

DEVELOPMENT MANAGEMENT COMMITTEE – 6 JANUARY 2016

Application Number	3/15/1909/FUL
Proposal	Extension to car port to provide single storey residential annex
Location	24 Drury Lane, Hunsdon
Applicant	Mr A Hill and Miss C Peacock
Parish	Hunsdon
Ward	Hunsdon

Date of Registration of Application	19 October 2015
Target Determination Date	14 December 2015
Reason for Committee Report	Departure to Local Plan and representations received in objection
Case Officer	Martin Plummer

RECOMMENDATION:

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary

- 1.1 The application seeks permission for the erection of an annex building attached to an existing garage building within the rear garden of a grade II listed building.
- 1.2 There is no objection in principle to the proposed development within the Category 1 village which would be occupied by a family member who is in need of care and support from the occupiers of the main house. The overall proportions, design and siting of the proposed annex building are considered acceptable. It would not result in significant harm to the character or appearance of the heritage assets; the living conditions of neighbours, or result in any significant harm to highway safety.
- 1.3 Parking provision for the annex would be acceptable and an appropriate relationship between the annex and main dwelling would be retained. A planning condition restricting the use of the proposed annex is recommended.

2.0 Site Description

- 2.1 The application site comprises a grade II listed building which fronts onto Drury Lane and is within the boundary of the Category one village

of Hunsdon and within the village's Conservation Area. There is an existing vehicular access off Drury Lane to the south west of the listed building which leads to a large rear garden, extending some 110 metres or so to the south east of the building. The listed building itself is an attractive cottage and has a link-type extension to the rear.

- 2.2 Within the rear garden is a detached two bay garage building which was granted consent in 2003. This is sited approximately 17 metres to the south of the existing dwelling and is of timber construction and has the appearance of a simple utilitarian building. Access to the garage is via the driveway to the side of the dwelling which runs to the rear of neighbouring properties (20 – 20c Drury Lane).

3.0 Background to Proposal

- 3.1 The annex is proposed to be attached to the flank of the garage by a link structure which provides a bathroom and entrance door. The building would comprise of three separate rooms – a bathroom; living space (the plan shows a kitchenette and space for a table and seating within this space), and a bedroom.
- 3.2 The applicant has indicated that the building would be used by a family member who requires separate accommodation to the main dwelling but with the ability for support and care to be provided by the residents of the main dwelling.

4.0 Key Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the adopted East Herts Local Plan 2007:

Key Issue	NPPF	Local Plan policy
The principle of the extension of the building		SD2, OSV1
The impact on the character and appearance of the countryside location and setting of the listed building and Conservation Area	Section 12	ENV1, ENV5, ENV6, BH6

The appropriateness of the annex use of the building		ENV8
Neighbour amenity impact and parking		ENV1

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Emerging District Plan

- 5.1 In relation to the key issues identified above, the policies contained in the emerging District Plan do not differ significantly from those contained in the adopted Local Plan and the NPPF as identified above. Policy HOU13 of the District Plan does allow for the erection of separate outbuildings for residential annexes. However, given its stage in preparation, little weight can currently be assigned to the emerging Plan.

6.0 Summary of Consultee Responses

- 6.1 The Council's Conservation and Design Team recommend approval of the application. They comment that the garage was built in around 2003 and is not therefore a curtilage listed building. The main consideration therefore is the proposal's impact on the setting of the listed building and the character and appearance of the Conservation Area.

Given the good compact design and location of the development behind the garage the proposal will not harm the setting of the listed building.

With regards to the impact on the Conservation Area, the motivation for this application is acknowledged but concern is raised that if the building were to be used as a separate dwelling then it may set a precedent for back-land development. A condition could be attached to control the use of the building.

- 6.2 The Historic Environment Unit, Herts County Council comment that the proposal is unlikely to have an impact on heritage assets of archaeological significance.

7.0 Parish Council Representations

- 7.1 Hunsdon Parish Council comment that they need assurance that the annex will remain as part of 24 Drury Lane. Concern is raised with regards to the impact on highway access and congestion along Drury Lane. The Parish Council also comment that a listed building application will be required.

8.0 Summary of Other Representations

8.1 Three representations are received from neighbouring properties making the following comments:

- Inaccuracies in the description of the application and plans submitted and insufficient information has been submitted;
- Impact on neighbour amenity;
- Impact on highway safety and access and increased traffic movements along Drury Lane (reference is made to the refused development at the nearby Hunsdon Lodge Farm site which reported to the Development Management Committee in October (LPA reference 3/15/0206/OP));
- Conditions should be attached to restrict the use of the annex.

9.0 Planning History

Ref	Proposal	Decision	Date
3/02/2065/FP	Erection of detached two storey dwelling and double garage	Refused	15.01.2003
3/02/2066/FP	Extension of existing outbuilding and glass link and garage	Refused	15.01.2003
3/03/1465/FP	Extension to existing outbuilding and glass link and garage	Approved with conditions	17.09.2003

10.0 Consideration of Relevant Issues

10.1 The property is sited within the boundary of the Category one village of Hunsdon wherein, in principle, there is no objection to the proposed development. The main consideration in this application relates to whether the proposed development would result in harm to the character and appearance of the village setting and Conservation Area and the impact on the setting of the listed building.

