

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 27 August 2025

APPLICATION REF. NO:	25/00255/FUL
STATUTORY DECISION DATE:	19 th May 2025 (Extension of Time until 28 th August)
WARD/PARISH:	Hurworth / Hurworth Parish Council
LOCATION:	2 Meadowbank Close, Hurworth Place, Darlington
DESCRIPTION:	Erection of part single storey, part two storey extension to front elevation
APPLICANT:	Mr Nigel Jeffries

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/applicationDetails.do?activeTab=documents&keyVal=SSR6TPFPG9W00>

APPLICATION AND SITE DESCRIPTION

1. This application site relates to a detached dwelling located at 2 Meadowbank Close, Hurworth Place within Darlington. Adjacent to the North is 1 Meadowbank Close and adjacent to the South is 3 Meadowbank Close. The frontage of this application site faces Westward, onto the shared access for the properties located on Meadowbank Close. Furthermore, the application site is located within flood zones 2 and 3.
2. Planning permission is sought for the erection of a part single storey and part two storey front extension. The current frontage has an existing projection element, in which the proposed two storey extension would project 3m from this part of the building. The proposed single storey extension would also project 3m from the main front elevation, but the canopy section to go over the new front door, would tie in with the front aspect of the two storey element.
3. It should be noted that the drawings have been revised to omit a previously approved loft conversion which was shown on the plans. However, this loft conversion and associated dormer windows were not implemented and the period of time in which to carry out these

works has expired. Therefore, the plans have been updated for accuracy purposes, as it is understood that the loft conversion shown on the original submission was an error. In addition, the applicant also decided to update the style of the proposed bi-fold doors to double doors. The design of which is considered very similar to the previous submission. The plans were also recently updated to remove the two ground floor side windows serving the lobby area, in order to address neighbour concerns.

4. On balance, it was not considered necessary in this instance to carry out a re-consultation on this minor design change, as well as the correction to the drawings to show the on-site situation, because it was not considered to prejudice this decision. Furthermore, the removal of the ground floor side windows from the extension would not worsen any impact upon amenity as to warrant a re-consultation in this instance.

SITE HISTORY

Application Reference	Description	Decision	Decision Date
20/00126/FUL	Conversion of integral garage into a habitable room including replacing garage doors with bi-folding doors	Granted with Conditions	09.04.20
20/00862/FUL	Erection of single storey garden room/gym extension and single storey store extension to rear elevation and relocation of existing pergola (as amended by plans received 18.11.20)	Granted with Conditions	03.12.20
21/00619/FUL	Conversion of loft into habitable accommodation including the insertion of dormer and velux windows	Granted with Conditions	16.07.21
21/00798/CU	Change of use from open space to domestic curtilage with erection of 1.8m high boundary fence to rear of property (Retrospective Application)	Granted with Conditions	29.10.21

5. Further to the change of use application (Ref; 21/00798/CU), it is noted that the additional land that was approved as domestic curtilage is not included in the red edge for this application. However, as the works relate to the frontage of the property, the red edge on this occasion is considered suitable to demonstrate both the application site and where construction access can be obtained from. Therefore, in this instance, it was not considered necessary to revise the red edge for this application.

MAIN PLANNING ISSUES

6. The main planning issues are whether the proposed works are acceptable in terms of their impact on:
 - (a) Character
 - (b) Amenity
 - (c) Highway Safety
 - (d) Flood Risk
 - (e) Residual Matters

PLANNING POLICIES

7. 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*).
 - New development will be focused in areas of low flood risk (Flood Zone 1). In accordance with National Policy a site specific flood risk assessment will be required. Development proposals will be expected to mitigate and adapt to climate change, designed to ensure they are safe over the lifetime of the development and to ensure that flood risk is not increased elsewhere (*Policy DC2*).
 - 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*).
 - 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*).
8. The application has also been considered alongside the Darlington Design of New Development SPD.

RESULTS OF TECHNICAL CONSULTATION

9. No objections have been raised by the Council's Highway Development Control section because the proposed development is not considered to create additional parking demand or impact upon existing parking arrangements.
10. No objections were raised by the Parish Council.

RESULTS OF PUBLICITY AND NOTIFICATION

11. Multiple objection comments have been received by three neighbouring properties and a further three properties within the wider area have also submitted objection comments; a total of six properties raising objection comments. Their main concerns are summarised below:
 - Impact upon character
 - Overdevelopment

- Would set a precedent
 - Overbearing and overshadowing impacts
 - Impact upon light
 - Loss of outlook
 - Impact upon privacy
 - Impact upon views
 - Restrictive covenants
 - Construction noise, dust and general disturbance
 - Construction could damage neighbouring driveways
 - Additional construction traffic creating a nuisance
 - The development and construction could impact upon neighbouring foundations
 - Impacts to a nearby protected tree
 - Flood/ Drainage impacts
 - Consultation to the wider area should have been carried out
12. Neighbouring comments and their associated photographs can be viewed in full online at the link given at the start of this officer report. It should be noted that the applicant also submitted a response letter to the initial objections raised and this is also available for public viewing.

