

Development Control Committee **3 March 2021**

Planning Application DC/20/1782/HH – 7 Bury Road, Hengrave

Date registered:	14 October 2020	Expiry date:	9 December 2020
		EOT agreed:	4 March 2021
Case officer:	Debbie Cooper	Recommendation:	Approve application
Parish:	Flempton Cum Hengrave	Ward:	Risby
Proposal:	Householder planning application - detached garage		
Site:	7 Bury Road, Hengrave		
Applicant:	Mr and Mrs W Lowe		

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:

Debbie Cooper

Email: deborah.cooper@westsuffolk.gov.uk

Telephone: 07866 172895

Background:

This application is before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel as the Officer's recommendation was one of APPROVAL, contrary to the Parish Council's objection to the application.

Proposal:

1. Planning permission is sought for a detached double garage positioned within a parking area to the rear of the host dwelling, following removal of the existing shed. The garage measures 5 metres in width and 6 metres in depth and will be constructed in red brick, timber weatherboarding and red clay tiles. The height to the eaves is 2.4 metres with a ridge height of 3.9 metres.
2. The plans as originally submitted proposed the garage to be further away from the house with a shorter manoeuvring area. Following discussions on site with the agent, an amended plan was submitted to re-site the garage 1 metre closer to the house to increase the distance available for vehicle manoeuvring.

Application supporting material:

3.
 - Application form
 - Location plan
 - Proposed elevations and floorplans (Drawing No. 2020.42) (includes now superseded block plan)
 - Proposed block plan (February 2021)
 - Planning statement

Site details:

4. The application site comprises of a one-and-a-half storey detached dwelling situated within the countryside in the village of Hengrave. The dwelling is a Grade II Listed Building and is set within a designated Conservation Area.
5. The dwelling forms part of a tightly knit group of listed houses with rear outbuildings accessed via a shared driveway.

Planning history:

Reference	Proposal	Status	Decision date
DC/18/0795/LB	Application for Listed Buildings Consent - 1no. Dormer Window	Application Granted	6 September 2018
DC/18/1013/HH	Householder Planning Application - 1no. Dormer Window	Application Granted	6 September 2018
DCON(A)/18/0795	Application to Discharge Condition 3 (notice before roof rafters works) of DC/18/0795/LB	Application Granted	23 November 2018

Consultations:

6. Conservation Officer -

This application is for the erection of a garage to the rear of 7 Bury Road, Hengrave. This building, together with the neighbouring properties, are listed buildings within the Hengrave Conservation Area. The properties form a tightly knit group of houses and outbuildings.

The proposed location of the garage is already used for parking and also contains a shed which would be removed. The materials - red brick and clay pantiles - are appropriate for the outbuilding, reflecting the materials of other outbuildings in the vicinity. The specific brick proposed may look too uniform compared to the traditional soft red bricks which tend to contain a mix of orange, red and dark red bricks, so samples of the materials and finishes are required by condition.

Views of the rears of the listed buildings are currently possible from the access track but these views are interrupted by the existing outbuildings, shed and fences and are not views which contribute to the significance of the buildings or their settings.

Whilst I raise no objection to the proposed building, I note that it would be close to the shared boundary with 8 Bury Road, which is defined by a close-boarded fence. Such boundary fences require maintenance and eventually replacement, so it is imperative that adequate access is available for this work to be carried out.

I note other comments made regarding access and turning but these issues are beyond the scope of my advice.

Providing sufficient space is available for maintenance purposes, I have no objection to this application subject to the following conditions:

09D (i) samples of external materials and surface finishes
(ii) details of the materials, colour/finish and means of opening of the garage doors

09CC (sample panel - brickwork)

Commenting on the additional block plan received 14.12.2020:

From this, it appears that there is sufficient space to carry out maintenance to the existing fence. On that basis, I have no objection to this application subject to the conditions set out in my earlier comments.

Commenting on the amended block plan received 09.02.2021:

The repositioning of the garage would have a minimal impact on the setting of the listed buildings. I therefore have no objection to the revised plans subject to the conditions set out previously.

7. Suffolk County Council Highways Authority –

This proposal would not have a severe impact on the highway network, in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.

We note the Parish Council's observations about not being able to ascertain quite how much vehicle manoeuvring space is available at the site. We also note the comments of a nearby resident questioning if there is enough space for the proposed vehicular movements to occur safely after construction of the proposed garage. The Highway Authority wish to revise our first recommendation and suggest that it would be appropriate for a dimensioned plan of the manoeuvring area and proposed garage area to be submitted please. We shall look forward to reviewing this plan in due course.

