

**APPLICATION NO** PA/2010/1446

**APPLICANT** Mrs V Hall

**DEVELOPMENT** Planning permission to retain a timber sectional garage

**LOCATION** 14 Rookery Croft, Epworth

**PARISH** EPWORTH

**WARD** Axholme Central

**SUMMARY RECOMMENDATION** Grant permission subject to conditions

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Epworth Town Council

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) sets out the criteria against which developments will be assessed and expects a high standard of design in all development proposals.

Policy DS5 (Residential Extensions) states that applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight or result in overshadowing, overbearing or loss of privacy to adjacent dwellings. The proposal should also be sympathetic in design, scale and materials.

Policy DS6 (Temporary Buildings) permits the erection of temporary buildings where they are not highly visible to the public or detrimental to the amenity of the area and will not prejudice proposals for permanent development of the site. A time limit (temporary) planning permission will be granted for non-permanent structures in cases where a permanent permission would prejudice future development of the site.

## **CONSULTATIONS**

**Highways:** No objections.

## **TOWN COUNCIL**

The town council object to the application on the grounds that the garage is constructed of inappropriate materials, is in front of the building line and infringes on other properties in the vicinity in that it impairs the visual amenity of the area. The proposal is contrary to policy DS1 of the North Lincolnshire Local Plan.

The town council would add, though, that if the application is approved, conditions should be imposed that require the garage to be removed when Mrs Hall no longer requires the use of a vehicle.

## **PUBLICITY**

Neighbours have been notified by letter. One objection has been received and one letter of support. The objector raises the following issues:

- the garage is outside the curtilage of the dwelling on a car parking space and being in front of the dwelling, is incongruous in the street scene
- the use of wooden materials is not in keeping with the character of the area and is visually intrusive
- if approved, the proposal would set a precedent to build garages on the other car parking spaces
- agree with a previous appeal decision that the garage is harmful to the appearance of the area
- disappointed that the matter is still unresolved after eight years and would like to reach a conclusion

The letter of support explains Mrs Hall's current circumstances and fully supports the retention of the garage for as long as Mrs Hall requires the use of a vehicle.

## **ASSESSMENT**

The proposal is to retain a timber garage, erected on a parking area to the front of this row of terraced properties, to serve 14 Rookery Croft. The garage has been in place since 2002. A planning application to retain the garage (PA/2002/0896) was refused on the grounds that the construction materials and location of the garage are inappropriate, and detract from the character and appearance of the area. A subsequent appeal was dismissed on similar grounds, and that the garage is harmful to the appearance of this open area.

**The main issues in determining this application are whether a building of such temporary construction has a detrimental impact on the character and appearance of the area and on the residential amenities of surrounding residents.**

The applicant is an elderly lady who has put forward the argument that without the use of a car her life would be significantly more difficult. The garage is necessary in order to keep the car sheltered and in good working order. Following an enforcement appeal the planning inspector gave a temporary three-year permission, which has now expired, being mindful of the circumstances put forward at the time in support of the proposal (as described above), but not a permanent permission, as it was considered that the garage is not suitable for permanent retention.

The garage is still not considered suitable for permanent retention, being of temporary construction and located in a prominent position in the street scene. However, given the fact that there is no opportunity to site a garage to the rear of the applicant's dwelling (being a mid terrace with no vehicular access to the rear), it may be appropriate to consider a further temporary permission. This has been discussed with the applicant, who is happy for the time limit to coincide with the expiration of her driving licence. The current licence expires in October 2011 and could be renewed for a further three years. Therefore, a

suggested timescale is that permission be given until the renewed licence expires in 2014, and the garage removed at that time, or earlier if Mrs Hall no longer requires a vehicle.

The objections raised by the neighbour relate to the visual appearance of the building and its negative impact on the street scene. As discussed above, it is considered that the garage is not suitable for permanent retention, but given the information submitted in support of the application, a temporary permission would be more appropriate, and would ensure that there was no long-term harm to the character of the area, especially if the land is reinstated to its former condition. In relation to the impact on residential amenity, it is considered that, whilst the garage is visible from neighbouring properties, it does not cause any undue harm due to overlooking or overshadowing.

The town council have also objected on grounds of visual amenity, but as referred to above, a temporary permission will ensure that no long-term adverse impact is created by the development. The town council also add that if permission is given, this should be for a temporary period only.