PLANNING ISSUES/ANALYSIS

(a) Character

13. A number of objections have been raised regarding the impact upon the character of the plot and wider street scene. Such comments have stated that the development would not follow the character of the area and it would re-position the host dwelling to the front by creating a significant forwards projection, thereby impacting upon the uniform design of the application site and neighbouring dwellings. A concern was also raised regarding the reduced front garden area and that further information should be submitted to assess this impact.
14. However, the submitted scaled drawings are considered sufficient to make an informed judgement on these proposed works. Whilst the front extension is of a notable scale, it is noted that the host dwelling and surrounding properties are large in nature and so it is considered that these properties are capable of accommodating large extensions where appropriate. Nevertheless, the frontage of the host dwelling is not being re-positioned, it is being extended via a forwards projection extension. This proposed extension would not extend beyond the established building line of this street and therefore the development is not considered to appear overly prominent.
15. The overall design is reflective of the host dwelling and wider street scene. It is also noted that the properties on this street do vary in design slightly. Consideration is had for the Northern neighbouring property which does have a projection element. Whilst it is noted that this is situated within a cul-de-sac setting, the application site is the next property adjacent to this and therefore is considered to be set in a location that is not highly prominent. Nevertheless, and as already stated, the proposed front extension does not project beyond the established building line and is not therefore considered to result in a

prominent form of development that would be out of character for both this plot and street scene.

16. Concerns have been raised regarding the window/ door design to the frontage as they have been increased in width. However, the proposed openings are considered proportionate to the main dwelling and would generally follow the character of the main dwelling. It should also be noted that there are no permitted development rights removed from the property, so the current front openings of the host dwelling could currently be changed. As such the frontage of this application site could be altered, regardless of this planning application. This change is not considered to appear so out of character as to warrant a reason for refusal.
17. Overall, the design of the proposed extension is considered suitable to the main dwelling and is not considered to unduly impact upon the character of this area.
18. Reference was made about the development resulting in overdevelopment of the site. It is noted that there have been various planning works at this application site over the years. However, given the extent of the previous works and the nature of this scheme, it is not considered to result in overdevelopment of the site. The previously proposed loft conversion approval has since expired and cannot therefore be implemented in conjunction with this application. In addition, it should be noted that the front garden area would be reduced, but would not need to be completely removed, thereby retaining a degree of openness to this front elevation. The development is also situated within the application site and no encroachment onto third party land would occur.
19. With regards to the proposed extension and its proximity to No. 3 Meadowbank Close, the driveway of 3 Meadowbank Close creates a separation between this neighbouring property and the host dwelling. As such, upon completion of the proposed front extension, there would be an approximate remaining separation distance between the two properties of about 3.8m. This is considered a sufficient distance to not create a terracing impact between the two properties. And as the development would be roughly in line with the front of this neighbouring property, it is not considered to significantly 'close-off' of this area of street scene, to the detriment of the character of this area.
20. Concerns were raised that this development would set a precedent for other properties to extend their frontages. In the event of such development requiring planning permission, any proposals would be treated on their own merits in the light of the situation prevailing at that time. However, this application has been decided on its individual planning merits with regards to the relevant material planning considerations.
21. Concerns have been raised regarding the neighbouring protected tree and any associated damage from the development. However, whilst the nearby tree is formally protected via a TPO, it is located approximately 20 metres away from the proposed development. Also the tree canopy of this tree does not overhang onto the application site. Overall, it is not considered that further information needs to be provided on this occasion to assess the

impact of the tree or to provide tree protection measures, as this can be sufficiently conditioned.