We have reviewed the amended Block Plan (received 14.12.2020) which shows the dimensions of the manoeuvring area around the proposed garage and widths of the track leading to the highway. The 6.1 metre distance between the garage doors and the boundary fence meets our recommended minimum distance standard of 6 metres. It is possible that a reversing manoeuvre from the easterly garage space may require a three point turn to depart in a forward direction but the space available should permit that, as long as there is no other car parking in the manoeuvring area. This area is not a public highway so no formal parking restrictions can be enforced by the Highway Authority. In our view, if additional parking occurred, that made manoeuvring more complicated, a driver would be able to complete a turn in one of the other driveways or wider areas of the track and is therefore, very unlikely to return to the highway in reverse gear. The track is wide enough at a number of points to permit vehicles to pass. Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission.

No comments have been received in relation to the amended block plan received on 09.02.2021. These will either be reported in the late papers or verbally at the meeting.

Representations:

8. Parish Council:

Original comments -

- a) The council has concerns over the size and height of the garage particularly with regard to its relationship to adjacent Grade 2 listed properties.
- b) The close proximity of the building to the neighbouring property boundaries would make access for maintenance of the boundary difficult and the only rear access to 7 Bury Rd. would be via the building.
- c) The Parish Council would appreciate the opinion of West Suffolk Planning as regard to the building materials chosen given the buildings relationship to Grade 2 listed property in a conservation area.
- d) The Parish Council request that a site visit is carried out by West Suffolk Planning as the block plan and Google Earth do not accurately display the amount of space available.

Following receipt of the additional block plan received on 14.12.2020 -

These plans seem very little different from the original application. All our previous comments still apply. The 30cm gap between the fence and the building seems too small for access or maintenance. The size of the building seems to overdevelop the site particularly with its relationship to listed buildings. Again, we must request that a site visit is made to this site.

No comments have been received in relation to the amended block plan received on 09.02.2021. These will either be reported in the late papers or verbally at the meeting.

9. **Ward Councillor:** The Ward Member (Councillor Susan Glossop) has liaised with the planning officer with regards to the Parish Council and neighbour comments to ascertain that their submitted observations of the planning application have been fully addressed in the report as per planning policy. Also, that the Planning Officer has carried out a site visit.

10. **Neighbour Representations:**

Four letters of representation (plus photographs) from the owner/occupier of the adjacent property (Pigeon Cottage, 8 Bury Road). Full details of the representations are available on the website. These are summarised as the following concerns and objections:

- The garage will have a dominant impact on neighbouring buildings.
- The garage will have an overbearing impact on our amenity space and light given its substantial height above the boundary. It is 6 metres in length and would run parallel to our kitchen and sitting room windows effectively blocking the existing skyline view and light.
- The gap to the boundary is not enough space to walk through or conduct maintenance.
- The proposed rear access to the garden of No. 7 must be through the garage which is distinctly out of keeping.
- It is unclear if there is sufficient manoeuvring space.
- The garage size doesn't meet Suffolk County Council parking standards and would represent a loss of two car parking spaces.
- The choice of materials is not in keeping with the local vernacular. Unless it is painted or rendered it will not fit into the style of the other listed buildings.
- There is an extension to No. 9 which blocks our window on the right-hand side and so this would hem us in badly.
- Potential for the roof / guttering to overhang our property.
- Once built the roof / guttering on our side is likely to be impossible to maintain without access to our property.
- The buildings on the opposite side of the lane are not garages but are general storage outbuildings.
- Concerns about drainage and water run-off.

Policy:

11. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in

place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

12. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM15 Listed Buildings
- Policy DM17 Conservation Areas
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Policy DM46 Parking Standards
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Vision Policy RV1 - Presumption in favour of Sustainable Development

Other planning policy:

13. National Planning Policy Framework (NPPF)

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

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

- Principle of Development
- Impact on neighbouring amenity
- Impact on Listed Buildings and the Conservation Area
- Highway safety

Principle of development

15. Policy DM24 states that extensions and alterations (including outbuildings) shall respect the scale, character and design of the existing dwelling and the character and appearance of the immediate and surrounding area. It should not result in over-development of the dwelling curtilage or adversely affect the residential amenity of neighbouring dwellings.

