

### **13. Householder Application - Erection of New Double Domestic Garage at The Bungalow, Fenny Bentley (NP/DDD/0814/0903 P.9771 417624/350308 30/10/2014 CF/DH)**

#### **APPLICANT: MR D CALLADINE**

#### **Site and Surroundings**

The Bungalow is a detached dwellinghouse that is located on the north-western edge of the named settlement of Fenny Bentley just beyond the boundary of the Conservation Area, which runs along the western boundary of the application site, and 184m to the north west of St Edmund's Church, which is a Grade II listed building.

To the north and south of the property there is open farmland. The access to the site is in the south-eastern corner of the plot onto the existing lane which is a Public Right of Way (PROW). There is a high conifer hedge running alongside the PROW on the southern boundary of the property. The nearest neighbouring residential properties are Creeveen, which lies to the east of The Bungalow, and School House, which lies to the west of the Bungalow.

The Bungalow itself has recently been extensively modernised and extended. It is of block and render construction rather than being stone-built and has a blue slate roof. It stands in a relatively large plot of rising ground and to the rear of the property is a garden area. At the front of the property, there is an area of roughly surfaced hardstanding adjacent to the access to the property.

#### **Proposal**

The application proposes the erection of a double garage in the south west corner of the roughly surfaced area at the front of The Bungalow. Amended plans have been submitted and show the proposed garage would be of block and render construction with a pitched roof clad with blue slates to match the existing dwelling.

The ridge of the roof over the garage would run along a north-south axis and the garage would have a pair of vertically timbered double doors situated under the eaves of the building in its east facing elevation. The side elevation facing towards the existing dwelling would have a single vertically timbered pedestrian door but there would be no other door or window openings in the garage.

Principally, the amended plans differ from the original submission in respect of a reduction of 500mm in the height of the ridge line from 5m (above the adjacent ground level) as originally proposed to just under 4.5m. This reduction has been achieved by reducing the roof pitch by 2.5 degrees, removing the lintels over the garage doors, and reducing the height of the garage doors by 100mm. The revised application is identical to the original submission in all other respects.

#### **RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions / modifications:**

- 1. The development hereby permitted shall be begun within three years of the date of the permission.**
- 2. The development shall not be carried out other than in complete accordance with the amended plans, Drawing No. 01/9349 received by the National Park Authority on 8 October 2014.**

3. **The development shall not be carried out other than in complete accordance with specifications for minor design details including specifications for construction materials, external doors and windows, and rainwater goods.**
4. **No external lighting without the Authority's prior written consent.**
5. **The garaging shall be retained for the garaging of domestic vehicles.**

### **Key Issues**

- whether the proposed garage would detract from the character, appearance or amenity of The Bungalow, its setting or neighbouring properties.

### **History**

Planning permission was granted in 2013 for extensions and alterations to The Bungalow including new roof with a dormer and increased ridge and eaves height, wider gable to front and gable extension to back, single storey utility extension (NP/DDD/0413/0337).

### **Consultations**

County Council (Highway Authority) - No objections

District Council – No response to date

Parish Council – Raised concerns regarding the original submission and were consulted on the revised application. The amended plans however do not address the Parish Council's original concerns that the proposed garage would have a significant impact. Amongst other things the Parish Council consider the proposed garage would be:

- extremely large and would be highly visible and intrusive;
- would overshadow and have an overbearing presence on the common boundary with the neighbour with loss of light;
- there are trees that are within falling distance of the development; and
- the design and appearance of the garage are not in keeping with its location and its rural setting.

The Parish Council would recommend members of the Planning Committee visit the site and the application not be approved.

### **Representations**

One letter of objection to the current application has been received by the Authority from the owner/occupier of one of the properties neighbouring The Bungalow. This letter sets out the author's view that the proposed garage would be a very large domestic double garage, that it would be built on a "green field" front garden, and positioned in front of the building line. Therefore, the garage would be seen from an adjacent public footpath and from the nearby B5056 road and in the author's opinion, would be inherently harmful to visual landscape character.

