

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

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

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**APPLICATION REF. NO:** 22/01086/FUL

**STATUTORY DECISION DATE:** 6<sup>th</sup> December 2022

**WARD/PARISH:** NORTHGATE

**LOCATION:** 82 Widdowfield Street

**DESCRIPTION:** Replacement of the ground floor bay window to the western elevation (erection of a single storey front extension to create a new bay window) together with the replacement of existing garage and associated works including rendering and the replacement of windows/door (Retrospective Application) (as amended by plans received 28/11/2022).

**APPLICANT:** Mr. D Carter

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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/simpleSearchResults.do?action=firstPage>

**APPLICATION AND SITE DESCRIPTION:**

1. This is a retrospective application for the replacement of the ground floor bay window to the western elevation of the property together with the erection of a replacement garage. Work has started on the bay window and replacement garage but has been paused pending consideration of this application. The application also proposes the rendering of the ground floor of the property and the installation of replacement windows and doors.
2. The front extension would be a replacement box bay window following the removal of the existing splayed bay window. It would measure approximately 2.3 metres wide by

0.48 metres with an overall height of approximately 3 metres. The base of the bay window has been constructed of blockwork which is to be rendered and a new UPVC window is to be installed with a stone cill at the base, beneath a GP covered flat roof with UPVC fascia. The replacement garage has been constructed of blockwork which will be rendered and measures approximately 3.3 metres wide by 5 metres deep. As constructed the garage has a height of approximately 3.2 metres, however in response to concerns regarding the impact of the garage on visual and residential amenity, amended plans have been submitted reducing the height to 2.7 metres, which is comparable to the height of the former garage.

3. The application property is a reasonably sized end of terrace house set within a moderately sized plot and is located on the southern side (north-facing) of Widdowfield Street on the corner of Widdowfield Street and Marshall Street with the principal elevation fronting onto Widdowfield Street. The property has an enclosed courtyard to the side of the property and vehicular access to the garage is gained off Widdowfield Street. The main dwelling is built in brick with UPVC windows. The street scenes consists predominantly of predominantly of terraced housing of a similar design and style that are finished in a mix of brick, render and pebble dash.

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

4. There is no planning history for the site.

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

5. The main planning issues to be considered here are whether the proposed development is acceptable in the following terms:-
  - a. Impact upon the character and appearance of the area
  - b. Impact upon neighbouring residential amenity.
  - c. Impact upon highway safety.

#### **PLANNING POLICIES:**

6. The Relevant Local Plan policies (Darlington Local Plan 2016-2036) include those seeking to ensure that new development: -
  - a. Will reflect the local environment in that the detailed design responds positively to the local context; in terms of its scale, form; height, layout; materials; colouring; fenestration and architectural detailing (Policy DC1a).
  - b. Protects the amenity of existing users of neighbouring land and buildings and the amenity of the intended users of the new development (Policy DC4).
  - c. Will provide safe and secure space for vehicle parking within the site (Policy IN4).

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

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

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

8. Following the Council's publicity exercise relating to the original submission, six letters of objection were received which raised the following issues:
  - The replacement bay window will stick out in relation the rest of the bay windows within the street.
  - The garage is not a direct replacement as the overall height is taller and will interfere with the neighbour's light.
  - The proposed window (bay window) configuration is unlike the original configuration and is completely different to the other 81 properties on the street.
9. Following the receipt of a set of amended plans and the Council's publicity exercise relating to the amended plans, fifteen letters in support of the application have been received which can be summarised as follows:
  - The application is seeking to improve the visual appearance of the area.
  - The proposal will set a good impression within the area.
  - The works will set a good example for other property owners to modernise their properties.
  - This proposal will uplift the area.
  - The bay window is no bigger than the original bay window and will look excellent.

