

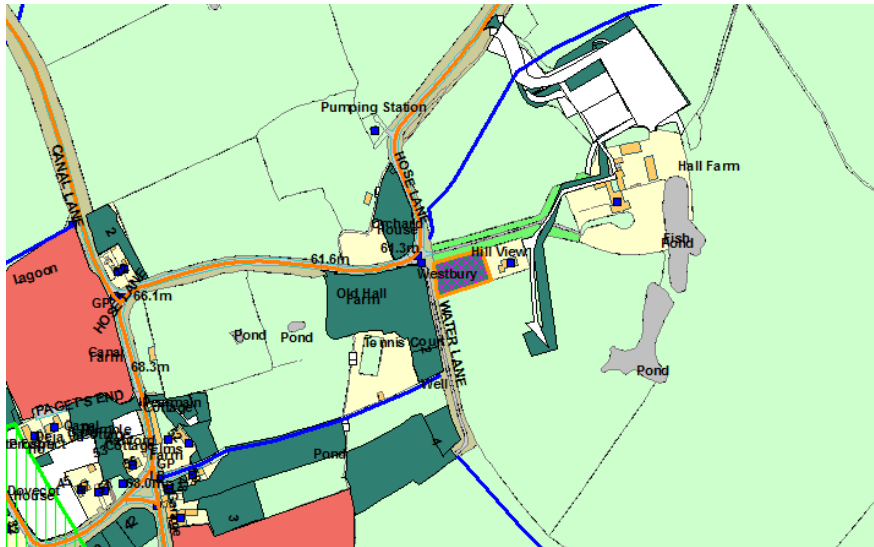
Reference: 18/00360/FULHH

Date submitted: 10.04.18

Applicant: Mrs Bryan

Location: Westbury, Hose Lane, Long Clawson

Proposal: Link Extension to Connect Garage to House and new Stair access to first floor Attic Bedroom



Proposal:-

This application seeks planning permission for the addition of an oak framed link with a zinc roof to join a double garage to the existing property. The link would measure 5 metres in length and 7 metres in width with a height to match the existing garage.

It is considered that the main issues relating to the proposal are:-

- **Conformity with local, national and neighbourhood planning policies**
- **Impact upon the Character of the Area**
- **Impact upon Neighbouring Properties**
- **Highway issues**

The application is to be considered by Committee as a request by one of the Ward Councillors.

Relevant History:-

- 352/57(2768) – erection of bungalow – permit – 26.2.57
- 84/00445 – 3 block stable block – permit – 17.7.84
- 94/0274 – erection of 3 stables – permit 24.6.94
- 02/00570/FUL – Single storey extension to existing bungalow – refused – 16.09.02
- 02/00844/FUL – Single storey extension to existing bungalow – refused – 20.12.02
- 03/00215/FUL - Single Storey extension to existing bungalow – Permit – 06.05.03
- 03/00422/FUL – Detached garage – permit – 15.07.03

Development Plan Policies:

Clawson, Hose and Harby Neighbourhood Plan is the Development plan for the area having been made on 6th June 2018 following successful referendum.

POLICY H7: HOUSING DESIGN is considered to be applicable and requires development to:

- The design should enhance and reinforce the local distinctiveness and character of the area in which it is situated,
- Show how the general character, scale, mass, density and layout of the site, or the building/s/extension fits in with the character of the surrounding area;
- Enjoy appropriate garden space;
- Not disrupt the visual amenities of the street scene nor harm any significant wider landscape views
- Be designed to respect and respond positively to the visual character and the architectural massing of the neighbouring area.
- Adequate off-road parking should be provided
- Minimise the impact on general amenity and give careful consideration to privacy, noise and light, and include appropriate provision for the storage of waste and recyclables
- Within new residential layouts provision should be made for wildlife
- Incorporate sustainable design and construction techniques to meet high standards for energy and water efficiency;
- Incorporate sustainable drainage systems

Melton Local Plan (saved policies):

