

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 1<sup>st</sup> February 2023**

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**APPLICATION REF. NO:** 22/01025/FUL

**STATUTORY DECISION DATE:** 27<sup>th</sup> December 2022  
Extension of Time Agreed 6<sup>th</sup> February 2023

**WARD/PARISH:** Park West

**LOCATION:** 24 Greencroft Close DARLINGTON DL3 8HW

**DESCRIPTION:** Conversion of garage to form habitable rooms with first floor extension above with Juliet balcony to rear elevation, two rooflights to front roof slope and dormer extension to rear roof slope, erection of single story extension, dormer window and three roof lights to front elevation, two storey rear extension with Juliet balcony, conversion of attic into habitable space with dormer extension to rear roof slope and solar panels, decking to rear with glazed balustrade, changes to existing fenestration and associated works (description amended by plans received 22/12/2022 and 19/01/2023)

**APPLICANT:** Mr & Mrs A Karim

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**RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

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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=Q82CFLFPLCD00>**

**APPLICATION AND SITE DESCRIPTION**

1. The application property is a detached property, which has an attached large flat roof garage to the side and a conservatory the rear. It is located at the southern end of Greencroft Close, a cul-de-sac of relatively modern detached dwellings dating from the

1970s, accessed off Cleveland Terrace to the north, within the West End Conservation Area. Flatted development at Witney Court and Greencroft Court is located in the south east corner of Greencroft Close, adjacent to the application property. The property and its rear garden are in an elevated position when viewed from Coniscliffe Road to the south. To either side of the dwelling are pedestrian access paths which link Greencroft Close and Coniscliffe Road. Trees within the site are protected by Tree Preservation Order 1961 No. 3B (Area 1) and by virtue of being located in the West End Conservation Area.

2. Planning permission is sought for a number of elements including: -
  - a) Conversion of the existing garage into habitable accommodation (utility, bathroom and plant room)
  - b) First-floor extension above existing garage to create an additional bedroom with en-suite. The first-floor extension will extend out over the existing garage and will be supported at ground floor level by a structural pier and expanded lobby. This extension will measure approximately 6.3m wide, given that the existing first-floor extension to the east elevation is to be removed, will have a depth of approximately 7.2m and will sit under a dual pitch roof (front to back), with a ridge height of approximately 8.2m and which is set down from the original roof by approximately 0.4m.
  - c) The existing kitchen and sunlounge to the rear are to be expanded vertically to two storeys to enlarge bedroom 2, will include an en-suite and will provide an access corridor to bedroom 1. Both bedrooms 1 and 2 will have Juliet balconies. The kitchen extension will also be enlarged in width by the removal of an existing corridor and in its length by extending out over an existing enclosed deck area. This extension will measure approximately 7.5m wide will have a maximum projection of approximately 3m and will sit under a dual pitch roof (side to side) with a ridge height of approximately 8.8m.
  - d) The existing attic space is to be converted and expanded over the extended first-floor accommodation to provide an additional bedroom, making five in total and this room will have a glazed infill with a Juliet balcony. A study/guest room, games room and family bathroom will also be created within the roof space. Both the study guest room and the games room are to have dormer windows on the south elevation and rooflights to the northern pitch of the roof. The rear dormer to be inserted into the existing roof will measure approximately 2.5m wide, 1.6m in height and will have a maximum projection of approximately 2m. Whilst the dormer in the first-floor extension is slightly smaller being 2m wide, will have the same height and will have a projection of approximately 1.7m.
  - e) Solar panels are to be sited on the rear roof slopes, three will face south, whilst one larger one will face west, and all are to be set parallel with the roof pitch.
  - f) Three roof lights are to be added to the front roof slope, with a further two being added to the roof slope of the first-floor extension measuring approximately 0.6m by 0.7m and will sit flush with the roof plane.
  - g) Dormer extension to existing front roof slope which will sit under a part flat, part sloping roof which will have a projection of approximately 1.5m and will be 2.8m wide and have an overall depth of 2.6m.
  - h) The dining room will also lead out onto a raised deck area with a glazed balustrade and with steps leading down into the garden. The decking will be approximately 4.6m

wide, will have a projection of approximately 3.1m and will have a height of approximately 1m, as will the glazed balustrade.

- i) There will also be changes to the external fenestration in that a new window will be added to the existing first floor elevation and which will serve a study. A window on the first-floor side elevation is to be blocked up and a window on the front of the lobby will be changed to a door (changing the existing access from the side to the front). The modified roofs are to be clad in pantiles to match the existing roof and the dormer windows will have lead clad cheeks with the flat roof surfaces being covered in proprietary rubber membrane, black/slate grey in colour. It is also the applicant's intention to replace the existing windows which either have four or six panes with casement windows which will be made from uPVC, white in colour and will match those in the proposed extensions. The bow window to the dining room also to be replaced with a casement window.
3. The application has been amended since it was first submitted in that the large triple-height glazed porch to the front elevation has been removed from the proposal, together with two balconies to the rear. One of the rear dormers has been reduced in scale, as has the amount of glazing on the rear elevation. The small existing two-storey extension to the east elevation is to be demolished at first-floor level and that brickwork to the right of the existing porch entrance door is also to be removed. The plans have also been amended to show off-street parking for 4 no. cars.
  4. A Heritage Statement has been submitted with the application.

