

3/10/0151/FP - Erection of a detached double garage at 62 Ermine Street, Thundridge, SG12 0SY for Mr Munns

Date of Receipt: 10.02.2010

Type: Full – Other

Parish: THUNDRIDGE

Ward: THUNDRIDGE AND STANDON

RECOMMENDATION

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

1. Three year time limit (1T121)
2. Samples of materials (2E123)
3. Tree/natural feature protection: fencing (4P075)

Directives

1. Other legislation (01OL1)

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 the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC2, ENV1, ENV5, ENV11 and BH6. The balance of the considerations having regard to those saved policies and the policy guidance in Planning Policy Statement 5 (Planning for the Historic Environment) is that permission should be granted.

_____ (015110FP.MP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It comprises an attached grade II listed building fronting Ermine Street with a large garden space which extends to the east of the property. There is an existing vehicular access off Old Church Lane with a metal gate leading to a detached three bay garage building. Two of the garages serve the existing dwelling. Within the site and adjoining the site there are mature trees.
- 1.2 The application seeks planning permission for a further garage building to provide an additional two garage bays. The proposed building is of a

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traditional appearance with a simple dual pitched slate roof. The proposal also includes the provision an increased area for hardstanding for turning space within the site.

2.0 Site History

2.1 The property currently benefits from a double garage space which forms part of the garage building as approved within LPA reference 3/03/1690/FP.

3.0 Consultation Responses

3.1 The Conservation Officer comments that the proposed erection of a timber boarded, pitched roof double garage to the rear of 62 Ermine Street is considered to be in keeping with the existing character and appearance of the wider Conservation Area and its immediate wider setting including the grade II Listed Building. The Conservation Officer recommends approval of the application.

3.2 Hertfordshire County Highways comment that they do not wish to restrict the grant of permission. The Highways Officer comments that the proposal is unlikely to have a significant impact on highway safety. A turning area is provided on site to ensure that a vehicle is able to manoeuvre onto the highway in a forward gear. The Highways Officer comments that the proposed plan shows the gates to open outwards – however, the gates should open inwards to ensure that a vehicle is able to wait off the highway whilst the gates are being opened. The Highways Officer recommends a condition to this effect.

3.3 The Environment Agency comment that the site is within 35 metres of the River Rib and is within flood zone 2. However, the Environment Agency comment that any concerns of the Environment Agency have with the proposal are covered within E2 of their Standing advice.

3.4 The Landscape Officer initially recommended refusal of the application. However, during the consideration of the application amended plans have been received which reposition the proposed garage further away from the boundary which would result in an appropriate space to the boundary and allow additional soft landscaping. The Landscape Officer now considers the proposal to be acceptable and recommends approval of the application.

4.0 Parish Council Representations

4.1 Thundridge Parish Council object to the planning application and comment that the proposal represents an over-intensification of the site.

5.0 Other Representations

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 2 letters of representation have been received, one from the Thundridge and High Cross Society, raising concerns with the following:-
- Over development of the site;
 - Flood risk;
 - Impact on existing trees;
 - Existing garaging on site – no justification for further garaging

6.0 Policy

- 6.1 The relevant 'saved' policies from the East Herts Local Plan April 2007 in this case are:-

ENV1	Design and Environmental Quality
ENV5	Extensions to Dwellings
ENV11	Protection of Existing Hedgerows and Trees
BH6	New Developments in Conservation Areas

- 6.2 In addition, the following national policy guidance is relevant:-

PPS5	Planning for the Historic Environment
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7.0 Considerations

- 7.1 This application seeks planning permission for the provision of a new detached double garage sited within the curtilage of the listed building. The property already benefits from a garage outbuilding which provides two parking bays for the existing dwelling.
- 7.2 The main planning issues in this application relate to the following planning issues
- The principle of development;
 - Impact on setting of listed building and Thundridge Conservation Area;
 - Impact on existing trees within the locality;
 - Parking / highway access considerations.