Policies OS2 and BE1 allow for development outside Village Envelopes providing that:-

- The form, character and appearance of the settlement is not adversely affected;
- The form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- Satisfactory access and parking provision can be made available

Policy C11 allows for extensions and alterations to existing dwellings outside village envelopes providing that:-

- The size, scale, form, design and construction materials are in keeping with the dwelling and locality.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous it introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
Specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: economic, social and environmental. It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

On Specific issues it advises:

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:-

Consultation reply	Assessment of Assistant Director for Spatial Planning and Regulatory Services
Highway Authority: The Highway Authority have no objection.	The proposed addition of a link would not lead to a material increase in vehicular movement. The Highway Authority has raised no objection. It is not considered that the proposal would have a detrimental impact on highway safety.
Parish Council: Object The conditions in the planning approval 03/00422/FUL have not been adhered to and it is not in accordance with the approved plans. The garage should be retained for vehicle use and not for residential accommodation.	The condition required that “The garage shall be retained at all times for uses as a garage and shall not be used for any purpose (such as storage or a workshop) such that a vehicle cannot be parked inside.” The garage was built, not according to the approved plan, over ten years ago and enforcement action cannot now be taken. The application being considered is for the link only. There are no enforcement options available owing to this lapse in time. On balance there is also no serious harm identified by the scheme to justify further intervention. The link extension would not alter the use of the garage.
Ecology: no objections	The property has been re-roofed within the last 4 years

Representations: The consultation was publicised by way of a site notice being posted at the entrance to the site and 3 neighbouring properties were informed by letter. One letter of representation has been received.

Representations	Assessment of Assistant Director for Spatial Planning and Regulatory Services
Design Use	The proposal is of a size, location and orientation not considered to be to the detriment to the neighbouring properties or cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity. The application, if approved, would still enable the garage to be used for vehicles. The alterations

<p>Garage not built according to approved plans</p>	<p>involve the first floor and do not affect the garage at ground floor level or its use.</p> <p>The garage was not built according to the approved plans (03/00422/FUL). The garage has never been used as a garage and remains unusable due to a lowering in floor levels within. Window openings have been incorporated that were not within the original plans. However the garage does have the correct footprint size and position within the plot.</p>
<p>Previous approval</p> <p>The garage has not been built to plans originally approved where parking is not able to take place within the garage.</p>	<p>The garage has been built for more than 10 years and enforcement action cannot be taken for an alteration in design.</p> <p>The link would not cause the building to be as large as the application refused previously and the link would not be over large.</p> <p>The garage is not used for vehicles at present but the ground floor is available for two cars. There is ample space on the site to accommodate parking for vehicles even without use of the garage.</p>
<p>Other matters</p> <p>The plan submitted are not a true representation of the building as it stands today. The end elevation has a boarded gap for a single window and the side elevation does not show the gaps left for two windows.</p> <p>If this application is passed it is obvious that the garage at ground floor level will not be used for vehicles but is designed for residential use at a later date.</p> <p>Application 02/00570/FUL was submitted and approved following amendments from a triple to a double garage.</p>	<p>The garage in terms of size and location is in the correct position according to application 03/00422/FUL. A gap has been left for a single window and two other windows are not shown. In terms of enforcement, time has now lapsed and action cannot now be taken to correct the garage.</p> <p>Enforcement action can be taken should the ground floor of the garage be used for anything other than the parking of cars as there is a condition on approved planning application 03/00422 to ensure the garage remains a garage.</p> <p>This application required the consideration of factors as the time that are not considered relevant for this proposal as it is a separate scheme.</p> <p>Despite being making the house bigger a link this is within the site area and existing buildings on site which are subservient and are not considered to have an impact on the design of the property.</p>

Other material considerations (not raised through consultation or representation)

