
<b>WARD/PARISH:</b>	PARK EAST
<b>LOCATION:</b>	8 The Lanes, DARLINGTON
<b>DESCRIPTION:</b>	Erection of two storey extension to side elevation and construction of open porch to front elevation
<b>APPLICANT:</b>	Mr & Mrs Shavit

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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=summary&keyVal=R1OFIIFPMD500>**

**APPLICATION AND SITE DESCRIPTION**

1. The application property is a south facing detached two storey dwelling sited on the corner of The Lanes and Paddock Lane, to the south of the Skerne Park estate. The surrounding area is predominantly residential in character. Skerne Park Community Centre and football pitch are located to the north and west of the application site, with open space and the East Coast Mainline running to the east. Further housing is located to the south beyond which lies the A66(T).
2. The proposal involves building a two-storey side extension on the western elevation to provide a garage at ground floor with bedroom above and the construction of an open porch on the front elevation. The proposed integral garage will be accessed from a new driveway off Paddock Lane.

3. The proposed two storey extension will project 2.6m to the side of the original dwelling and will be 7.0m in length at ground floor level and 6.0m in length at first floor level, being set in from the front and rear elevations at first floor level. The roof will be dual pitched sloping from front to back and being set 90 degrees from the slope of the main roof. The eaves and ridge of the two-storey extension will be the same height as the eaves and ridge on the original dwelling. The height of the eaves of the front part of the extension (garage) will be 2.3m and the ridge 3.1m.

4. The proposal also includes the construction of an open porch on the front elevation. The porch will project 1.35m from the front of the dwelling and will be 2.3m wide. The eaves of the canopy will be at 2.2m and the ridge at 3.1m. The materials for the proposed extensions will be brickwork and tiles to match the existing dwelling.

### **MAIN PLANNING ISSUES**

5. The main issues for consideration are:

- a) Impact on visual amenity;
- b) Impact on residential amenity;
- c) Highway safety;
- d) Other matters

### **PLANNING POLICIES**

6. Relevant planning 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 (Saved Local Plan Policy H12)
- Promotes good design to create attractive and desirable places to live, work and invest and follows the design principles of the Design of New Development SPD (Emerging Local Plan Policy DC1)
- Is sited, designed and laid out to protect the amenity of existing uses of neighbouring land and buildings and the amenity of the intended users of the new development (Emerging Local Plan Policy DC4)

### **RESULTS OF TECHNICAL CONSULTATION**

7. The Highway Officer raises no objection to the proposal.

## **RESULTS OF PUBLICITY AND NOTIFICATION**

8. Four objections have been received.

The main points of objection were:

- Overbearing impact
- Visual impact
- Loss of light to property and garden
- Cast shadow over garden
- Drainage issues
- Existing 4 bed houses elsewhere on development to satisfy demand
- Cramped form of development
- Loss of privacy
- Garage not large enough to be used
- Impact on house value
- Property is rented out concern about future tenants

## **PLANNING ISSUES/ANALYSIS**

### **(a) Impact on visual amenity**

9. The proposed extension and open porch are not considered to be large in terms of their scale and footprint relative to the application property which itself is a fairly modest detached dwelling. In this instance the application property is situated within a larger than average plot on the corner of The Lanes and Paddock Lane surrounded by similar dwellings.

10. The two-storey extension has been designed with a pitched roof at a 90-degree angle from the main house roof. The first-floor element of the extension is to be set in from both ends, with a canopy over the garage to the front elevation. Although the property occupies a more prominent corner plot, it is set back from the street and in view of the design of the proposed two-storey side extension it will appear subservient to the main dwelling which will in turn limit its impact on the character and appearance of both the application property and surrounding area. Likewise, the proposed porch to the front elevation of is a scale and design that relates well to both the property and surrounding area.

