

3/09/0309/FP – Conversion of 2 no. double garages to single garages with additional residential accommodation, provision of 2 no. surface parking spaces and alterations to bin store at Land at Stocking Hill Lane, Cottered for Darling Homes LLP.

Date of Receipt: 02.03.09

Type: Full

Parish: COTTERED

Ward: MUNDENS & COTTERED

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T12)
2. Matching materials (2E13)
3. Retention of parking space (3V20)
4. Landscape design proposals (4P20 – c,e,i,j,k)
5. Landscape works implementation (4P13)

Directives:

1. Other Legislation (01OL)

Summary of Reasons for decision:

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies GBC3, TR7, ENV1 and ENV2. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract and comprises a new residential development, restricted to those over the age of 50, and located approximately 200m north of Cottered village in the Rural Area

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Beyond the Green Belt. The site lies just northwest of an existing residential development, similarly age restricted, and south of a sewage works. The site is accessed via a single track no-through road.

- 1.2 The site has been developed in accordance with permission 3/06/0314/FP that was granted in 2007 for the construction of 8 no. elderly persons dwellings with associated parking and landscaping.
- 1.3 This application proposes to convert the two double garages to single garages with an additional habitable room for two of the dwellings, to provide 2 no. additional surface parking spaces, and to re-site the bin store.
- 1.4 Planning permission is required as Condition 10 of permission 3/06/0314/FP restricted the use of the garages to be used solely for the parking of private vehicles.
- 1.5 This application has been brought to Committee at the request of Councillor Jim Ranger.

2.0 Site History

- 2.1 There is an extensive planning history for residential development on this site, land originally forming part of Stocking Hill Farm. Outline permission was initially granted in 1987 (reference 3/87/1939/OP) for demolition of the egg farm buildings and construction of 15 no. elderly persons dwellings with reserved matters granted under reference 3/87/1750/FP. These dwellings were constructed and have now been established for about 20 years.
- 2.2 The site that forms the subject of this application lies to the northwest of the existing development, and has been the subject of a number of planning applications, as detailed below:

| | | |
|--------------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| 3/06/0314/FP | Erection of 8 no. elderly persons (50 years of age) dwellings with associated car parking and garaging. | Approved with Conditions 23-Aug-2007 |
| 3/03/1804/OP | Erection of 10 no. elderly persons dwellings with associated car parking and garaging. | Refused 13-Jan-2004 Appeal Dismissed 31-Aug-2004 |

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|--------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 3/03/0608/OP | Erection of 11 no. elderly persons dwellings with associated car parking and garaging. | Refused 16-Jul-2003 Appeal Dismissed 31-Aug-2004 |
| 3/02/0696/FP | Erection of 8 no. elderly persons (50 years of age) dwellings with associated car parking and garaging. | Approved with Conditions 07-Mar-2003 |
| 3/02/0948/OP | Erection of 11 no. elderly persons (50 years of age) dwellings with associated car parking and garaging. | Refused 25-Sep-2002 |

- 2.3 The most recent permission, 3/06/0314/FP, has been implemented and the dwellings are now substantially complete. The alterations proposed in this application were initially requested as a minor amendment; however given that the garages were restricted by way of condition, full permission is required.

3.0 Consultation Responses

- 3.1 County Highways do not wish to restrict the grant of permission subject to a condition on the provision and surfacing of the new parking spaces, disposal of surface water, and not interfering with the use of the public highway. They comment that this application for conversion of double garages to single garages for two properties will not impact upon highway safety or capacity. Replacement parking is proposed and no additional traffic movements will be generated.
- 3.2 The Council's Landscape Officer recommends consent subject to a revised landscaping scheme. He comments that there will be a reduction to the buffer planting at the entrance to the car parking area as a result of the provision of two additional parking spaces, however there is still sufficient scope at the entrance along Stocking Hill Lane for new planting in mitigation.

4.0 Parish Council Representations

- 4.1 Cottered Parish Council object on the grounds that the proposed planning application, if granted, would contravene Condition 10 before the properties are even complete. Further, adding a third bedroom to two of the properties in such a rural location is likely to add to the need for even more parking so merely replacing the garages with surface parking could prove inadequate.

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4.2 The Parish Council also object on the grounds that when the original Stocking Hill site was developed, inadequate parking was provided, and there was an understanding that when the adjoining site was developed, parking would be made available to residents of the original site who bought their properties without garages. By reducing the number of garages to just 2, there will be no garages for existing owners of Stocking Hill. The developer has not been forthcoming with information about parking, and has given the impression that there is no space capacity. So if additional surface parking is available, by keeping all 4 garages, the additional parking spaces could be made available to existing residents of Stocking Hill.

