



Forest Heath
District Council

DEV/FH/17/030

**Development Control Committee
Wednesday 2 August 2017**

**Planning Application DC/17/1025/HH –
16 High Street, Tuddenham**

Date Registered: 22.05.2017 **Expiry Date:** 17.07.2017

Case Officer: Savannah Cobbold **Recommendation:** Approve Application

Parish: Tuddenham **Ward:** Icen

Proposal: Householder Planning Application - Detached garage/garden store

Site: 16 High Street, Tuddenham

Applicant: Mr R Whent

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background:

This application is referred to the Development Control Committee following consideration by the Delegation Panel. The Parish Council object to the application raising concerns about the scale of the building. The application is recommended for APPROVAL.

Proposal:

1. The application seeks planning permission for the construction of a detached garage/garden store.
2. The proposal measures approximately 12.6 metres in length, 6.7 metres in width and 6 metres in height.
3. The proposal is single storey, with a pitched roof, incorporating a room within the roof. Velux windows are also to be installed on the north facing roof slope. Concrete plain tiles will be used on the roof and multi-red facing brickwork on the main construction along with stone painted render and brick quoins to the rear wall.

Application Supporting Material:

4. Information submitted with the application:
 - Application form
 - Local Requirements
 - Proposed Site Plan
 - Site Location Plan
 - Proposed Floor Plans and Elevations
 - Tree Report
 - Biodiversity Checklist

Site Details:

5. The application site is located within the settlement boundary for Tuddenham, fronting onto High Street. The site comprises a detached, single storey dwelling and its curtilage, with a large garden to the rear. The property is located within an area of mainly two storey dwellings of mixed characteristics. The dwelling is also set back from the highway. The rear garden includes extensive mature vegetation, including a number of trees.

Planning History:

6. None

Consultations:

7. SCC Highways: No objections subject to a condition regarding the retaining of space for manoeuvring and parking of vehicles.
8. Tree Officer: No objections subject to a condition relating to tree protection for any trees within falling distance of the garage/garden store.

Representations:

9. Parish Council: Raise the following concerns:
- Concerns over scale of this proposed development
 - The proposed building externally measures in excess of 12m L x 6m W x 6m H. This is a substantial proposed construction on two floors, with three rooms on the ground floor. It incorporates an internal staircase and three Velux windows on the first floor. There is also no first floor plan.
 - Proposed building is to be located approximately 2m from the south side boundary (hedge) which I estimate is currently 2.5-3m in height
 - Currently, there is no direct vehicle access to the proposed development. Consequently, the application is planning to construct an access following to demolition of the existing garage (which is conjoined with the north side of the existing dwelling).

10. Neighbours: No representations received.

Policy:

11. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

12. Joint Development Management Policies Document:

- Policy DM1 – Presumption in Favour of Sustainable Development
- Policy DM2 – Creating Places Development Principles and Local Distinctiveness
- Policy DM24 – Alterations or Extensions to Dwellings, including Self Contained annexes and Development with the Curtilage

13. Forest Heath Core Strategy 2010

- Policy FCS5 – Design Quality and Local Distinctiveness

Other Planning Policy:

14. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

15. The issues to be considered in the determination of the application are:

- Principle of Development
- Impact on residential amenity
- Impact on street scene/character of the area
- Design and Form

16. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.

17. In the case of this application, the dwelling is located within a curtilage which is able to accommodate the scale of proposal without over-development occurring.