(b) Amenity

22. Concerns have been raised in regard to overbearing and overshadowing impacts. However, due to the siting of the development in relation to the siting and orientation of neighbouring properties, the development is not considered to create an adverse impact in this regard.
23. As noted, the development would be sited approximately 3.8m away from No. 3 Meadowbank Close and it would be sited at about 7.4m away from nearest part of the building of No. 1 Meadowbank Close. These distances are considered sufficient to not create an adverse overbearing and overshadowing impact, especially taking into account that the development is set at the frontage. As such, front garden areas and driveway areas of these neighbouring properties are not considered to be areas whereby private amenity space is used, and therefore, it is not considered to create an impact upon amenity in this regard. The development is considered to be situated at a sufficient distance to both of these neighbouring properties to not create an adverse overbearing / overshadowing impact to the external areas of these neighbouring dwellings.
24. It is noted that No. 3 Meadowbank Close has a ground floor side window facing over the driveway area. Upon a site visit to this property, it can be confirmed that this ground floor side window looks onto part of the host dwelling of the application site and its front garden area. This serves as a secondary room window, for a living room area. The window design and size is narrow in nature.
25. Again, it is considered that the distances would be sufficient to not create an adverse overbearing impact. With regards to overshadowing, due to the sun's orientation, it is not considered that the development would create an overshadowing impact. Nevertheless, any overshadowing that may occur, is already present from the positioning of the host dwelling, in which this proposed extension is not considered to significantly worsen this current impact, as to warrant a reason for refusal.
26. With regards to this ground floor neighbouring side window (at No.3), it is acknowledged that viewpoints from this window would change. Whilst their view over their own driveway would remain, their view over the applicants front garden/ driveway and then street scene, would be altered upon the completion of this front extension. But it is considered that due to the siting of this neighbouring window, that it would achieve oblique views over the wider frontage of this street scene. However, whilst the proposed extension would block some viewpoints as described above, it is not considered to result in a harmful loss of outlook. This is taking into account the viewpoints that can still be achieved and that this window serves as a secondary window. The primary window is not considered to be impacted by this development and overall, it is not considered that a significant impact upon a loss of outlook would occur.

27. No. 3 Meadowbank Close has stated that their outlook from their rear garden area would be impacted upon. It is agreed that when stood within that rear garden, looking towards the frontage/ driveway area, that the extension would be visible. However, it is not considered that this front extension would significantly impact upon the loss of outlook from the rear garden, because viewpoints and openness is still achieved to the North, East and South of that garden. Therefore, the development is not considered to adversely impact upon a significant loss of outlook for the rear garden area of this neighbouring property.
28. In regard to the concerns for loss of light, this is not a material planning consideration and cannot be considered under this planning application because it is a matter for property law. However, impacts through overbearing, overshadowing and loss of outlook are material and have been assessed in full as detailed above.
29. Neighbouring objection comments have also raised privacy concerns as being another potential impact of the proposed development. However, viewpoints can already be achieved from the existing host dwelling frontage and the proposed openings are considered to achieve similar views as the existing. Notwithstanding, the implementation of the front extension would create oblique angles from the new openings, thereby resulting in views to these neighbouring frontages becoming more oblique as opposed to direct vantage points. Nevertheless, these are front garden areas and driveways, which as already noted are not considered to be main private amenity spaces.
30. Whilst there is a balcony at the front of No. 1 Meadowbank Close, it is considered that sufficient distances would remain, along with the fact that a degree of overlooking already occurs from the existing frontage of this host dwelling.
31. A concern was raised regarding the proposed ground floor side windows creating an impact upon privacy for No. 1 Meadowbank Close. The drawings have been amended to remove these two ground floor windows, which is considered to negate any privacy concerns in this regard.
32. Overall, the development is not considered to create an adverse impact upon privacy as to warrant a reason for refusal.
33. A comment was raised that larger openings within the development will increase noise levels from the main property. The new openings are considered to achieve a similar situation as the existing and not necessarily exacerbate existing noise levels from this current host dwelling.
34. With respect to the comments received regarding construction noise, dust and general disturbance from these activities, it must be recognised that the potential for noise and disruption during construction work is inevitable whilst works are being carried out. A request was also made to ask that the hours of construction be controlled by way of a condition. Whilst understanding, this is not normally controlled by way of planning conditions for domestic applications because there is separate legislation to monitor and

enforce noise occurring at unsociable hours. However, given the domestic nature of the works it is not expected that there would be a need to work during unsociable hours.

(c) Highway Safety

35. The development has been reviewed by Highway Development Control, and it has been considered that the proposed development would not create additional parking demand or impact upon existing parking arrangements for this dwelling. Therefore, the proposed works are not considered to create a highway safety issue.
36. Objections have been raised regarding additional construction traffic creating a nuisance and that there is insufficient space for construction materials and construction vehicles. Given that the proposed works are for a domestic extension, it is considered that this will be managed via the applicant/ construction company. As such, the planning department cannot control where vehicles park, but should a nuisance issue arise, this could be monitored / controlled via neighbourhood enforcement.

