

3/09/0381/FP – Single storey side extension to existing garage to form residential annexe at Bradley Cottage, Patient End, Furneux Pelham for Mr David Pigg

Date of Receipt: 13.03.2009

Type: Full

Parish: FURNEUX PELHAM

Ward: LITTLE HADHAM

RECOMMENDATION

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

1. Three Year Time Limit (1T121)
2. The annexe hereby permitted shall not be occupied at anytime other than for purposes ancillary to the residential use of the dwelling known as Bradley Cottage as identified on drawing number 1A.

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.

3. Samples of materials (2E123)
4. Retention of parking space (3V204)
5. New Doors and windows – unlisted buildings (2E342)

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 2007), and in particular GBC2, GBC3, ENV1, ENV5, ENV6, ENV8 BH12 and TR7. The balance of the considerations having regard to those policies and the previous decision within LPA reference 3/08/1488/FP, is that permission should be granted.

_____ (038109FP.MP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. Bradley Cottage is an attractive detached listed dwelling located within a small hamlet in Patient End, approximately 1.5 km to the south of Furneux Pelham. The

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property features painted brickwork, with a two storey rendered extension and slate roof. There is an access to the side leading to a significant informal driveway space and detached double garage.

- 1.2 Members may recall that planning permission was granted under LPA reference 3/08/1488/FP at the Development Control Committee on 18 November 2008 for a similar scheme. However, that permission granted consent for a smaller proportion of the existing garage to be converted into residential accommodation.
- 1.3 The current planning application seeks consent for a single storey side extension to the existing double garage, smaller in terms of size, scale and volume to that previously approved by members. However, the current planning application seeks consent to convert one of the existing garage bays into residential accommodation comprising of a bedroom and office. The revised scheme therefore proposes those rooms within the existing garage combined with a bathroom and kitchen within the smaller extended element.
- 1.4 From the information outlined within the Design and Access Statement, it is understood that the intended use for the annexe is for family members.

2.0 Site History

- 2.1 Permission was granted in 2004 under planning reference number 3/04/2251/FP and 3/04/2171/LB, for a timber framed sun lounge.
- 2.2 Permission was refused within planning reference 3/06/0685/FP for the conversion of half the double garage to accommodation including first floor accommodation & dormer windows
- 2.3 In 2006 permission was refused under planning reference numbers 3/06/2291/FP and 3/06/2292/LB for a single storey side extension.
- 2.4 In 2007 permission was granted under planning reference numbers 3/07/1305/FP and 3/07/1306/LB for a single storey rear extension.
- 2.5 In 2008 permission was granted for a single storey side extension to the garage and its conversion to a residential annexe (3/08/1488/FP).

3.0 Parish Council Representations

- 3.1 Furneux Pelham Parish Council were consulted on the application but have not made any representation.

4.0 Other Representations

4.1 The application has been advertised by way of a press notice, site notice and neighbour notification. No letters of representation have been received.

5.0 Policy

5.1 The relevant policies of the East Herts Local Plan Second Review (April 2007) are:

GBC2	The Rural Area Beyond the Green Belt
GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
ENV1	Design and Environmental Quality
ENV5	Extensions to dwellings
ENV6	Extensions to dwellings - Criteria
ENV8	Residential Annexes
BH12	Development Affecting the Setting of a Listed Building
TR7	Car Parking Standards

6.0 Considerations

6.1 The determining issues in this case relate to a) Local Plan policy regarding residential annexes (policy ENV8), b) the impact of the proposed development on the character of the area and setting of the listed building and c) parking issues. Members are also reminded that planning permission has recently been granted for a very similar scheme which is considered to be a material consideration of significant weight in this case.

6.2 Policy ENV8 of the Local Plan states 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.

6.3 The proposed annexe in this application, like that previously approved, forms 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 in that respect and it is for this reason that the application has been reported to the Development Control committee.

6.4 Despite not forming an extension to the dwelling, Officers consider that the annexe proposal in this application is not significantly dissimilar to that previously approved, and it would be sited in an appropriate location in

relation to the main dwelling and would therefore be capable of being used as an integral part of the use of main dwelling on the site. Officers recognise that the level of accommodation for the annex has increased from that previously approved. However, the proposed level of accommodation is considered to be appropriate for an annex use. Taking this into account and with regard to the juxtaposition of the building with the dwellinghouse, Officers are of the opinion that the annexe will be used as an integral part of the main dwelling.

- 6.5 The sharing of the garden area, parking, access and the siting of the annexe with the dwelling, ensures that a good relationship is maintained between the dwelling and the annexe. Officers consider that the use of the annexe would remain dependent upon the main dwelling and a condition to require the use to be ancillary to the existing residential unit would be sufficient to control its use and prevent the annexe being used as an independent unit.
- 6.6 In this instance it is considered by Officers that the annexe would not conflict with the aims of Policy ENV8 to provide accommodation for dependent relatives within the curtilage of an existing house that would not be detrimental to the surrounding area.
- 6.7 Policy ENV8 expects there to be sufficient parking for both parts of the dwelling at the site. The proposal results in the loss of one of the garage spaces. However, there is a significant front driveway space that can accommodate a number of vehicles; I am therefore satisfied that there is sufficient provision for parking.
- 6.8 The main dwelling itself has benefited from previous extensions. However, taking into account the modest proportions of the garage extension, Officers consider that the plot size would adequately accommodate an annexe building of this size and siting, together with the extensions to the dwelling without resulting in an overdevelopment of the site. The proposal would therefore not conflict with policies GBC3 or ENV5 of the Local Plan.
- 6.9 In terms of the appearance of the development from outside the site, it is noted that the proposed extension offers a reduction in the size and scale to that previously approved. Taking that into account and with regard to the modest proportions of the extension, the nature of the shallow mono-pitch roof, and the design and form of fenestration proposed to replace the existing garage door, it is considered that the extension would be in keeping with the character and appearance of the garage and would not result in a significant or harmful impact on the setting of the listed building.

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6.10 It is recognised that planning permission was refused within planning reference 3/06/0685/FP for the conversion of half of the garage to ancillary living accommodation. However, Members have been advised within the previous Committee Report that, at the time of determination of that application, the statutory Development Plan comprised of the East Herts Local Plan Adopted 1999 which, unlike the most recent Local Plan (adopted April 2007) did not include a specific policy relating to residential annexes. In any event planning permission has been granted by the Development Control Committee for a similar scheme recently which is felt to be a consideration of greater weight than that previous decision.

7.0 Conclusion

- 7.1 The proposed annexe as a detached building from the main dwelling, although contrary to part a) of Policy ENV8 (I) would not, in the view of Officers, be inappropriately located in relation to the existing house or be detrimental to the character and appearance of the area. It is considered that it would not conflict with the aims of Policy ENV8 to provide accommodation for dependent relatives.
- 7.2 Having regard to the above considerations it is recommended that planning permission is granted subject to the conditions at the head of this report.