

**DARLINGTON BOROUGH COUNCIL**  
**PLANNING APPLICATIONS COMMITTEE**

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

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<b>APPLICATION REF. NO:</b>	21/01333/FUL
<b>STATUTORY DECISION DATE:</b>	14 <sup>th</sup> January 2022 (Extension of time agreed until 18 <sup>th</sup> March 2022)
<b>WARD/PARISH:</b>	PARK WEST
<b>LOCATION:</b>	14 Woodvale Road Darlington
<b>DESCRIPTION:</b>	Erection of two storey side extension and insertion of bi-fold doors to rear elevation (as amended by plans received 04.02.22)
<b>APPLICANT:</b>	Mr & Mrs Shearn

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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=R2TFXFFPFVC00>

**APPLICATION AND SITE DESCRIPTION**

1. The application property is a south east facing semi-detached two storey dwelling set within an average sized plot for the area. The surrounding area is predominantly residential in character. The northern boundary of the site abuts the West End Conservation Area, although the property itself is located outside of the conservation area boundary.
2. The proposal involves building a two-storey side extension on the eastern elevation to provide a utility, wc, external store and office at ground floor with an enlarged bedroom, additional bedroom and 'Jack and Jill' bathroom above. The proposed extension incorporates a cantilever feature with the first floor element projecting slightly over the ground floor extension to allow a walkway to the rear garden.

3. The proposed two storey extension will be 1.85 metres wide at ground floor and 2.6 metres wide at first floor to account for the cantilever feature and will be 8.5 metres in length overall. The roof will be hipped and will incorporate a set down of 0.2 metres from the main roof. The extension will be 5.4 metres in height at eaves level and 7.8 metres to the ridge.

4. The materials for the proposed extensions will be brickwork and render to match the existing property with a matching tiled roof. A wooden gate with a fixed wooden panel above is to be fitted to the gap beneath the cantilever in the front elevation. The proposal includes a 'secret' gutter to ensure no overhanging gutters or fascia boards on the neighbouring property.

5. The submitted plans have been amended on two occasions, firstly to address concerns regarding the scale and design of the proposed extension and to incorporate obscure glazed windows at first floor level in the side elevation of the extension, and most recently to partly obscure glaze the first floor window in the rear elevation of the extension and to incorporate the secret gutter.

### **MAIN PLANNING ISSUES**

6. The main issues for consideration are:

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

### **PLANNING POLICIES**

7. Relevant planning policies include those seeking to ensure that new development: -

- 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 (DC1)
- Is sited, designed and laid out to protect the amenity of existing users of neighbouring land and buildings and the amenity of the intended users of the new development (DC4)
- Provides suitable and safe vehicular access and parking arrangements (DC1)

### **RESULTS OF TECHNICAL CONSULTATION**

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

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

9. Three objections have been received. The main points of objection were:

- Overbearing impact
- Visual impact
- Loss of light to property and garden

- Loss of privacy
- Design not in keeping with properties in the area
- Construction access and future maintenance
- Unsafe construction

## **PLANNING ISSUES/ANALYSIS**

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

10. The proposed extension is not considered to be large in terms of their scale and footprint relative to the application property which itself is a fairly modest semi-detached dwelling. In this instance the application property is situated within an average sized plot for the area in an established residential area.

11. In its amended form, the proposed two-storey extension has been designed with a hipped roof which incorporates a set down from the main roof and is to be constructed of matching materials; brick at ground floor with render above. The original scheme proposed that the extension would be finished with timber cladding to the front elevation and first floor of the side and rear elevations and would incorporate a full-length feature window in the front elevation. This was amended to address concerns regarding the scale, design and visual impact of the extension.

12. Although the proposed extension will be visible from Woodvale Road, it is set back from the street and in view of the design of the extension including its limited width and use of matching materials, 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. The proposal incorporates a cantilever feature with the first floor of the extension overhanging the ground floor element by approximately 0.75 metres. Although this is not a particularly common feature in the streetscene, given the acceptability of the overall scale and design of the extension, it is not considered that this will be unduly harmful feature in the wider streetscene. The inclusion of a timber gate and wooden panel to the front elevation will fill the gap beneath the cantilever such that it will not be unduly prominent.

12. The extension will infill a small gap to the side of the property between its gable end and the boundary that separates the application property with 12 Woodvale Road to the east. 12 Woodvale Road has also been extended by a lean-to extension to its western end close to the common boundary between the two properties. In view of the limited width of the proposed extension and its subservient appearance to the main dwelling it is not considered that the proposed extension would result in a cramped form of development, with a resultant harmful impact on the character and appearance of the streetscene and surrounding area.