#### **MAIN PLANNING ISSUES**

5. Site History
  - 75/00079/MISC** Erection of single storey extension to dwelling house to form lounge, bedroom, bathroom, extended kitchen, and double garage GWC 11.06.1975
  - 86/00219/FUL** Erection of a conservatory and canopy to the rear and construction of a pitched roof over existing flat roof to front porch GWC 18.06.1986
  - 91/00118/FUL** Erection of a first-floor extension to form en suite bathroom GWC 10.04.1991
  - 03/00045/FUL** Erection of conservatory GWC 25.02.2003
6. The main planning issues to be considered are whether the proposed development is acceptable in the following terms:
  - a) Impact on Visual Amenity and the West End Conservation Area
  - b) Impact on Residential Amenity
  - c) Highway Safety and Parking Provision
  - d) Impact on trees
  - e) Other Matters

#### **PLANNING POLICIES**

7. The application site is located within the development limits for the urban area as identified by the Policies Map of the Darlington Local Plan (2016 – 2036). The principle of

development within the limits will be acceptable subject to compliance with other national and local policies (policy H3 of the Local Plan). The relevant planning policies are as follows:

**Darlington Local Plan (2016:2036)**

DC1: Sustainable Design Principles and Climate Change

DC4: Safeguarding Amenity

ENV1: Protecting, Enhancing and Promoting Darlington's Historic Environment

IN4: Parking Provision including Electric Charging Points

**Also, relevant**

The National Planning Policy Framework 2021

West End Conservation Area Character Appraisal

Supplementary Planning Document – Design for New Development

**RESULTS OF TECHNICAL CONSULTATION**

8. The Council's Highways Engineer has raised no objections to the proposal. Nor has the Senior Arborist subject to appropriate tree protection measures being put in place.

**RESULTS OF PUBLICITY AND NOTIFICATION**

9. Following the Council's consultation and publicity exercises, three letters of objection have been received and the comments can be summarised as follows:

- *The proposed development is not in keeping with other properties within Greencroft Close*
- *Proposed development is set forward of the existing building line*
- *Insufficient realistic parking to be retained within the curtilage*
- *Impact the development will have in regard to increase in on street parking*
- *Future use of property, other than as residential accommodation*

**PLANNING ISSUES/ANALYSIS**

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

10. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local planning authorities pay special attention to preserving or enhancing the character and appearance of conservation areas.
11. In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness (para 197 of the National Planning Policy Framework 2021).

12. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199 of the National Planning Policy Framework 2021).
13. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (Para 200 of the National Planning Policy Framework 2021).
14. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (Para 201 of the National Planning Policy Framework 2021).
15. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (Para 202 of the National Planning Policy Framework 2021).
16. The above considerations are echoed by policy ENV1 of the Local Plan. A Heritage Statement has also been submitted in support of the planning application which assesses the impact of the proposal on the significance of the West End Conservation Area.
17. The West End Conservation Area is designated for its high-quality suburbs ranging from the mid-eighteenth to the early twentieth centuries. It is part of Darlington's inner residential suburbs and is a generally prosperous and attractive part of town. Ranging from high-density town houses near the centre of town to large, detached villas in substantial grounds, this area makes a significant contribution to Darlington's housing offer.
18. The application site is in a prominent location within the West End Conservation Area given its elevated position overlooking Coniscliffe Road and at the head of a cul-de-sac (Greencroft Close). However, the dwelling is a modern addition (c. 1970) and does not have any significant local historic value, being built from modern materials and is of a design reflective of its time. The property does not form a key view or vista within the conservation area as identified in the West End Conservation Area (March 2010). It is also worth noting that the property has been enlarged in a piecemeal fashion previously with a small two storey side extension, a large flat roof double garage to the side and three different styles of extensions which run the full width of the rear elevation.
19. The footprint of the property will largely remain the same with the additional floorspace being created by the addition of a first-floor side extension and the existing kitchen and sunlounge to the rear being expanded vertically to two-storey. Whilst a small single storey extension will square off the front corner of the property. Two dormer windows are to be

added to the rear roof slope, and a further dormer window and five rooflights are to be added to the front roof slope to facilitate the conversion of the loft into additional habitable accommodation.