#### **PLANNING ISSUES/ANALYSIS (Appraisal):**

##### **(a) Impact upon the character and appearance of the area**

10. Policy DC1a seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
11. The application property sits on a corner plot on the junction of Widdowfield Street and Marshall Street. The house is a reasonably sized end of row terraced house set within a moderately sized plot and is located on the southern side of Widdowfield Street, with the principal elevation of the property facing Widdowfield Street.
12. The proposed replacement garage, as before, would be situated within the side courtyard of the application property. The former garage was brick built under a flat roof with access off Widdowfield Street. The replacement garage has been built on the footprint of this former garage although has been constructed of breezeblock and is to be rendered, and has been constructed higher at approximately 3.2 metres. Amended plans have been received reducing the height of the garage to 2.7 metres which is considered to be appropriate in terms of its impact on the character and appearance of the application property and surrounding streetscene.

13. The replacement bay window facing Marshall Street as constructed is a box bay window to replace an existing splayed bay window. Splayed bay windows are common features along Marshall Street. The box bay window will extend no further forward of the property than the existing splayed bay window although will be slightly wider accounting for the shape of the base of the window. The window will be no higher than the former bay window and will include the same stone cill with fascia detailing above, beneath a GRP coated flat roof.
14. This will be a relatively modest, although noticeable change in the streetscene. While there will be little change in the overall scale of the window, its form will differ to others within the street. As the property is located at the end of the terrace, any resultant change will be less prominent in terms of an interruption to the shape and form of the bay windows along the street. The proportions of the application property on its Marshall Street elevation differ slightly to those elsewhere on the street as the door is on the elevation facing Widdowfield Street, so the property can accommodate a modest degree of change. In the context of other incremental changes to the frontages of properties elsewhere on the street including window and door styles and materials and the use of render, it is not considered that the proposed box window would be so unacceptable as to warrant refusal of the application in terms of its impact on the character and appearance of the streetscene.
15. Although the surrounding properties are predominantly brick built, many have been rendered with either smooth cast render or pebbledash render, with some properties rendering the lower sections beneath the bay windows. The proposed rendering of the ground floor of the property from the proposed garage along its Widdowfield Street and Marshall Street elevations would not be out of keeping with other properties in the vicinity.
16. The proposed replacement windows are very minor in scale, consisting of the installation of replacement windows to the 1<sup>st</sup> floor to both the front and side/rear elevations. The proposed replacement windows will be UPVC and the design of the windows would be similar to the appearance of the existing windows which is considered appropriate.
17. Consequently the replacement garage, replacement bay window and additional replacement windows are considered to appear coherent with the application site and wider area. Therefore is considered to be in accordance with DC1a of the Darlington Local Plan 2016-2036 in regard to character and appearance of the area.

**(b) Impact on Residential Amenity.**

18. Policy DC4 seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties.

19. The replacement garage has been built on the footprint of the former garage and amended in height from 3.2 metres as built to 2.7 metres to match the height of the former garage it has replaced. On this basis it is not considered that the garage will result in loss of light to or outlook from adjacent properties when compared to the previous garage.
20. The replacement bay window will be positioned in the same position to the previous bay window affording the same outlook and will not result in any additional overlooking of the adjoining property. The addition of 2 no. replacement windows to the front and side elevation will not result in any increased overlooking. Taking this into account the proposal would not have a significant harmful impact upon the residential amenity of surrounding properties and is considered to be in accordance with policy DC4 of the Darlington Local Plan 2016-2036 in regard to impact upon residential amenity.

**(c) Highway and parking matters**

21. The Council's Highways Engineer has been consulted on the application and has raised no objection. It is therefore deemed that the proposed development therefore accords with Policies DC1 and IN4 of the Darlington Local Plan 2016-2036.

**PUBLIC SECTOR EQUALITY DUTY:**

22. 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.

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

23. 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:**

24. In conclusion it is considered that the proposed development, following the reduction in height of the garage, is of an appropriate design, scale and material palette as to respect the overall design of the application property and the character of the locality and the wider street scene. Additionally, the proposed development would not result in a detrimental impact to the residential amenity of adjacent occupiers by means of overlooking, loss of sunlight/daylight or overshadowing. The application is considered to

be in accordance with policies DC1a, DC4 and IN4 of the Darlington Local Plan 2016-2036 and is therefore recommended for approval subject to conditions.

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

1. A3 - Implementation Limit (Three Years)
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 Policies DC1 and ENV1 of the Darlington Local Plan 2016-2036.

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

(a) Drawing no. 22003 130 P02 – Proposed Elevations

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