5.0 Other Representations

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 A total of 5 letters of objection have been received from Nos. 4, 5 & 8 Stocking Hill raising the following points:

- New dwellings do not fit in the local landscape;
- This application is trying to manoeuvre towards the original rejected application;
- Adding a third bedroom would require additional parking;
- Two bedrooms are adequate for 50+ year olds;
- Surface parking will take land on which trees could be planted;
- Concern the developer will apply for change of use from elderly dwellings to social housing;
- No need for meters and a pump in the bin store;
- Already a shortfall of parking at Stocking Hill;
- Vehicles are necessary due to remoteness of property;
- A condition was put in place to restrict the use of the garages;

5.3 A letter of objection has also been received from Councillor Ranger raising the following points:

- The conditions under which planning application 3/06/0314/FP was granted makes it clear that the garages shall be used for the housing of private vehicles and not as additional living accommodation;
- Additional bedrooms are likely to lead to greater demand for parking;
- When the original Stocking Hill site was developed there was insufficient parking provided and it was always anticipated that when the site was completed there would be provision of 3 sites for the existing dwellings to make up this shortfall. To cut back on the integral garages will mean there will be considerable pressure on surface parking even if two new surface parking spaces are provided.

6.0 Policy

6.1 The main policy considerations relevant to this application are East Herts Local Plan Second Review April 2007 policies:-

GBC3 Appropriate Development in the Rural Area Beyond the Green Belt
TR7 Car Parking – Standards
ENV1 Design and Environmental Quality
ENV2 Landscaping
ENV10 Planting New Trees

6.2 Government Guidance is also provided in the following documents:-

PPS1 Sustainable Development
PPS7 Sustainable Development in Rural Areas

7.0 Considerations

7.1 The site lies in the Rural Area beyond the Green Belt, and is located outside the village of Cottered. No extensions are proposed to the new dwellings; the external alterations merely comprise replacing garage doors with windows and a doorway. As such the proposal is considered to be acceptable in principle.

7.2 The main issues in this case relate to the provision of adequate parking, impact on the character of the surrounding rural area, and neighbouring amenity.

7.3 The part conversion of these 2 garages will provide an additional habitable room for 2 of the 8 dwellings, and a single garage will remain for each of these units. This additional room is proposed to be used as either as a further bedroom or a hobby room. This could potentially increase the size of the units from 2 bed to 3 bed dwellings. It is proposed to provide 2 no. compensatory surface parking spaces adjacent to the approved parking area.

7.4 Comments have been raised relating to the need for this additional habitable room; however it is not considered that this requires any further justification. Although the dwellings are restricted to be occupied solely by those over the age of 50, future occupiers may still wish to have a guest room and/or a hobby room; this is not considered to be unreasonable.

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- 7.5 In terms of the Council's adopted Parking Standards, a 3 bed dwelling in this location would be expected to have a maximum of 2.25 no. parking spaces. The original application in 2006 proposed 2 no. spaces per dwelling, and permission was granted on that basis. As such, I consider that the provision of 1 no. garage space and 1 no. surface parking space for each of these potentially 3 bed dwellings is acceptable in accordance with the Council's adopted policies.
- 7.6 It is noted that there was a shortfall of parking in the original consent for the adjacent development, and that the 2006 permission for this site made provision for 3 no. spaces for residents of the neighbouring development; although this was not controlled by way of a planning condition. This current application would not alter this arrangement, as 2 no. parking spaces would be provided for each new unit, with 3 additional spaces available to be allocated to neighbouring residents.
- 7.7 It is also noted that two previous applications were refused by the Council and dismissed at appeal, with one of the reasons for refusal relating to insufficient parking. However, these applications proposed a greater number of units with a lower parking provision. The number of units was reduced for the 2006 permission with 2 no. spaces per unit proposed. This is in accordance with the Council's adopted Parking Standards, and in line with the Inspector's decision on the 2003 applications where he considered it reasonable to require 2 spaces per dwelling given the remote location of this site.
- 7.8 The garage doors will be replaced with doors and windows that are considered to be in-keeping with the design of the development. Sufficient space will remain for access and turning of emergency vehicles. A condition is recommended to retain these parking spaces for the future in order to ensure adequate parking is retained.
- 7.9 2 no. compensatory surface parking spaces are proposed near the entrance of the site on land that was identified in the approved landscaping scheme to be grassed. The proposal will therefore reduce the level of soft landscaping near the site entrance; however an area of grass approximately 3.5m wide will be retained to the boundary of the site with the road beyond. A native hedge was approved under the previous landscaping scheme, and it is considered necessary to require a revised landscaping scheme by way of condition.

7.10 The application also makes provision for alterations to the bin store. It is proposed to move the bin store approximately 0.5m southeast, to be set back slightly from the car park. This will have no impact on neighbouring occupiers or the appearance of the site. It is proposed to house utility meters and a water pump within this structure, neither of which are considered to constitute development. This aspect of the proposal is therefore also considered to be acceptable.

8.0 Conclusion

8.1 In conclusion, it is considered that sufficient parking would be provided in accordance with the Council's adopted Parking Standards, and the 2 no. compensatory surface parking spaces can be provided without compromising the design objectives of the original development, or the character of this rural lane.

8.2 The application is therefore recommended for approval subject to the conditions set out above.