Notwithstanding this, the author of the letter goes on to suggest several limitations and conditions that should be imposed on the garage if the application is granted including (i) a reduction in the floor area; (ii) a hipped (or pyramid) roof be used to reduce the overall scale of the development;

(iii) at no time in the future will roof lights, dormer windows or "loft level" gable end windows be permitted; (iv) the use of the garage to be restricted to that stated in the planning application; (vi) hedge height adjacent to the public footpath/bridleway to be not lower than its present height; and (vii) no intrusive external lighting be permitted. The author of this letter also asks that it is noted access to the main road is by an unadopted, unmetalled, "green lane".

### **Main Policies**

In principle, DS1 of the Core Strategy is supportive of extensions to existing buildings and policy LH4 of the Local Plan provides specific criteria for assessing householder extensions including outbuildings. LH4 says extensions and alterations to dwellings will be permitted provided that the proposal does not:

- i. detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings; or
- ii. dominate the original dwelling where it is of architectural, historic or vernacular merit; or
- iii. amount to the creation of a separate dwelling or an annexe that could be used as a separate dwelling.

The Authority has also adopted three separate supplementary planning documents (SPD) that offers design guidance on householder development namely the Design Guide, the Building Design Guide and the Detailed Design Guide on Alterations and Extensions. This guidance offers specific criteria for assessing the impacts of householder development on neighbouring properties and contains a number of suggestions for the appropriate design of outbuildings such as garaging.

### **Wider Policy Context**

The provisions of policies DS1 and LH4 and guidance in the Authority's adopted SPD are supported by a wider range of design and conservation policies in the Development Plan including policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and policy LC4 of the Local Plan, which promote and encourage sustainable development that would be sensitive to the locally distinctive building traditions of the National Park and its landscape setting. Policy LC4 and GSP3 also say the impact of a development proposal on the living conditions of other residents is a further important consideration in the determination of this planning application.

As the proposed development would be sited adjacent to the boundary of the Conservation Area, policy L3 of the Core Strategy and Local Plan policy LC5 are also relevant. These policies seek to ensure the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced, including its setting and important views into or out of the area. Local Plan policy LT18 otherwise says safe access and adequate parking provision are a pre-requisite of any new development in the National Park.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) not least because core planning principles in the Framework require local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

### **Assessment**

In this case, the design of the proposed double garage (shown on the amended plans) closely reflects the type of garage suggested in the Authority's adopted design guidance because it has

a simple rectangular form with a pitched roof, modest detailing and the main garage doors would be situated under the eaves. The garage would be of block and render construction rather than stone-built because the existing dwelling is of a block and render construction and this would help the garage to harmonise with the existing house.

In terms of layout, the garage is sited in a logical position relative to on-site constraints and there is not enough space within the curtilage to site the garage at the side of the existing house, for example. The garage would also be close to the vehicular access to the property and it would be orientated to maximise ease of access and minimise loss of manoeuvring space within the curtilage at the front of the property. Therefore, there are no overriding objections to the proposed siting of the garage even though it is in front of the existing house, which in other circumstances may be less appropriate.

There is also a high hedge along the boundary of the property that would help to screen the garage if it were to be sited as proposed. The presence of the high hedge is quite important because the hedge along the southern boundary of the property (on the applicant's land) would reduce the impact of the garage on the character and appearance of the adjoining Conservation Area and foil views of the garage from the PROW. The hedge along the western boundary of the property would reduce the potential for the garage to impact negatively on the outlook from the neighbouring property to the west known as the School House.

In particular, the first floor windows in the principal elevation of the neighbouring property broadly overlook the site but the existing hedge would mostly block views of the garage from the ground floor windows in the front of School House. In these respects, the garage would not harm the outlook from this property to any significant extent especially if the hedge on the common boundary, which belongs to School House, was retained because the overall physical bulk of the development would be disguised and only the roof over the garage and the upper part of the building including the apex of the north facing gable would be seen from the south facing windows at School House.

However, the orientation of the garage relative to the south facing windows at the front of School House and the distance between these windows that look towards the application site means the garage would not have an unduly oppressive or over bearing affect on the outlook from School House even if the hedge on the boundary were to be removed. These factors also mean the garage would not obstruct or block light to the windows in School House and there are no rooflights or other windows openings proposed in the garage that would face towards School House that would cause a loss of privacy.