20. Whilst acknowledging that the enlargement and alterations to the property would be highly visible, the scheme has been amended since it was first submitted to include the removal of a large triple-height glazed porch from the front elevation and two balconies from the rear elevation. One of the rear dormer windows has also reduced in scale and both dormer windows in this elevation have been repositioned to align with the first-floor windows below. The ridge height of the first-floor side extension has also been reduced in height by approximately 0.4m and given that this extension will be set back from the existing front elevation, this side extension is now suitably subservient and considered to be acceptable.
21. The front of the property has already been extended by a single storey extension which sits under a sloping pitch roof and which forms part of the dining room. The single-story extension would extend this element to the full width of the house, effectively squaring off the north-west corner of the property and would enlarge the existing living room. This extension would be in-line with the existing property. Whilst this element will be visible from the front of the property, it is considered to be visually acceptable given that is small in scale, will be built of matching materials and has been designed to match the existing extension.
22. The addition of the dormer windows to both roof slopes will be highly visible, however they are to be built of matching materials, have been designed to align with the first-floor window below, will sit clear of the ridge, verges and eaves and are considered to be subordinate to the dwelling. The dormer extensions are therefore considered to be appropriate additions given the age and style of the building.
23. Confirmation has been received that the proposed rooflights in the front roof slope will sit flush with the roof plane and can therefore be installed as permitted development without the need for planning permission. Whilst the addition of rooflights will alter the external appearance of the property, it is 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.
24. Whilst the addition of solar panels will not normally require planning permission, these panels do require permission because the property faces onto Coniscliffe Road. However, given their limited size and positioning and that the proposed dormers and the mature trees to the rear of the site will provide some screening, any impact would be minimal.
25. The existing windows which either have four or six panes are to be replaced with casement windows which will be made from uPVC, white in colour and will match those in the proposed extensions. The existing bow window to the dining room is also to be replaced

with a flat casement window. Whilst these changes will alter the external appearance of the property, the changes will reflect the properties modern appearance.

26. Whilst acknowledging that the two-storey rear extension would be visible from Coniscliffe Road, this extension is not set forward of the two existing single storey extensions which this structure will replace. It is also worth noting the existing extensions vary in heights and design and that the existing conservatory on the southwest corner will remain in place. This extension will also lead out onto a raised deck area with a glass balustrade.
27. The dual pitch roof of this extension will sit perpendicular to the existing roof, it will have the same ridge height as the existing dwelling with a Juliet balcony with double doors with glazed panels to either side being formed in the apex of the roof. A second Juliet balcony will serve a new bedroom formed in the rear elevation of the first-floor side extension.
28. Two balconies have been removed from the proposal being replaced with Juliet balconies which are considered a suitable replacement given that will fit in with the context of the glazing on the rear elevation and the modern appearance of the dwelling. The dwelling is set back from the road by between 12 and 17m and the mature trees within the garden will provide some screening.
29. There is a similar 'fallback position, in that windows can be replaced with Juliet balconies under Permitted Development under Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as long as there is no platform and therefore no external access and the proposed Juliet balcony would therefore be outside the control of the Local Planning Authority.
30. The addition of the rooflights, solar panels and the dormer extensions, together with the change in window design including the two Juliet balconies will not adversely impact the character and appearance of the dwelling, the wider street scene or Conservation area and these elements are considered acceptable.
31. Whilst acknowledging that the external changes to the dwelling will be visible from both Coniscliffe Road and Greencroft Close, the amended proposals are considered to be acceptable, and the design changes will not be out of character with the property itself and other modern, detached properties on Greencroft Close, including the flatted development at Whitney Court and Greencroft Court.
32. Overall it is considered that the proposed extensions and alterations would sustain the significance of the West End Conservation Area and would not have an adverse impact on the general character and appearance of the street scene. As no adverse effects have been identified, it is not necessary to identify public benefits and the proposed development would accord with policies ENV1 and of the Local Plan and the National Planning Policy Framework 2021 in this regard. The development would also accord with policy DC1 of the Local Plan and the Design SPD.

## **(b)Residential Amenity**

33. The application site is located at the head of a cul-de-sac within a predominantly residential area and the rear of the property faces onto Coniscliffe Road. There are footpath links either side of the property connecting Greencroft Close and Coniscliffe Road. The nearest properties are 22 Greencroft Close, approximately 10 metres to the north west and Witney Court and its grounds approximately 29 metres to the north east. A large, detached property known as Ashcroft is located approximately 26.5 metres to the west of the application site although the two properties are separated by one of the footpath links and mature trees along the property's eastern boundary.
34. Properties to the opposite side of Coniscliffe Road to the rear of the property are over 35m away. It also worth noting that the rear garden of the property has a large number of mature trees which are protected by a Tree Preservation Order and by virtue of being in a conservation area and these trees will provide adequate screening and prevent an adverse loss of privacy from the increase in glazing on the rear elevation which includes two Juliet balconies and two dormer windows and the addition of the raised deck area.
35. Whilst no other neighbouring dwellings would be directly impacted upon by the additional windows on the north (front) and west (side) due to the proximity distances and given that the property faces onto the head of the cul-de-sac. Overall, it is considered that the proposed development would not have an unacceptable impact upon the amenities of the existing properties in the locality and would generally accord with policy DC4 of the Local Plan in this regard.