It is considered, therefore, that whilst the design of the garage is not ideal, if permitted for a temporary period its overall impact on the character of the area will not be long-term, and given the individual circumstances of the case, the application is recommended for approval.

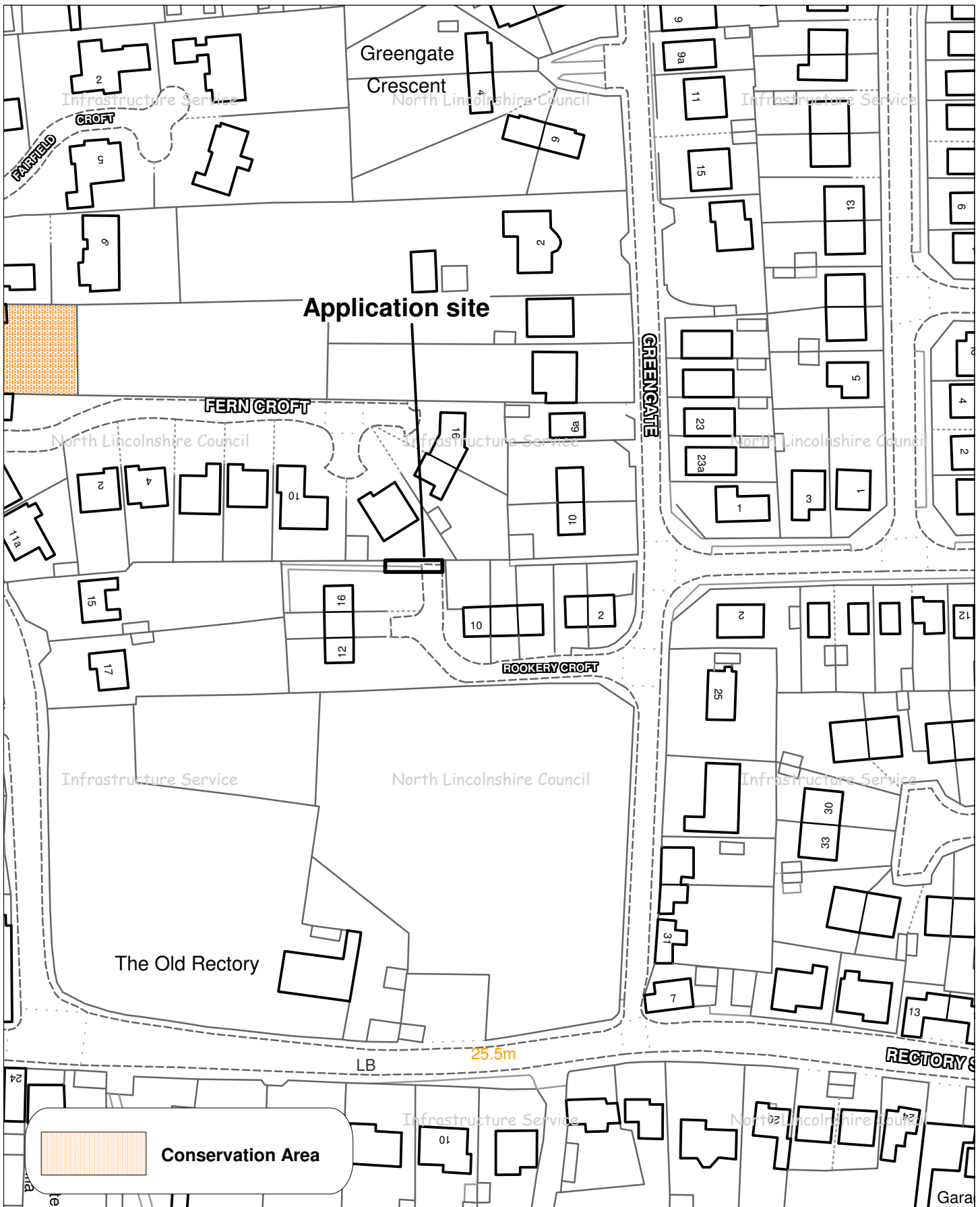
**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The garage shall be removed on or before 24 October 2014, or at such a time when Mrs Hall no longer requires a vehicle, whichever is the sooner, and the land reinstated to its former condition, in accordance with details to be agreed in writing with the local planning authority before restoration is commenced.

**Reason**

Permission is granted only in the light of the short-term need for the development.



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