Character, appearance and setting

10.2 The proposed building will be set behind the existing garage building and therefore a reasonable distance away from the listed building. Having regard to that consideration and, having regard to the comments from the Conservation Team, there will be no significant

harm to the setting of the listed building, no.24 Drury Lane or any other listed building in the vicinity of the site.

- 10.3 The Conservation Team raise no objections in regards to the impact on the Conservation Area although they recommend that the use of the building is tied to the main dwelling. The proposed building is of a simple utilitarian form and design. Whilst the use and layout of fenestration hints at the domestic use of the building, the overall proportions of the building are reasonably modest and the building is well consolidated with existing built form. Officers are also mindful that built development at the adjoining site (20-20c Drury Lane) is of single storey design, set on reasonably small plots. In Officers' opinion then and, having regard to the comments from the Conservation Team, the proposed development will not result in significant or demonstrable harm to the wider setting of the Conservation Area or village setting.

Annex use of building

- 10.4 Policy ENV8 of the Local Plan sets out that residential annexes will be permitted where the accommodation forms an extension to the main dwelling; is capable of being used as an integral part of the dwelling; has sufficient parking; and accords with policies ENV5 and ENV6 of the Local Plan.
- 10.5 The proposed annexe in this application would form an extension to the detached garage building, separate from the dwellinghouse and does not form an extension of it, as required by part a) of Policy ENV8(I). The proposal therefore represents a departure from Policy ENV8. However, it should be noted that policy HOU13 of the draft District Plan does allow for the erection of outbuildings for annexes. Furthermore, it should also be noted that, due to the listed status of the existing dwelling, achieving the required accommodation as an extension to the dwelling (in accordance with the requirements of policy ENV8) may not in this case be appropriate and may result in harm to the significance of this heritage asset.
- 10.6 Whilst the annexe building is proposed to be set some distance from the existing dwelling it would be attached to the garage which serves the property and adjacent to the parking area for the property. Accordingly, it is considered that the siting of the annexe is appropriate in this case and is capable of being used ancillary to the main dwelling. It is recommended that an appropriately worded planning condition, as required in policy ENV8 III) is attached to the grant of permission to ensure that the annexe shall be occupied only for purposes ancillary to the residential use of no.24 Drury Lane. If the requirement of this

condition were to be breached – i.e. the annexe were to be occupied independently of no.24 Drury Lane, then a material change of use would have occurred for which planning permission would be required.

Parking and neighbour amenity

- 10.7 Policy ENV8 of the Local Plan requires that appropriate space for parking be provided – the proposed development does not impact on the existing parking provision and there is a generous driveway space retained for a number of vehicles in accordance with policy TR7 of the Local Plan.
- 10.8 Turning to the impact on neighbour amenity – having regard to the siting and orientation of the proposed development and the relationship/distance to neighbouring properties, Officers do not consider that the proposed development would result in significant harm to the amenity of neighbouring properties. The existing driveway does run parallel to the rear boundary of neighbours. However, Officers do not consider that an annexe of the scale proposed would lead to a significant increase in traffic movements, and the relationship is considered to be an acceptable one.

Other matters

- 10.9 The third party representations received have raised concerns with the description of the application; the information submitted and the impact on traffic movements within Drury Lane.
- 10.10 In regards to the impact on Drury Lane, reference has been made to an application which has recently been refused consent by the Development Management Committee under LPA reference 3/15/0206/OP. In respect of that application, however, the Highways Officer commented that no highways objection was raised with regard to the provision of three new dwellings with access from Drury Lane. Planning permission was refused for other reasons. The current application for one annexe, to be used in connection with the existing dwelling, would result in significantly less traffic than the development proposed within application 3/15/0206/OP which was considered acceptable in highway safety terms. It is not therefore considered that a highways objection could be justified in this case.
- 10.11 The comments made in regards to the description of the application and information submitted are noted – Officers are however satisfied that the description of the application is accurate and that the plans and other information submitted meets the validation requirements for this

type of application. Listed building consent is not required as the proposed development would not be attached to the listed building.

11.0 Conclusion

11.1 The site is located within the built up area of the Category one village wherein, in principle, there is no objection to development. The proposed development would provide for ancillary accommodation for a family member and would therefore retain a functional link with the main house. It would not result in any significant harm to the listed building or wider setting of the Conservation Area and the proportions of the building and siting in relation to the main dwelling are acceptable. There would be no significant harm to neighbour amenity and the development is acceptable in terms of access and highway safety.

11.2 Officers therefore recommend that the application be approved subject to the following conditions:

Conditions

1. Three year time limit (1T121)
2. Approved plans (2E103)
3. Materials as on plan (2E421)
4. The residential annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 24 Drury Lane.

Reason: To ensure the Local Planning Authority retains control over any future residential development and in accordance with Policy ENV8 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.