

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 10 JANUARY 2024

APPLICATION REF. NO:	23/00804/FUL
STATUTORY DECISION DATE:	13 th November 2023 (Extension of Time until 10 th January 2024)
WARD/PARISH:	Sadberge And Middleton St George
LOCATION:	4 Wellington Drive, Middleton St George, Darlington
DESCRIPTION:	Erection of an entrance porch to front elevation and conversion of loft into habitable space with an increase in ridge roof height, pitched dormer extension to rear and installation of roof lights
APPLICANT:	Mr C Driver

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

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/>

APPLICATION AND SITE DESCRIPTION

1. This application site relates to a detached two storey dwelling located at 4 Wellington Drive, Middleton St George. Adjacent to the south is 2 Wellington Drive, to the north is 6 Wellington Drive and to the east (rear) of the application site, is 8 Wellington Drive. The plot of 8 Wellington Drive is positioned sideways to the host dwelling.
2. Planning permission is sought for the erection of a front porch and an increase in ridge height with a rear dormer extension to facilitate the loft conversion. There would also be the installation of roof lights, one to each of the front and rear facing roof slopes.
3. Since the original submission, the proposals have been revised to reduce the proportions. The increase in ridge height is now proposed at approximately 0.6 metres as opposed to an increase of approximately 1.3 metres. Consequently, the dormer window is reduced in size, due to the ridge height not to be raised as high as originally proposed. The scheme now shows this dormer window having a fixed and obscurely glazed window. Furthermore,

the porch has been reduced in projection from 3 metres to 2 metres, when measured on the northern side elevation.

4. Neighbours were reconsulted on these revisions. However, the elevations have recently been revised to correct the porch length on the northern side, which still showed the original projection length. No further consultation was carried out for this minor correction.

MAIN PLANNING ISSUES

5. The main planning issues are whether the proposed works are acceptable in terms of their impact on:
 - (a) Character
 - (b) Amenity
 - (c) Highway Safety

PLANNING POLICIES

6. The application has been considered in line with the National Planning Policy Framework (NPPF) and relevant policies of the Darlington Local Plan, which seek to ensure that new development:
 - Reflects the local environment and creates an individual sense of place with distinctive character (*Policy DC1*).
 - Has a detailed design which responds positively to the local context, through scale, form, height, layout, materials, colouring, fenestration and architectural detailing (*Policy DC1*).
 - Provides suitable and safe vehicular access and suitable servicing and parking arrangements in accordance with Policy IN4 (*Policy DC1*).
 - Will provide safe and secure vehicle parking and servicing. The number of spaces required will depend on the nature of the proposal as well as the local circumstances and standards set out within the Tees Valley Highway Design Guide (*Policy IN4*).
 - 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 (*Policy DC4*).
 - Will be suitably located and acceptable in terms of privacy and overlooking, access to sunlight and daylight as well as any visual dominance and overbearing effects (*Policy DC4*).
 - Adheres to the separation distances within the guidance set out in the Design of New Development SPD (*Policy DC4*).
7. The application has also been considered alongside the Darlington Design of New Development SPD.
8. It should be noted that the application site does not fall within the limits of the Middleton St. George Neighbourhood plan.

RESULTS OF TECHNICAL CONSULTATION

9. No objections have been raised by the Council's Highway Development Control section. Such comments considered there to be sufficient in curtilage car parking. These comments also considered the original porch to be acceptable in terms of visibility from neighbouring driveways.
10. The Parish Council agreed to make no comment on this application.

RESULTS OF PUBLICITY AND NOTIFICATION

11. A total of four letters of objection and one general representation comment have been received with the main concerns summarised below:
 - *Overlooking / privacy impacts*
 - *Due to the height of the rear dormer window, it would impact upon the privacy of the rear garden and dwelling of 8 Wellington Drive. It would allow direct overlooking.*
 - *The installation of the Juliet Balcony (erected under permitted development) has already worsened the impact upon privacy for 8 Wellington Drive.*
 - *To rectify the impact on privacy, the dormer could be positioned to the front.*
 - *Devaluation of property prices.*
 - *The development would result in loss of sunlight/ daylight.*
 - *The porch would restrict visibility for vehicle access onto and off the driveway at 6 Wellington Drive.*
12. A further comment was received to the amended proposals which raise the following additional issues:
 - *The dormer has not been positioned to the front to address privacy issues at 8 Wellington Drive.*
 - *The type of glazing of the rear Velux roof light is not stipulated.*
 - *Can a condition be attached to ensure the fixed obscure glazing of the dormer remains in perpetuity and is not replaced in the future with clear glass.*

PLANNING ISSUES/ANALYSIS

(a) Character

13. The revised scheme is considered to be acceptable to the character of the host dwelling and wider street scene area. Although there would be an increase in ridge height, this is considered to be a modest increase. As such, this is not considered to significantly disrupt the building line as to significantly harm the visual amenities of this area. The submitted details also indicate that the materials would be of a similar appearance to the host dwelling.
14. The proposed dormer window is considered to achieve limited views from the main street level. Nevertheless, the overall design, materials and proportions are considered to be acceptable to the character of the dwelling. Consequently, this element of the works is not considered to adversely impact upon the character of this area.