11. Reference is made in one of the letters of objection to the proposed side extension resulting in a cramped form of development. The proposed extension will infill a gap to the side of the property between its gable end and the boundary fence that separates the application property with the rear garden of 24 Paddock Lane to the west. However, the extension is of a limited width, approximately 2.6 metres wide, and in view of the property's position set back on its plot behind the garage block that serves 24 and 25 Paddock Lane, and being of an appropriate design, the proposed extension is not considered to appear cramped or have an unacceptable impact on the streetscene.

## **(b) Impact on residential amenity**

12. The property occupies a corner plot with a pair of semi-detached 2-storey dwellings to the west, 24 and 25 Paddock Lane, separated by a double garage block serving these properties. A pair of 3-storey semi-detached townhouses, 1 and 2 The Lanes, are located to the northwest of the application property. 24 Paddock Lane and 1 The Lanes share a boundary with the application property and would potentially be affected by the proposed side extension which is to be built up to the common boundaries with both properties.

13. In view of the separation distances from the rear of both properties to the proposed extension, the extension complies with the 45-degree code in respect of both properties. Outlook from the rear of 1 The Lanes towards the application property is already impacted by the garage which serves this property. As such the proposed side extension, which would be obliquely located to the southeast of this property, will not be unduly visible beyond the existing garage when viewed from the rear of this property. Although it will be more readily visible from the upper floors of this property and from the rear garden, in view of its oblique relationship to this property, it is not considered to have an unacceptable impact in terms of loss of light or outlook to this property or its garden area.

14. The proposed side extension will be built along the eastern boundary of the rear garden of 24 Paddock Lane to the west. While this will also be visible from the rear of the property and its garden area, given the size of the rear garden and the distance of the extension from the rear of the dwelling itself, the first floor of which is to be set in from both ends, it is similarly not considered to have an unacceptable impact in terms of loss of light or outlook to this property or its garden area.

15. A single window is proposed in the front elevation of the extension at first floor level. While this may allow some oblique overlooking westwards towards the rear gardens of 24 and 25 Paddock Lane, views from this window will largely be obscured by the existing double garage block. Given this oblique relationship it is not considered that the proposal would result in an unacceptable loss of privacy to neighbouring properties. No windows are proposed in either the north or west elevations to avoid direct views in to the rear gardens of neighbouring properties.

## **(c) Highway Safety**

16. The two-storey side extension will increase the dwelling in size from 3 to 4 bedrooms, which in turn increases the recommended parking provision from 2 to 3 in curtilage spaces. The proposed extension includes an integral garage which will be accessed from a new driveway which fronts Paddock Lane. This creates an additional 2 no. parking spaces and as such adequate provision is demonstrated. On this basis the Highway Engineer raises no highway objection.

#### **(d) Other matters**

17. The impact of the proposed development on property values and concerns about prospective tenants have been raised by objection. Neither of these matters are material planning considerations that can be given weight in the determination of this planning application.

#### **THE 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. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics as described above.

#### **CONCLUSION AND RECOMMENDATION**

19. The development accords with relevant development 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 give rise to any unacceptable impacts of residential amenity or highway safety. Accordingly, it is recommended:

#### **THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS**

1. A3 Implementation Limit (3 years)
2. B4a (Materials)
3. The new vehicular access drive shall be provided prior to the extension to which it relates being occupied and thereafter it shall be retained permanently available for parking purposes and for no other purpose without the prior written permission of the Local Planning Authority.  
REASON - To safeguard the residential amenities of the neighbourhood and to ensure the provision of adequate off-street parking accommodation to avoid the congestion of surrounding streets by parked vehicles.
4. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
  - EX01 – Existing Plans and Elevations
  - P01 – Proposed Plans and Elevations

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

## **INFORMATIVE**

### **Section 184 Crossover**

The applicant is advised that works are required within the public highway, to construct a new vehicle crossing; contact must be made with the Assistant Director: Highways, Design and Projects (contact Mrs Lisa Woods 01325 406702) to arrange for the works to be carried out or to obtain agreement under the Highways Act 1980 to execute the works