<p>Consideration</p>	<p>Assessment of Assistant Director for Spatial Planning and Regulatory Services</p>
<p>The Clawson, Hose and Harby Neighbourhood Plan states that:-</p> <p>POLICY H7: HOUSING DESIGN is considered to be applicable and requires development to</p> <ul style="list-style-type: none"> • The design should enhance and reinforce the local distinctiveness and character of the area in which it is situated, 	<p>The Clawson, Hose and Harby Neighbourhood Plan was made on 6th June and forms the development plan, allowing the full weight of the law to be applied under s 38(6).</p> <p>It is considered that the proposal would enhance the building while being sympathetic and is therefore considered to satisfy the criteria of</p>

<ul style="list-style-type: none"> • Show how the general character, scale, mass, density and layout of the site, or the building/s/extension fits in with the character of the surrounding area; • Enjoy appropriate garden space; • Not disrupt the visual amenities of the street scene nor harm any significant wider landscape views • Be designed to respect and respond positively to the visual character and the architectural massing of the neighbouring area. • Adequate off-road parking should be provided • Minimise the impact on general amenity and give careful consideration to privacy, noise and light, and include appropriate provision for the storage of waste and recyclables • Within new residential layouts provision should be made for wildlife • Incorporate sustainable design and construction techniques to meet high standards for energy and water efficiency; • incorporate sustainable drainage systems 	<p>policy H7 opposite.</p>
<p>Melton Local Plan 1999: The site sits outside the village envelope and Policies BE1, OS2 and C11 seek to ensure that development respects the character of the area, that there would be no loss of residential amenities and satisfactory access and parking provisions can be complied with.</p>	<p>The proposal is to link a bungalow and garage block together with an oak framed building with zinc roof. The link would improve the existing building and would not cause harm to the visual amenity of the site or surroundings.</p> <p>It is considered that the applicant has taken into consideration the policies OS2 BE1, C11 which are the applicable policies</p>
<p>The (emerging) Melton Local Plan The new local plan has now completed examination where modifications suggested by the Inspector are now the subject of consultation.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> • the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); • the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and • the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>Policy D1 Raising the Standard of Design seeks all developments are of a high quality.</p>	<p>The relatively minimal amount of work required to complete the local plan modifications that do not impact upon the main policies of the plan means the plan can be afforded significant weight.</p> <p>The proposal is considered to be of a good standard of design that complements the exiting proposal well, being subordinate and sympathetic to the existing scale of the building.</p>

	Materials are proposed to match that of the existing dwelling which again is considered to enable the proposal to assimilate well amongst its surroundings.
Impact on Visual and Residential Amenity	<p>The proposal is of a size, location and orientation not considered to be to the detriment of the neighbouring properties or cause undue loss of residential privacy, and amenities as enjoyed by occupants of existing dwellings in the vicinity. Furthermore, the proposed works to the building would enhance the appearance without adding significantly to the size and scale of the building.</p> <p>As such it is considered to comply with the policies as stated above of the Melton Local Plan, the Neighbourhood Plan and the NPPF.</p>

Conclusion

The proposal would create a small link between the bungalow and the garage. Its design is suitable for the dwelling and would be an appropriately scaled addition. The proposed development has been designed to have limited impact on adjoining properties and would reflect the character and appearance of the surrounding area. The proposal would not have an adverse impact on highway safety. Accordingly, the proposal complies with the above policies and guidance and is recommended for approval, subject to conditions.

RECOMMENDATION:- Approve – Subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority.
3. The development hereby permitted shall be built entirely in accordance with the plans submitted to the Local Planning Authority on 23rd March 2018 (18.073 SO2.02 elevations, elevations and site plan; survey plan; 03 proposed plans)
4. The garage shall be retained at all times for uses as a garage and shall not be used for any purpose (such as storage or a workshop) such that a vehicle cannot be parked inside.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory standard of external appearance.
3. For the avoidance of doubt.
4. In order to prevent localised parking issues that may be an issue if the garage is not used for parking.

Case Officer:- Karen Jensch

Date: 18th June 2018