15. With regards to the proposed porch, the revised proportions are considered suitable to the dwelling. Although this element would be visible within the street scene, the porch has been pulled back from the highway which is considered to assist in creating a subservient design. In addition, the housing styles are varied within the street scene. Therefore, on balance, the introduction of this front porch is not considered to significantly harm the character of the host dwelling and street scene.
16. Local Plan Policy DC1 states that new development is to be designed to respond positively to the local context and reflect the local environment. Therefore, given the above assessment, the proposed works are not considered to harm the character of the building or wider area and is thereby in accordance with this local policy.

(b) Amenity

17. The proposed increase in ridge height has been reduced and at a 60cm increase in height, this is not considered to create a significant adverse overshadowing or overbearing impact. This is also taking into account the siting of the host dwelling in relation to the orientation and siting of neighbouring properties.
18. With regards to the rear dormer window, it should be noted that if the ridge height of the host dwelling was not being increased, that a rear dormer window could be erected to the parameters of permitted development rights. However, permission is required for this dormer window due to this increase in ridge height and it will therefore be assessed accordingly.
19. The dormer window would not achieve the recommended separation distances as set out within the Darlington Design of New Development SPD, of 21 metres. The distance from the proposed rear dormer window to the rear garden of 8 Wellington Drive is approximately 8.3 metres and approximately 15.3m when taking this measurement to the rear elevation of 8 Wellington Drive. These distances would result in an increase of overlooking into this neighbouring property. Whilst a dormer could be erected under permitted development, it is considered that this elevated position of the dormer window under this application would create an impact that should be mitigated for in this instance.
20. As such, the scheme has been revised to ensure the dormer window is obscurely glazed, and non-opening, which fits the design requirements of the applicant. This has therefore been conditioned to remain in perpetuity to ensure direct overlooking from this window does not occur. On this basis, the proposal is not considered to adversely impact upon privacy for the adjacent dwellings.
21. With regards to the comment about the reason for the position of the dormer window, the main considerations relate to the impacts on character, amenity and highway safety. Therefore, the reason as to why the applicant has positioned the dormer to the rear instead of the front cannot be given any significant weight.
22. With regards to the roof lights, due to their nature and design, it is considered that oblique views would be achieved. As such, the proposed front roof light is not considered to

worsen existing views that are already achieved at the frontage of this property, especially as it is to be used for a walk-in wardrobe which is not considered to be a main habitable space. With regards to the rear roof light, this would serve an en-suite bathroom (also considered to be a non-habitable room), but due to the separation distances noted above, it is considered reasonable that this is obscurely glazed only. This would allow ventilation for the bathroom by having an opening window and as already noted, it is considered that oblique views would be achieved due to the nature of roof lights. As such, it is considered reasonable in this instance to just request that this window is obscurely glazed.

23. The positioning of the proposed porch along with the siting of neighbouring properties, is not considered to adversely impact upon amenity or privacy.
24. A comment has been made about the devaluation of property prices, but this is not a material planning consideration. This concern has therefore not been considered as part of the determination of the application.

(c) Highway Safety

25. Visibility concerns were expressed on the original projection length of the front porch which measured an overall projection of 3 metres. Whilst Highway Development Control raised no objection, commenting that visibility would remain, the proposed front porch has been reduced to 2 metres in overall projection. Therefore, it is not considered that the front porch would adversely affect visibility to the detriment of highway and pedestrian safety.
26. Additionally, no highway safety objections have been received with regards to the remaining works of this application. It has been commented that there is sufficient in curtilage car parking for the development. The scheme is therefore considered acceptable with regards to highway safety.

THE PUBLIC SECTOR EQUALITY DUTY

27. 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

28. 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

29. It is recommended that the application be approved with conditions for the reasons specified above.

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. Time Limit

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 (as amended).

2. Approved Plans

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

Plan Reference Number	Date
L023030 – 001	14 August 2023
L023030 – 101	14 August 2023
L023030 – 003	14 August 2023
L023030 – 004 REV B	15 November 2023
L023030 – 005 REV B	19 December 2023

Reason: To ensure the development is carried out in accordance with the planning permission.

3. Materials

The materials used in the construction of the external walls and roof of the development hereby approved, shall match those within the existing main dwelling.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

4. Obscurely Glazed and Non-Opening Window

The hereby approved rear dormer window demonstrated on drawing L023030 – 005 REV B (dated 19th December 2023) to be located to the east / rear of the host dwelling, shall have obscure glazing to a minimum level 4 and shall be non-opening. The obscurely glazed and non-opening windows shall be installed prior to the occupation of the loft conversion and shall be retained for the lifetime of the development.

Reason: In the interests of the amenity of the neighbouring properties.

5. Obscurely Glazed Roof Light

The hereby approved rear / eastern Velux roof light as demonstrated on drawing L023030 – 005 REV B (dated 19th December 2023) of the development, shall be

obscurely glazed to a minimum level 4. The obscurely glazed window shall be installed prior to the occupation of the loft conversion and shall be retained for the lifetime of the development.

Reason: In the interests of the amenity of the neighbouring properties.