

Committee Report

Committee Date: 21 June 2017

Item No: 6

Reference: B/17/00232
Case Officer: John Davies

Description of Development: Erection of detached annexe (following demolition of garage).

Location: 46 Broom Street, Great Cornard, SUDBURY, CO10 0JT

Parish: Great Cornard

Ward: Great Cornard North

Ward Member/s: Cllr A C Bavington and Cllr T Burrows

Site Area: 0.09

Conservation Area: Not in Conservation Area

Listed Building: Not Listed

Received: 16/02/2017 14:00:43

Expiry Date: 12/05/2017

Application Type: Full Householder Application

Development Type:

Environmental Impact Assessment: N/A

Applicant: Mr & Mrs P Beer

Agent: Mark Swift Design

DOCUMENTS SUBMITTED FOR CONSIDERATION

List of applications supporting documents and reports

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing Location Plan received 17 February 2017 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Plans and Documents:

Application form received 16 February 2017 and plans 01-17-01R1 received 17/2/17 and 01-17-02 received 16/2/17.

Application 145A - Received 13/09/2016

Block Plan - Existing 234C - Received 13/09/2016
Floor Plan - Proposed 672A - Received 13/09/2016

The application, plans and documents submitted by the Applicant can be viewed online.

Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The officers recommend approval of this application. The proposed development represents sustainable development compliant with relevant saved policies CN01 and HS35 of the Babergh Local Plan Alteration No.2 (2006).

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

This application is reported to committee as the applicant is a District Councillor.

The Monitoring Officer has reviewed the application file and is satisfied that the application has been processed properly and correctly in accordance with all established procedures and requirements.

PART TWO – APPLICATION BACKGROUND

1. This section details history, policies, advice provided, other legalisation and events that form the background in terms of both material considerations and procedural background.

History

2. The planning history relevant to the application site is listed below. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three:

B/92/00565	Erection of a single-storey side extension and rear conservatory	Granted 08/07/1992
B//88/01032	Erection of a two-storey rear extension	Granted 16/09/1988
B//87/00976	Outline - erection of two detached dwellings and construction of vehicular	Granted 13/01/1988

access as amended by agent's letters
dated 06/10/87 and 16/12/87

B//87/00033

Erection of detached two-storey dwelling
with integral double garage and
construction of vehicular access

Granted
20/02/1987

Details of Previous Committee / Resolutions

3. None

Details of Member site visit

4. None

Details of any Pre Application Advice

5. Officer advice given on planning options and processes.

PART THREE – ASSESSMENT OF APPLICATION

Consultations

6. Summary of Consultations

Great Cornard Parish Council: No objection

Local Highway Authority: No objection

Representations

7. A comment has been received from person whose home address is in London stating:
- assessment of proposal should refer to policy HS35 (residential annexes)
 - proposed annex contains kitchen and bathroom and could be considered a self contained unit
 - submission does not demonstrate annex could not be provided as an extension

The Site and Surroundings

8. The application site comprises a two storey detached house with access from Broom Street. To the rear of the house there is a garden and beyond that a flat roofed double garage and a single garage together with a small summer house.
9. There is a tall mature hedge to the rear boundary and the boundary to No.44 Broom Street is part walled/part fenced with some vegetation. On the other side of the rear boundary is an electricity sub- station.
10. The site is within the built up area of Great Cornard.

The Proposal

11. The proposals comprise the demolition of an existing double garage in the rear garden and the erection on the same site of a single storey annexe building.
12. The proposed annexe would be located to the south-east rear corner of the site adjacent to the rear part of the boundary with No. 44.
13. The proposed annexe would have a low pitched, ridged roof to a maximum ridge height of 4.1 metres. It would be 8.3 metres in length along the boundary (with No.44). It would be 6.2 metres wide. The internal accommodation would comprise one bedroom and an ensuite together with a combined lounge/kitchen/diner. The gross floorspace would be approximately 50 square metres, which compares with an area of 32 square metres for the existing garage.
14. The building would be of brick construction with red facing brickwork, concrete roof tiles and white uPVC joinery.
15. All openings (windows and doors) face into the site and the only openings facing neighbours are two roof windows lighting a kitchen and an ensuite facing No. 44.
16. A new timber fence on the boundary would replace an existing fence.