16. In this case, the curtilage of the site is large enough to accommodate the proposed garage without overdevelopment occurring. Therefore, the principle of the development is considered to be acceptable, albeit further consideration is necessary in relation to the design and amenity impacts, the effects on highway safety and the effects upon the setting of the listed buildings and the conservation area.

Impact on neighbouring amenity

17. The garage is in close proximity to the boundary fence with the neighbouring property (Pigeon Cottage), which has windows and a patio area facing this boundary. The garage has an eaves height of 2.4 metres, with a ridge height of 3.9 metres and so will be visible above the current 1.8 metre fence. Given this, there will be some adverse impact to the current outlook and a moderate loss of light.

18. However, given that there is a 6.5 metre distance from the neighbouring windows to the boundary fence; that there is an existing intimate relationship between the properties; and that Pigeon Cottage has a wider and deeper garden area to the rear of the house, it is not considered to have such an impact as to warrant a refusal of planning permission on those grounds. In addition, given the orientation of the dwellings, the proposed garage is positioned to the north-west of Pigeon Cottage and therefore any loss of light or overshadowing would only occur at the end of the day and would not be significant enough to justify refusal, particularly given the separation distance.

19. The proposal is therefore considered to comply with policies DM2 and DM24 in this respect.

Impact on Listed Buildings and the Conservation Area

20. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.

21. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

22. There are a number of outbuildings accessed via the shared rear driveway that are similar in height to the proposed garage. For example, the outbuilding to the rear of the neighbouring property at No. 6 is around 4 metres in height. Views of the rear of the listed buildings are currently interrupted by the existing outbuildings, sheds and fences and are not views which contribute to the significance of the buildings or their settings. The proposed materials (red brick, timber weatherboarding and red clay tiles) are appropriate for the outbuilding, reflecting the materials of other outbuildings in the vicinity and the precise details of these materials can be controlled by condition.

23. Maintenance of the boundary fence is an important consideration as its deterioration would adversely affect the setting of the listed buildings. With the smallest gap of 350mm being from the inside line of the fence posts, with

a gap of around 525mm to the face of the boards at this narrowest point, it is considered that there is sufficient space between the garage and the boundary fence to enable the maintenance of the fence.

24. The proposed garage is of an appropriate design, scale and form, respects the character and appearance of the dwelling and the wider area and does not adversely harm the setting of the host listed building or adjacent listed buildings. There is no adverse impact on the character or appearance of the Conservation Area. The proposal is therefore considered to comply with policies DM2, DM15 and DM17.

Highway Safety

25. The site of the garage is accessed via a shared access track which varies in width. The southern boundary of the track to the rear of the proposed garage is a narrow grass verge with a couple of fence posts on this verge denoting the extent of manoeuvring available. The amended block plan acknowledges this verge (and posts) and moves the garage back into the site to allow for a 6.5 metre distance from the front of the garage to the fence posts opposite, thereby exceeding the minimum distance standard of 6 metres.
26. It is very unlikely that a vehicle would return to the Highway in reverse gear given the opportunities to turn within the track. Similarly, it is unlikely that parking will be displaced onto the Highway as there are parking restrictions along the A1101 to prevent this. Whilst the size of the garage is smaller than the guidance provided within the Suffolk County Council parking standards, the 5-metre width is sufficient to enable two vehicles to be parked and for drivers to get in and out of the cars. County Highways have confirmed that they do not object to the application on highway safety grounds.
27. Therefore, the siting of the garage is considered to allow sufficient space for off-road parking and manoeuvring, with no impact on highway safety. The proposal is therefore considered to be compliant with policies DM2 and DM46 in this respect.

Conclusion:

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

Recommendation:

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

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reference number	Plan type	Date received
(-)	Location plan	6 November 2020
2020.42	Proposed elevations & floor plans	14 October 2020
(-)	Proposed block plan	9 February 2021

Reason: To define the scope and extent of this permission.

- 3 The relevant works shall not take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.

- i) Samples of external materials and surface finishes
- ii) Details of the materials, colour/finish and means of opening of the garage doors

The works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 and DM16 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 4 No development above ground level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- (i) Sample panel(s) of all new facing brickwork shall be constructed on site showing the proposed brick types, colours, textures; face bond; and pointing mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority;
 - i) The materials and methods demonstrated in the sample panel(s) shall be approved in writing by the Local Planning Authority.
The approved sample panel(s) shall be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

- 5 Prior to first use of the development hereby permitted, the area(s) within the site shown on the submitted block plan (received 9th February 2021) for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles

is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/1782/HH](#)