### **(c) Highway Safety & Parking Provision**

36. Concerns have been raised by objection that the conversion of the double garage into habitable accommodation would result in the loss of two parking spaces and together with an increase in the size of the property would mean that the site could no longer accommodate the number of cars likely to attend the property without impacting on nearby on-street parking, with resultant impacts on highway safety.
37. Whilst an amended plan has been submitted which demonstrates that four parking spaces will be retained to the front of the site, concerns have also been raised in that it is unrealistic to expect that the cars could or would be parked into the positions as set out on the submitted ground floor plan.
38. The Council's Highways Engineer has advised that that there is no reason to conclude the proposal would exacerbate any existing problems given that the required levels of in-curtilage parking are fully met. Greencroft Close has a 4.8m wide running carriageway which is a nationally recognised design standard still in use today for estate roads as set out in the applied Manual for Streets document and which recognises that there is sufficient width to enable a car and a large vehicle to pass where such vehicles may require access for servicing or emergency vehicles. No highway objection has been raised to the proposal and on this basis, the proposal would accord with policies DC1 and IN4 of the



Local Plan in this regard.

**(d) Impact on trees**

39. Trees within the curtilage of this property are protected by TPO 1961 3B (Area 1) and by virtue of being located within the conservation area. The small increase in the footprint to the northwest of the dwelling will not impact any of the trees within the site. Nor will the addition of the brick pillar which is required to support the overhang of the proposed first-floor side extension. A condition requiring that the trees be protected during the construction period is recommended.
40. While the Council's Senior Arboricultural Officer has suggested that shadow modelling be undertaken to ascertain how the trees which are located to the south of the site will impact the additional rooms to the rear and the solar panels on the roof, in this instance this is not considered either proportionate or necessary. Should any works be proposed to the adjacent protected trees to improve light to these rooms or the solar panels, this would be the subject of a separate application and the necessary supporting information would need to be submitted and considered at that stage.

**(e) Other Matters**

41. Concerns have been raised by objection that the applicant intends to use the property for uses other than a residential dwelling, with additional concerns raised regarding access and parking. The application as submitted is for extensions and alterations to the application property as a single dwelling and should any future planning application be submitted for an alternative use of the property this, and any other related matters of development management, such as access and parking, will be considered at that time. Supposition about potential future alternative uses for the property is not material to considered of this application.

**THE PUBLIC SECTOR EQUALITY DUTY**

42. 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. The existing reception area on the ground floor of the two-storey extension is accessible via an existing ramp at the main entrance and this arrangement would remain unaffected by the proposed development.

**SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

43. 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**

44. The proposed alterations and extensions to the dwelling are considered to be acceptable and would sustain the significance of the West End Conservation Area and in turn the character and appearance of the surrounding area. The proposal would not adversely impact upon residential amenity or protected trees within the site, and it has been demonstrated that adequate parking provision can be made for the dwelling as extended within the application site. The proposal would therefore accord with policies DC1, DC4, IN4 and ENV1 of the Darlington Local Plan 2016-2036 and the requirements of the NPPF 2021.

## **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 - In the interests of maintaining the visual amenity of the development in accordance with the requirements of Policy DC1 of the Darlington Borough Local Plan 2016-2036.

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

Proposed Ground Floor Plan Drawing No. 3152/04 Rev B dated Dec 2022  
Proposed Site Layout Plan Drawing No. 3152/04.1 Rev B dated Dec 2022  
Proposed First Floor Plan Drawing No. 3152/05 Rev A dated Dec 2022  
Proposed Second Floor Plan Drawing No. 3152/06 Rev A dated Dec 2022  
Proposed Roof Plan Drawing No. 3152/06.1 Rev B dated Dec 2022  
Proposed Elevations Drawing No. 3152/07 Rev C dated Dec 2022

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

4. None of the following activities shall be carried out under the canopy spread of any trees or within a minimum of five metres of the trunks whichever is the greater, except with the consent in writing of the Local Planning Authority: -

- (i) the raising or lowering of levels in relation to the existing ground level.
- (ii) cutting of roots, digging of trenches, removal of soil.
- (iii) the construction of buildings, roads or the carrying out of other engineering operations.
- (iv) the lighting of fires.
- (v) driving vehicles over the area below the spread of the branches of the tree; and
- (vi) the storing of materials or equipment.

REASON - In the interests of the visual amenities of the area and to safeguard the wellbeing of the tree(s) on the site.