- 18.No adverse impact on neighbour amenity is anticipated to arise given the existing extensive boundary treatments of the site. The outbuilding is considered to have a limited impact on Southgate Farm, located towards the south-west of the site dwelling, given the screening provided by hedging along the boundaries, and given the relatively modest scale of the proposal.
- 19.No overlooking issues are considered to arise as there is sufficient distance between the proposed development and neighbouring properties. The outbuilding will not result in any adverse impact in terms of light levels, again given its position and the extent of vegetation. The proposed outbuilding will also have very limited impact on Shepperton House, located towards the north of the site. This is because there is more than satisfactory distance between the proposal and neighbouring dwelling. Although both neighbouring properties may afford glimpses of the proposed development, there will be no overbearing impact on either of the neighbours, given the acceptable separation distances and existing boundary treatments on the site.
- 20.No adverse impact on the street scene or character of the area is anticipated to arise as the property is set back from the highway in a visually discrete location. The outbuilding is located towards the rear of the property which means it would not be readily visible from the public highway. Further, and in any event, the area consists of a varied character in terms of property types and designs.
- 21.The proposed development respects the scale of the dwelling as it is not overbearing due to the separation distance between itself and the main dwelling.
- 22.The condition recommended by the highways authority relates to retaining the space provided for manoeuvring and parking of vehicles shown on Drawing No 2017 05 GD3 D. In relation to this application, the condition is required and will be imposed.
- 23.The Tree Officer requires a condition regarding tree protection for any trees which are within falling distance of the garage/garden store. In relation to this application, the condition is required as there are a variety of trees within the vicinity of the site.
- 24.The Parish Council also submitted comments and concerns in relation to this application. The first concern relates to the scale of the development. They believe that this is a substantial proposed development over two floors. However, the dwelling is located within a curtilage which is more than able to accommodate the scale of construction without over-development of the site occurring and is, in any event, a single storey, albeit with accommodation within the roof space. This is considered to be a suitably domestic scale for a property and curtilage of this size and is of an appropriate design for an outbuilding. There have also been no neighbour objections received. In addition, they raise the point of no first floor layout plan being provided. Upon contacting the agent, Officers have been advised that the first floor is a single open space and a plan has now been received and is available to view online.
- 25.In relation to the position of the proposed outbuilding; the proposed outbuilding is to be located approximately 2m from the south side

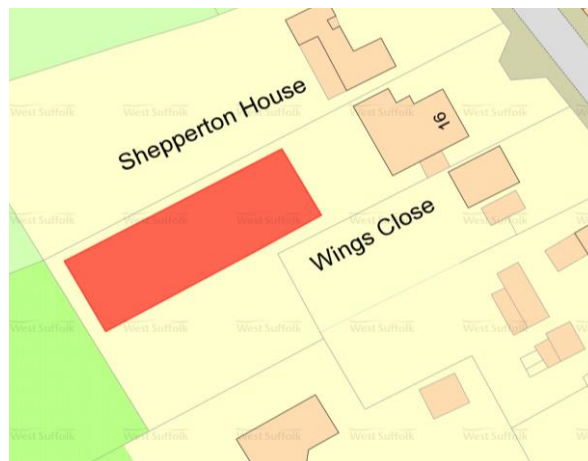
boundary (hedge) which they estimate is 2.5m-3m in height. There is sufficient distance from the proposed development and neighbouring property towards the south-west of the main dwelling and adequate boundary treatments to prevent any overlooking issues. There will be no impact in terms of loss of light.

26. The third comment relates to there being no direct vehicle access to the proposed development. Consequently, the applicant is planning to construct an access following demolition of the existing garage. The existing garage demolition would be subject to another application, which would be considered on its own merits and is not therefore material to the consideration of this proposal. If the garage demolition was refused, it would not warrant a refusal for this application.

27. It is noted that concerns have been raised over the scale of the development, however there are permitted development rights that would allow an outbuilding to otherwise be erected in the curtilage of this dwelling. Any outbuilding would not be permitted development if;

- the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- the building would have more than a single storey;
- the height of the building, enclosure or container would exceed -
 - 4 metres in the case of a building with a dual-pitched roof,
 - 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - 3 metres in any other case;
- the height of the eaves of the building would exceed 2.5 metres;

28. Using these criteria, an outbuilding could be erected that would appear to have a commensurate level of overall harm. The following image gives the indication of how large an outbuilding could be erected without requiring permission (shown in red, approx. 520m²) and would not be the full extent of permitted development rights.



29. Whilst officers consider it unlikely that this form of outbuilding would be constructed, it indicates that the level of overall floor space sought in the

proposal is no more than what could be achieved under permitted development rights. However, it is acknowledged that the height of the proposed building at 6m, is 2m higher than what could be achieved under permitted development, but for the reasons given above, even with a height of 6m, the proposed building is considered acceptable. The concerns raised have been put to the applicant, but they do not wish to amend the proposals as it would compromise their storage needs and available first floor head room.

Conclusion:

30. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

31. It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. Time Limit
2. Compliance with plans
3. Parking/Manoeuvring to be Provided (SCC)
4. Tree Protection Measures
5. Restrict construction hours

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OQ3D6XPDGSX00>