

51 3/10/1657/FP - Extension and conversion of existing garage to form a one bedroom 'granny annexe' at Coltsfoot, Cherry Orchard Lane, Wyddial, Buntingford, SG9 0EN for Miss A Kent.

Date of Receipt: 17.09.2010

Type: Full –Other

Parish: WYDDIAL

Ward: BUNTINGFORD

RECOMMENDATION

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

1. Three Year Time Limit (1T121)
2. Matching materials (2E133)

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 GBC3, ENV1, ENV2, ENV5, ENV6, ENV8 and TR7. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (165710FP.NB)

1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site is located within the Rural Area beyond the Green Belt and is occupied by a detached dwelling house with a detached double garage.
- 1.3 The existing garage is sited a distance of approximately 3 metres from the flank wall of the dwelling house. There is currently space for parking up to 2 vehicles to the front of the existing garage. Six parking spaces are available within a lay-by within Cherry Orchard Lane for residents, however these spaces are unallocated.
- 1.4 The proposal is for the extension and conversion of the existing garage to form a granny annexe. The proposed extension would be to the rear of the garage and would have a depth of 3.8 metres and would continue the existing pitched roof. A distance of approximately 0.6 metres would be retained between the outbuilding and the boundary of the site with neighbouring dwelling Foxglade.

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- 1.5 The resulting annexe would provide accommodation which would include a bedroom, living room, kitchen and bathroom. The annexe would share the garden area and parking spaces with the main dwelling.
- 1.6 The applicant has explained that the annexe is proposed to be used by their elderly grandmother and a letter has been submitted from the grandmother's doctor which supports the need for the accommodation within a close proximity to her family.

2.0 Site History

- 2.1 In 2002 planning permission was granted at the property for a side porch and a two storey rear extension under lpa reference 3/02/0177/FP.
- 2.2 Planning permission was granted for the existing dwelling and garage in 1993 under lpa reference 3/93/1239/FP.

3.0 Consultation Responses

- 3.1 The Council's Landscape Officer has recommended approval and has commented that the self set Hornbeam trees that will need to be removed do not meet the criteria for the making of a Tree preservation Order.

4.0 Parish Council Representations

- 4.1 Wyddial Parish Council has no comments.

5.0 Other Representations

- 5.1 The application has been advertised by way of a site notice and neighbour notification.
- 5.2 No letters of representation have been received.

6.0 Policy

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:-

GBC3	Appropriate Development in the Rural Area beyond the Green Belt
ENV1	Design and Environmental Quality

ENV2	Landscaping
ENV5	Extensions to dwellings
ENV6	Extensions to dwellings criteria
ENV8	Residential Annexes
TR7	Car Parking Standards

7.0 Considerations

- 7.1 The determining issues in this case relate to a) appropriate development within the Rural Area and the impact of the proposed development on the character of this area b) Local Plan policy regarding residential annexes (policy ENV8) and c) parking and neighbour amenity issues.
- 7.2 Policy GBC3 allows for appropriate forms of development within the Rural Area beyond the Green Belt which include limited extensions to dwellings. The proposed extension to the garage is small in size and would be contained within the rear garden area of the dwelling and therefore would not intrude upon the openness of the surrounding Rural Area. The proposed development would provide an appropriately sized annex that would be sited within close proximity to the dwelling. The resulting annexe would provide facilities that could form self-contained accommodation which would include a bedroom, living room, kitchen and bathroom. However, the annexe would share the garden area and parking spaces with the main dwelling, would have a close relationship with the main dwelling and provided that it is occupied by a person dependent upon the main dwelling, which the applicant proposes, then the use of the annexe would remain ancillary to the main residential use of the site. Used in this way, the proposed annex would form additional living accommodation to be used ancillary to the main dwelling and as such would be an appropriate use within the Rural Area.
- 7.3 Policy ENV5 expects outbuildings to be of a size and scale that by itself or cumulatively with other extensions would not disproportionately alter the size of the original dwelling. The proposed extension together with previous extensions to the dwelling would not be of an inappropriate size or scale and would not be disproportionate to the original dwelling or intrude upon the surrounding Rural Area.
- 7.4 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 ENV6 of the Local Plan.

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- 7.5 The proposed annexe in this case, however, is detached from the dwelling and does not form an extension of it as required by part a) of Policy ENV8. 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.
- 7.6 Despite not forming an extension to the dwelling, Officers consider that the annexe would be sited in an appropriate location in relation to the main dwelling, just 3 metres from the side of the property. Furthermore, the sharing of the garden area, parking and access would ensure that a good relationship is maintained between the dwelling and the annexe and that the use of the annex would remain dependent upon the existing dwelling. Should the applicant seek to use the annexe as a separate residential unit in the future then this would constitute a change of use and therefore further planning permission would be required.
- 7.7 Policy ENV8 expects there to be sufficient parking for both parts of the dwelling at the site. The site currently has an area at the front of the garage that is capable of accommodating 2 vehicles which would remain at the site despite the loss of the garage space. In addition to these 2 private spaces, Officers have noted that there are 6 unallocated parking spaces that are provided by a lay-by within the street. Whilst these additional spaces are shared between local residents, they could be used by visitors to the site in addition to the spaces within the site itself. At the time of the Officer site visit only one of these parking spaces was in use. Whilst it is acknowledged that these spaces may be used by the occupiers of Home Farm Cottages and Rose Cottages, which front onto the highway that Cherry Orchard Lane leads from, there is no apparent pressure on parking within the surrounding area.
- 7.8 With consideration given to the maximum standards set out within Appendix II of the Local Plan, Officers consider the parking provision made at the site to be acceptable to accommodate both the needs of the existing dwelling and the proposed annexe.
- 7.9 In terms of the appearance of the development from outside the site, the development would form an extension to the existing garage building, which has a low pitched roof with a ridge height of 4.5 metres. A space of 0.8 metre is maintained to the boundary with the neighbour, which is a sufficient distance to ensure that an extension to a building of this size would not appear overbearing upon the neighbouring property. Officers consider that the proposed development would not appear obtrusive or have any significant harm on the living conditions of the neighbouring occupiers.

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- 7.10 The proposed annexe would result in the loss of 3 trees that are currently situated close to the north eastern boundary of the site, in-between the flank wall of the existing garage and the neighbouring site Foxglade. Whilst these existing trees have the benefit of providing some screening between the application site and its neighbour, located to the rear of the garage building they do not have any wider amenity value. Officers consider the loss of these trees to be acceptable and do not consider the retention of these trees or any replacement planting to be necessary to ensure that the proposed extension would have an acceptable impact upon the amenities of the neighbouring occupiers.
- 7.11 In this instance it is considered by Officers that the annexe would not conflict with the aims of Policy ENV8 to provide accommodation for a dependent relative within the curtilage of an existing dwelling house and it would not be detrimental to the surrounding area.
- 7.12 Matching materials are proposed to be used for the extension to those used for the existing garage. Officers consider that the proposed development would not conflict with Policy ENV6 which expects extensions to be of an appropriate design and materials, complementary to the setting of the original dwelling.

8.0 Conclusion

- 8.1 The proposed annexe as a detached building from the main dwelling, although contrary to part a) of Policy ENV8 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. Furthermore, it would not be detrimental to the amenities of the neighbouring dwellings.
- 8.2 The proposed development would form a modest extension to an existing residential building that can be used as an ancillary adjunct to the main dwelling at the site and would therefore constitute an appropriate development within the Rural Area beyond the Green Belt, in accordance with Policies GBC3 and ENV5.
- 8.3 Having regard to the above considerations it is recommended that planning permission is approved subject to the conditions at the head of this report.