Principle of development

- 7.3 The property is sited within Thundridge, a Category 2 Village located within the Metropolitan Green Belt. Policy GBC1 of the East Herts Local Plan Second Review April 2007 allows 'limited extensions or alterations to existing dwellings in accordance with policy ENV5' as appropriate development within the Metropolitan Green Belt.
- 7.4 Policy ENV5 of the Local Plan only refers to the assessment of extensions to existing dwellings within the main settlements and category 1 and 2 villages, whereas the erection of outbuildings such as proposed in this application will only be permissible subject to their suitability outside of the main settlements and Category 1 and 2 Villages, i.e. within Category 3 Villages or beyond.
- 7.5 Since this proposal does not involve the extension of a dwelling but the development of an outbuilding and falls within the built-up part of Thundridge (and therefore a Category 2 Village) it cannot be considered under policies GBC1 or ENV5 of the Local Plan, and would therefore constitute inappropriate development in the Green Belt. It is therefore necessary to consider whether very special circumstances exist in this case to allow the garage building.
- 7.6 In the first instance, it is important for Members to take into account that garages and outbuildings can normally be considered as permitted development, by virtue of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Additionally, Members should note that the existing garage building (granted within LPA reference 3/03/1690/FP) was granted planning permission. The Council clearly took a view at that time that the garage did not result in significant harm to the openness of the Green Belt.
- 7.7 Members may also recall that within a recent decision (LPA reference 3/09/1250FP), the Committee granted planning permission for the provision of a detached summerhouse within the garden space of the property known as Windmill Cottage, 18 Ermine Street, Thundridge. The same policy considerations raised in that application apply equally in the case of this current application.
- 7.8 Whilst Officers recognise that the proposed garage building does not strictly meet the requirements of the Local Plan, the principle of similar buildings has been established previously within the locality, and there is not

considered to be a significant harm in terms of the openness of the Green Belt as a result of this proposed building. The factors outlined above are considered to represent very special circumstances which outweigh the inappropriateness of the development within the Green Belt.

Impact on setting of listed building and Thundridge Conservation Area and locality

- 7.9 The proposed garage is considered to be of a simple design with horizontal boarding and a slate roof – very similar in design terms and materials of construction to the existing garage building. Having regard to the comments of the Conservation Officer, Officers are of the opinion that the proposed garage is of an appropriate size, scale, form and design, such that the setting of the listed building would be preserved, in accordance with PPS5. Having regard to those same considerations and the siting of the garage, Officers do not consider that there would be a significantly harmful impact on the Conservation Area.
- 7.10 Whilst the materials of construction indicated on the plans would appear to be acceptable, Officers consider that high quality materials are necessary, given the location of the site and, in accordance with policy BH6 and PPS5. In this respect Officers therefore recommend that a samples of material condition is attached to any grant of permission requiring samples of materials to be agreed which, for the reasons outlined above, is considered to be necessary.

Impact on existing trees

- 7.11 The comments from the Landscape Officer are noted. It is considered that the proposed development and positioning of the garage building will not result in a significant impact on the existing trees within the site. It is recognised that the garage intrudes slightly within the root protection area of one of the trees, however this is marginal, and is not significantly harmful to that tree. The proposed development has involved the repositioning of the garage to allow better spacing to the boundary and an existing hawthorn tree. In landscape terms, this allows for a more sympathetic layout and spacing within the site, whilst reducing the degree of impact on existing trees. In this respect Officers do not consider that the proposal will result in a significant impact on existing trees that would warrant the refusal of the application.
- 7.12 It is however recognised that the trees should be protected from damage during the construction works. This necessitates the recommended planning condition relating to the provision of fencing for the trees during construction works, in line with the relevant British Standard.

Highway Safety / parking provision

- 7.13 Officers note the comments from the Highways Officer, and consider that the proposal will not result in a significant impact on highway safety. Officers also note the condition suggested by the Highways Officer that the gates should open inwards only. Whilst the reasoning behind this recommended condition is understood by Officers, it should be recognised that this planning application does not seek to amend the existing gates which were approved as part of the earlier permission (LPA reference 3/03/1690/FP). In this respect it is considered to be unreasonable to attach a condition to those gates within this application, requiring them to open inwards.

Flood risk

- 7.14 Officers note the comments from letters of representation in respect of the impact of flood risk. However the EA do not object to the planning application. Having regard to those comments Officers do not raise any objection with regards to the degree of impact in terms of flood risk.

8.0 Conclusion

- 8.1 The proposed development represents a departure from the Local Plan and is, by definition, inappropriate development within the Green Belt. However, as explained above and, having regard to similar developments within the locality, the proposal is not considered to represent a significant harm to the openness and rural character of the Green Belt. The proposed development is considered to preserve the setting of the listed building, in line with PPS5 and will not have a detrimental impact on the character and appearance of the Conservation Area. The impact on highway safety and flood risk is also considered to be acceptable, in planning terms. Having regard to the above considerations, Officers therefore recommend that planning permission is granted.