13. In view of the above considerations, the proposal reflects the local environment, and the design of the extension responds positively to the local context in terms of its scale, form, height and materials, and therefore accords with the requirements of Darlington Local Plan Policy DC1 in this regard.

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

14. The proposed extension is to be built to the side of the property and will not project beyond the rear elevation of the property. As such the extension complies with the 45-degree code in respect of the neighbouring property at 12 Woodvale Road. There will be no unacceptable impact in terms of loss of light or outlook to the rear of this property or its garden area.

15. Concern has been expressed that the proposed side extension will result in loss of light to and outlook from the side extension to the western side of 12 Woodvale Road. The extension is a lean-to extension with 2 no. rooflights in the roof plane which serve a ground floor utility room and a first floor en-suite bathroom/studio. Outlook from these windows is currently limited by the existing gable end of the application property. The proposed extension will however be closer to this extension and result in some direct impact to these windows. Given that these windows currently serve a utility room and en-suite bathroom/studio, it would be difficult to argue that this would cause unacceptable harm to light and outlook to these windows which principally serve non-habitable rooms within the property.

16. First floor windows in the side elevation of the extension serving a bathroom and additional bedroom are to be high level, obscure glazed to prevent overlooking of the rooflights in the extension to the neighbouring property. The first floor bedroom window in the rear elevation of the extension is also to be partially obscure glazed at the lower level to prevent direct overlooking of the rear garden of 12 Woodvale Road given the proximity of this part of the extension to the common boundary between the two properties. Conditions are attached requiring that these windows are obscure glazed in perpetuity to protect residential amenity.

17. The proposal will not therefore give rise to any unacceptable impacts on residential amenity such as loss of light, outlook or privacy to neighbouring dwelling and complies with Policy DC4 in this regard.

## **(c) Highway Safety**

18. The dwelling is increased in size from three to four bedrooms. This increases the recommended level of in curtilage parking provision from two to three spaces. The existing rear garage and driveway to the side elevation will no longer be available once the side extension is constructed.

19. Whilst it would be desirable to create additional in curtilage parking space to prevent overspill onto the highway, it is not possible in this instance due to the constraints of the site. The driveway to the side elevation is not wide enough to accommodate a car and the front garden is not deep enough to enable additional parking to the front.

20. A single parking space will be retained within the curtilage and additional parking can be accommodated on highway to the dwelling frontage, however this will result in a shortfall in parking provision for the property. In this instance however this shortfall in parking is not

considered to be sufficiently detrimental to warrant refusal in this instance, where NPPF guidance advises that a 'severe' impact is required to justify refusal. The Highway Officer raises no objection to the proposal on this basis.

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

21. The safe construction of the extension and future maintenance of the proposed development were points raised by objection. The safe construction of the extension would be considered under the Building Regulations and the maintenance of the property is a civil matter. Neither of these matters are therefore material planning considerations that can be given weight in the determination of this planning application.

22. A further point raised by objection relates to land ownership matters. The applicants have completed Certificate A to confirm that the development will take place entirely on their property. The cantilever design of the extension will ensure that the foundations can be dug on the applicants' property and the plans also include a 'secret' gutter on the eastern elevation so as not to overhang the neighbouring property at 12 Woodvale Road.

#### **THE PUBLIC SECTOR EQUALITY DUTY**

23. 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**

24. 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 first floor windows formed in the eastern (side) elevation shall be obscure glazed and shall not be repaired or replaced other than with obscured glazing.  
REASON - To prevent overlooking of the nearby premises.
4. The first floor window formed in the northern (rear) elevation shall be installed with 50% obscure glazing, in full accordance with the details as shown on drawing no. 2 Rev 1b, and shall not be repaired or replaced other than in full accordance with these details.  
REASON - To prevent overlooking of the nearby premises.

5. The wooden gate with fixed panel above, as shown on drawing no. 2 Rev 1b, shall be provided prior to the extension to which it relates being occupied and thereafter it shall be retained permanently to limit the impact of the 'cantilever' on the character and appearance of both the application property and surrounding area.

REASON - To safeguard the residential amenities of the neighbourhood.

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

- Drawing No. 1 Rev 1 – Existing Elevations and Floor Plans
- Drawing No. 2 Rev 1b – Proposed Elevations and Floor Plans
- Drawing No. 3 Rev 1 – Location Plan, Existing and Proposed Site Layout

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