Therefore, it is not considered that the proposed garage shown on the amended plans would impact on the quiet enjoyment of this property so substantially that planning permission should be refused on amenity grounds.

In terms of the neighbouring property to the east of the application site, the garage would be sited more than 30m away from this house, which is known as Creeveen. Therefore, by virtue of the intervening distances between one and the other, the proposed garage would not have a significant impact on the amenities of Creeveen also taking into account the orientation of the garage relative to this house, and the fact that the proposed garage is effectively single-storey in height. It is therefore considered that the proposed garage would not be unneighbourly.

It is also considered that permission for the garage would not give rise to any other significant impact on the general amenities of the local area even though it is acknowledged that access to the main road from the Bungalow is by an unadopted, unmetalled, PROW. This is because the proposed garage would not in itself generate vehicular traffic to and from the property once it has been taken into use. Moreover, the Highway Authority has no objections to the proposals because the vehicular access to and from the adjacent PROW is safe, and there is more than adequate on-site parking provision and manoeuvring space.

It is therefore concluded that the proposed garage would not unacceptably impact on the amenities of the area and would be of a sufficiently high standard of design to warrant approval. Therefore, planning permission should be granted for proposed garage if it would not detract from the character and appearance of its landscape setting.

The potential landscape and visual impact of the garage has been raised in representations on this application and concerns have been raised that the garage would be visually intrusive and not in keeping with the local building tradition. As noted above, the boundary hedge along the southern boundary of the front garden of The Bungalow would effectively reduce the potential impact of the garage on the PROW and would help to minimise the impact of the proposed development on the adjacent Conservation Area. However, the garage would also be seen from more distant vantage points on higher ground including from vantage points along the nearby B5056.

In this case, it can be acknowledged that the garage would be more noticeable because it would be finished in render and in front of the main house but it would be in the same materials as the main house and have a tiled roof. Its size and scale would also be typical of many domestic garages, and the garage would be clearly subsidiary in size and scale to the main house. Therefore, whilst the garage might be seen within its landscape setting, it would be seen in the context of the main house and read as an ancillary domestic outbuilding within the curtilage of The Bungalow. This type of arrangement is quite common in the National Park and in itself, would not normally be considered to have a detrimental impact on the surrounding landscape.

Moreover, the proposed garage would be seen in the context of the two neighbouring residential properties with The Bungalow behind and against a backdrop of rising land, which also has some tree cover. Therefore, the garage would not read as sporadic development in an exposed or isolated position in open countryside, would not skyline, and would not detract from the landscape setting of The Bungalow to such an extent that the proposals would harm the scenic beauty of the National Park. For these reasons, the proposals would also have a very limited impact on views into the adjacent Conservation Area from distant vantage points when looking into the village, and the garage does not affect the setting of the nearby listed church from these viewpoints.

### **Conclusion**

It is therefore concluded that the revised application meets the requirements of policies in the Development Plan and national planning policies in the Framework because it would be of an appropriate design and would not harm the valued characteristics of the National Park. The garage meets the specific requirements of LH4 that deals with householder developments because it would be ancillary garaging subsidiary to the main house and it would not detract from the character, appearance or amenity of the main house, its setting or neighbouring properties. Accordingly, the revised application is recommended for conditional approval.

In this case, conditions imposing a time limit for commencement and compliance with the amended plans would be necessary in the interests of the proper planning of the local area. It would also be reasonable and necessary to specify design details in the interests of the character and appearance of the completed development and restrict the use of the garaging so any future proposals for new uses for the garage can be assessed properly. Amongst other things, any further intensification of the use of the property may impact negatively on the amenities of the PROW that provides access to the site.

However, the garage would not benefit from permitted development rights because of its size and location at the front of the house so it is not necessary to restrict future alterations to the garage by condition because they would need planning permission. Nonetheless, it would be reasonable to impose a condition on any permission for the garage retaining control over external lighting because of the location of the property at the very edge of the village where any

insensitive lighting scheme would have a significant impact on dark skies and the tranquillity of the local area.

**Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil