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# Appeal Decision

Site visit made on 17 October 2022

**by T J Burnham BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 20<sup>th</sup> October 2022**

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**Appeal Ref: APP/N1350/W/22/3299023**

**87 Barmpton Lane, Darlington DL1 3HG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms P Fletcher against the decision of Darlington Borough Council.
  - The application Ref 20/01126/FUL, dated 18 November 2020, was refused by notice dated 10 February 2022.
  - The development proposed is construction of one 2 bedroom single storey dwelling and one 3 bedroom two storey dwelling.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The description of the proposal has altered from the initial planning application form to 'demolition of lean-to to existing dwelling, erection of 1no. two bed single storey dwelling to front and demolition of existing garage to accommodate erection of 1no. two bed single storey dwelling to rear, with associated parking and landscaping works'.
3. This appears to have been as a result of an amendment made during the course of the application to reduce the scale of the dwelling proposed to the front of the site. The revised description appears on the decision notice and has also been adopted on the appeal form. I have therefore determined the appeal on the basis of the revised description.
4. The Darlington Local Plan 2016-2036 (DLP) was adopted on 18 February 2022, in relation to this appeal replacing the Core Strategy and Borough of Darlington Local Plan. I am required to make my decision based on the policy in place at the time of the decision and I have been provided with policies from the DLP which are considered relevant to the proposal.
5. The existing dwelling has been suggested by the Council as the former lodge house to the now demolished Whinfield Manor and is considered a non-designated heritage asset.

## Main Issues

6. The main issues are the effect of the proposal on the character and appearance of the area, the effect of the proposal on the living conditions of occupiers of nearby dwellings and the effect of the proposal on the non-designated heritage asset.

## Reasons

### *Character and appearance*

7. By reason of the robust boundary treatment towards the back of the site and boundary tree cover, the dwelling proposed to the rear which would be of flat roofed form and limited in height would have little visibility from outside of the site.
8. The dwelling to the front of the site would however be far more prominent from Barmpton Road. It would however be modest in scale, width and depth and would benefit from a set back from the road. It would be set on a similar building line to properties on the western side of the road to the north and south, the bungalow design is reflective of similar properties on the eastern side of Barmpton Road.
9. The layout however proposes a significant amount of parking space to the front of the site where six spaces would be provided to serve the existing dwelling and those proposed. This would be likely to involve the provision of significant areas of hardstanding to host multiple cars.
10. The only relief to the hard frontage, which would contrast sharply with the existing lawned and planted area, would be a small area of grass appearing to serve the bungalow to the front. There would also be a contrast with other properties within the area which generally incorporate small front gardens with modest, well-spaced driveways.
11. It is therefore the concentration of parking areas to the extent proposed to the front of the site which would cause significant harm to the character and appearance of the area. The proposal would therefore conflict with Policy DC1 of the DLP which amongst other things requires that design responds positively to the local context in terms of layout and form.

### *Living conditions*

12. On what is not an especially spacious plot, the additional dwellings are likely to create a number of comings and goings throughout the day with residents coming and going and other movements associated with deliveries and other servicing requirements.
13. Ultimately, it would be the comings and goings associated with the dwelling to the rear which would be most harmful to the living conditions of the occupiers of nearby dwellings.
14. In contrast with Barmpton Lane which accommodates a degree of activity, the rear garden area is quiet and is backed onto by the residential gardens of other nearby dwellings. The rear dwelling would see activity introduced into this quiet area close to the garden boundaries of adjoining dwellings and anyone accessing the dwelling would have to pass directly the main front elevation of 87 Barmpton Road itself.
15. This activity would therefore sharply contrast with the existing nature of the site and would be significantly harmful to the living conditions of the occupiers of nearby dwellings as a result of noise and disturbance.
16. The proposal would subsequently conflict with Policy H8 of the DLP which advises that the development of a rear residential garden for a new residential

dwelling will not normally be permitted. Further, amongst other things it states that such development should not have a significant adverse impact on rear garden land that contributes to amenity of residents.

*Non-designated heritage asset*

17. The site could be considered historically interesting to some degree given that the orientation of the existing dwelling at the site is at odds with the general grain and pattern of development within the area. There could be some historical significance by reason of associations with the previously demolished manor.
18. However, housing development in a modern form and pattern completely surrounds the site. It's setting therefore makes no tangible contribution to the significance of the asset. It therefore follows that further residential development within close proximity to the lodge house would not result in a loss of significance to the non-designated heritage asset.
19. Subsequently, there would be no conflict with Policy ENV1 of the DLP which amongst other things broadly seeks to guard against harm to the significance of non-designated heritage assets.

**Other Matters**

20. It is the case that the proposal would contribute to housing choice and supply in the area and that there is limited neighbour objection. The first matter would be a benefit, although a very modest one bearing in mind the limited scale of the scheme. These matters do not however outweigh the harm identified.
21. Natural England has recently updated the conservation status of the Teesmouth & Cleveland Coast SPA/Ramsar. Concern over water quality is identified with regard to nitrogen. However, given that I am dismissing the appeal for other reasons, I will not explore this matter further.

**Conclusion and planning balance**

22. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

*T J Burnham*

INSPECTOR