(d) Flood Risk

37. The application site is located within flood zones 2 and 3 and concerns have been raised regarding flooding and drainage impacts. A Flood Risk form has been submitted in conjunction with this application. It states that the application site is set at a higher ground level than the street scene/ access into this estate. In addition, it sets out that the proposed extension floor levels will be set at the same height as the existing dwelling and will use the same construction methods to protect and prevent the house from flooding.
38. This information is considered sufficient to demonstrate that the development will not be at risk of flooding. Also given the nature of the development which will adhere to building regulations, it is not considered that the development will result in increased flooding and drainage impacts, as to warrant a reason for refusal.
39. Notwithstanding the above assessment, further concerns were raised stating that the Environment Agency (EA) should be consulted, because the extension would displace surface and flood water to detriment of the wider community.
40. The Environment Agency are not consulted for householder applications, instead the Local Planning Authority are expected to use standing advice, which has been used to make the above assessment. But notwithstanding this process, the Local Planning Authority did contact the EA, requesting that they make an exception and review this scheme. However, they confirmed that they would not assess this scheme and that the standing advice be used.
41. To help address this matter further, the Local Planning Authority contacted the Lead Local Flood Authority (LLFA) for further advice. They raised no objection for flood risk of the proposed development, commenting as follows:

‘In the area of the proposed extension, rainwater will currently run off block paving or run off or soak into any garden area or find its way to the site drainage. If the extension is

built, it will have gutters and downpipes that will lead rainwater to the sewer so there is no difference in surface water flood risk, indeed there may be an infinitesimally small benefit as a result of positive drainage.

With reference to the flood risk assessment submitted as part of application 13/01001/FUL, in simple terms soil was excavated from the area of the attenuation basin and soil was deposited in the area where the houses were built to raise them out of the flood zone, see Appendix F of the flood risk assessment; extract below (green is flood volume lost, brown is flood volume regained;

This potential misunderstanding is highlighted in the Environment Agency response (dated 28/1/14) to application 13/01001/FUL which states:

4.0 Probability of flooding

para 2 indicates that because the development is to be raised , no development is to be sited in flood zones 2 or 3. As above this is incorrect, the development will still be in flood zones but just be raised above the flood level.

para 4 the probability of flooding for the proposed developed area of the site remains HIGH.

Flood risk remains “high” as the development is shown to be in a Flood Zone on Environment Agency (EA) mapping, however the EA acknowledge “the development will still be in flood zones but just be raised above the flood level”.’

42. It is considered acceptable for the Local Planning Authority to use the standing advice which has been deemed acceptable for this development. Notwithstanding, further advice has been sought from the LLFA who have confirmed that it is unlikely to create a flood risk to the wider community as to warrant a reason for refusal.

(e) Residual Matters

43. In relation to those concerns about the impact upon views, this is not a material planning consideration and has not therefore been considered as part of the determination of the application.
44. Concerns have been raised, stating that there are restrictive covenants about the types of works that can be carried out on these properties. However, covenant issues are not a planning matter and therefore cannot be considered further as part of this application.
45. There is no evidence to suggest that the construction or completion of this domestic development would result in damage to neighbouring driveways or foundations. It should be noted that the proposed works will need to be built to current building standards and so it is considered that the development can be built to appropriate standards without having to impact upon third party properties.

46. Concerns were also raised regarding the safety of construction, and this is expected to be managed by the construction company due to health and safety legislation. It should also be noted that scaffolding cannot be erected onto third party land without that landowners consent.
47. A comment was raised asking for details of the construction and length of time of construction. This is not a matter that is assessed or controlled by the planning department and so these details have not been requested. Likewise, it should be noted that whilst planning permission is granted for 3 years (for the works to be implemented), once works have started, the planning department cannot control how quickly the development is completed.
48. A comment stated that wider consultation to the area should have been carried out. However, under the planning processes, only neighbours that adjoin the site are required to be consulted for domestic works.

THE PUBLIC SECTOR EQUALITY DUTY

49. 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

50. 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

51. It is recommended that the application be GRANTED 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
914-01	20 March 2025
914-02 A	6 May 2025
914-04 A	6 May 2025
914-05 A	6 May 2025
914-03 D	8 August 2025

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 unless otherwise agreed by the Local Planning Authority.

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

4. Adjacent Protected Tree - Prohibited Works

There shall be an exclusion zone in the form of a 5m radius around the adjacent existing mature tree (T4), in which the following shall not be permitted within this exclusion zone;

- No construction activity is to take place which may cause compaction or contamination in the rooting areas near the tree
- No equipment, materials or machinery shall be placed within this 5m radius and shall not be attached to or supported by the mature tree
- No mixing of cement or use of other materials or substances shall take place within this 5m radius or within proximity where seepage or displacement of those materials or substances could cause them to enter this zone.
- No unauthorised trenches shall be dug within the 5m radius

Reason: To protect the existing tree adjacent the application site, which the Local Planning Authority consider provides important amenity value in the locality.