NATIONAL PLANNING POLICY FRAMEWORK

17. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.
 - Core Planning principles- Para.17
 - Requiring Good Design- Paras 56-68

CORE STRATEGY

18. The Babergh Local Plan 2011-2031 Core Strategy and Policies document was adopted on the 25th February 2014 and is now fully operational (for the purposes of planning decisions among other purposes). The following policies are relevant to this particular planning application:
 - CS1- Presumption in Favour of Sustainable Development
 - CS2- Settlement Pattern Policy
 - CS3- Strategy for Growth and Development
 - CS15- Sustainable Development in Babergh

NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS /AREA ACTION PLAN

19. None

SAVED POLICIES IN THE LOCAL PLAN

20. The Development Plan comprises the saved policies in the Babergh Local Plan Alteration No. 2 (2006). The Plan should be regarded as a material consideration in planning decisions. The following saved policies are applicable to the proposal:

- HS35- Annexes
- CN01- Design Standards
- TP15- Parking Standards

Main Considerations

21. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.
22. The following are identified as the main considerations in assessing this application:
 - Principle of Development
 - Site Access, Parking And Highway Safety Considerations
 - Design And Layout
 - Impact On Residential Amenity

The Principle Of Development

23. The site is located within the settlement of Sudbury/Great Cornard, which is one of the main towns in the District and where new development in principle is supported in line with settlement policy CS2.

Saved policy HS35 is particularly relevant to the application as the proposal seeks planning permission for a self-contained annexe to be occupied in conjunction with the main house.
24. Saved Policy HS35 promotes the provision of self- contained annexes as extensions to existing dwellings rather than detached units in the interests of preventing the creation of separate dwellings particularly in the countryside. To this end the Policy requires the Applicant to :
 - Explain the need for the annex
 - Demonstrate the functional and practical linkages with the host dwelling
 - Indicate how it might be used in the future if the present need ceases
 - Explain why the unit cannot be provided as an extension to the existing dwelling.

25. In a letter dated 9 May 2017 the agent explains that the need for the annexe is for accommodating visiting family members and friends and for their own use in later life when they may have reduced mobility and need for care. It is confirmed that the annexe would not be used as a separate household or residence.
26. The policy states that the Applicant should demonstrate why the additional accommodation could not be provided as an extension to the existing dwelling. The letter states that providing an annexe as an extension would not be practical for the following reasons:
- A side extension would impede the access driveway to the side of the house
 - A rear extension would result in a significant loss of the rear garden area and diminish the outlook from living rooms facing the garden
 - A main foul sewer crosses the middle of the garden, which is a constraint on any building there.
27. Your officers consider, having regard to the above submissions, that the proposal satisfies saved Policy HS35 in that provision of the annexe could not be provided as an extension and there is satisfactory need for its provision.

Site Access, Parking And Highway Safety Considerations

28. The annexe would be served by the existing access from Broom Street and shared with the main house. There is sufficient parking on site and the Highway Authority has raised no concerns.

Design And Layout

29. The proposed annexe would be located at the bottom of the garden and would be screened from any public views from the road by the main house. It would therefore only be visible by the immediate neighbours. The annexe would be of traditional construction and the proposed facing materials are considered satisfactory.

Impact On Residential Amenity

30. The proposed annexe would be located on the site of an existing garage structure at the bottom of the garden close to the boundary with No.44. It would be located around 9 metres from the dwelling at No.44 and separated by a standard sized fence and vegetation. The structure would have a low pitched roof and apart from a couple of roof lights there would be no openings facing the neighbour's property.
31. Accordingly it is considered that it would not give rise to any material loss of residential amenity to the neighbour. Moreover, no comments in respect of the proposals have been received from any neighbours

PART FOUR – CONCLUSION

Planning Balance

32. When taken as a whole and as a matter of planning judgement, the proposal is considered to adhere to the development plan and NPPF and therefore can be considered sustainable development. There is a presumption in favour of sustainable development. The application is therefore recommended for approval.

Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.

33. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
34. In this case the planning authority has sought additional clarification from the Applicant regarding compliance with saved policy HS35 (Annexes).

Identification of any Legal Implications of the decision

35. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.
- Human Rights Act 1998
 - The Equalities Act 2012
 - Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
 - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
 - The Conservation of Habitats and Species Regulations 2010
 - Localism Act
 - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

RECOMMENDATION

That permission be granted subject to conditions including:

- 1) Standard Time Limit Condition.
- 2) Approval of details of facing materials
- 3) Restriction of occupation of annexe to be ancillary to 46 Broom Street