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| APPLICATION NO | PA/2013/1413 |
| APPLICANT | Mr D Horner |
| DEVELOPMENT | Planning permission to erect a detached domestic garage |
| LOCATION | 50 West End, Winteringham |
| PARISH | WINTERINGHAM |
| WARD | Burton Stather and Winterton |
| CASE OFFICER | Emma Stanley |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Winteringham Parish Council Member 'call in' (Councillors Marper and Ogg – significant public interest and impact on trees) |

POLICIES

National Planning Policy Framework: No specific policies apply.

North Lincolnshire Local Plan: Policies DS1 (General Requirements), HE2 (Development in Conservation Areas), LC12 (Protection of Trees, Woodland and Hedgerows) and RD2 (Development in the Open Countryside).

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits) and CS6 (Historic Environment).

CONSULTATIONS

Highways: No objections and no conditions requested.

Historic Buildings Officer: No objections.

PARISH COUNCIL

Objects on the grounds that:

- the garage is outside the building line and there is already a large detached garage on the site;
- the applicant states that no trees will be felled but several trees on the site have already been felled and it would seem impossible to erect the garage without felling more trees;
- the garage would be close to the boundary with 52 west End;
- there is no height measurement given on the plans; and

- if planning permission is granted the parish council would like to request that the garage can never be made in to a dwelling.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. One letter of objection has been received raising the following issues:

- There is already a large detached garage retained on the site.
- The application states that no trees are to be felled, but some have been felled already and more will need to be removed to build the garage.
- The garage is within the conservation area and totally outside the village building line. What is the purpose of a building line which can be ignored and another property built beyond it?
- The garage is a completely separate and substantial property and looks more like a detached bungalow than a three-car garage. Although described as a garage, it could easily be converted in to a single-storey dwelling, resulting in a house out of keeping with the character of the conservation area.
- The garage is 450mm from the boundary with 52 West End which would be unsightly. The height is not given on the plans.

ASSESSMENT

Planning permission is sought to erect a detached three-bay garage and workshop in the rear garden of 50 West End, a detached two-storey dwelling. The garage measures approximately 14.8 metres by 10.9 metres, and is 2.5 metres to eaves and 5.5 metres to the ridge of the roof. The garage will be built in a Desimple Heritage Blend brick and red natural clay pantiles. The garage is required to house the applicant's own cars and is designed in an L shape. The site is within the conservation area. The village development boundary cuts across the applicant's rear garden and the garage is located just outside of this boundary, but is still within the residential curtilage of the property. The proposal is a resubmission of application PA/2013/1004, which was to extend the main dwelling and erect a detached five-bay garage with first floor. This application was withdrawn due to concerns about the size and design of the garage.

The main issues in the determination of this application are whether the proposal will have an adverse impact on the character of the conservation area; whether there will be an adverse impact on the amenities of neighbouring properties; whether the siting of the garage, outside the development limit, is appropriate; and whether there will be an adverse impact on trees.

The proposal involves the construction of a detached garage in the rear garden of an existing dwelling. Although the location of the garage is not within the defined settlement boundary, it is still within the residential curtilage of the applicant's dwelling. This, in itself, is not necessarily a reason to resist a development on planning grounds. The proposal needs to be assessed on whether its location has an adverse impact on its countryside location. In this particular case, as the garage is located to the rear of the applicant's dwelling and is not readily visible from any countryside views, it is considered that the proposal does not have a negative impact on the character of the countryside.

The proposed garage is within the conservation area for Winteringham. The current design is as a result of discussions with the conservation officer following issues with the previous scheme that was withdrawn. The previous proposal included a five- bay garage with a first floor and dormer windows facing east, which was considered to be out of keeping with the character of the site, surrounding buildings and the setting of the conservation area. The current proposal shows the garage reduced in height and size, is all single-storey and has no windows facing neighbouring properties. Although the structure is still relatively large, it is not considered that it will harm the character of the conservation area, as it is designed to reflect the character of an agricultural outbuilding, and will be built in an appropriate heritage brick and clay pantiles. The garage is also located on the western side of the garden, which is not the main view across the site from the road frontage, and will not, therefore, harm this aspect of the character of the conservation area. In addition, the applicant's garden is large enough to accommodate the garage, whilst still leaving sufficient amenity space for the occupiers of the dwelling.

Although the garage is built close to the boundary with 52 West End, it is not considered that there will be an adverse impact on the amenities of this property, as the proposal is at its lowest on the boundary, being 2.5 metres high. The garage roof then slopes upwards, away from this boundary. It is not considered that the garage causes any overshadowing to this property and, as there are no windows in the rear elevation, there will be no overlooking. The property at 48 West End is set away from the position of the garage and, as the application site slopes downwards away from West End, the garage is not considered to have an adverse impact on this dwelling either due to overlooking or overshadowing.

In relation to trees, the applicant has confirmed that a pear tree blew over in the garden in the high winds of last October and feels that this is the tree that both the neighbour and parish council are referring to. The remaining two trees near to the garage are to be retained and this can be secured by conditions both to ensure that they are protected during construction and not removed after the garage is built. In addition, it is considered that a new tree could be planted to replace that removed.

The parish council and one neighbour have raised concerns about the size and location of the garage and its impact on the conservation area, trees and that it is not within the settlement boundary. Concern has also been expressed that the garage is, in effect, a new dwelling and, although described as a garage, could easily be converted in to a dwelling. Planning applications are determined on their own merits and should not be determined on possible future uses. If the applicant wished to change the use of the garage to a separate dwelling, planning permission would be required; additionally, a condition is suggested restricting the use of the garage to a building ancillary to the main dwelling. It is considered, therefore, that the proposal is acceptable and is recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 284.03 and 284.03 rev A.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

Within 12 months of the date of this permission, or within such extended period as the local planning authority may allow, a tree of a species, height and location to be agreed in writing beforehand with the local planning authority shall be planted on the site to replace that which has recently been removed.

Reason

To ensure replacement planting is undertaken in the interests of the visual amenity of the conservation area in accordance with policies DS1 and LC12 of the North Lincolnshire Local Plan.

4.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees on the site, in accordance with policy LC12 of the North Lincolnshire Local Plan.

5.

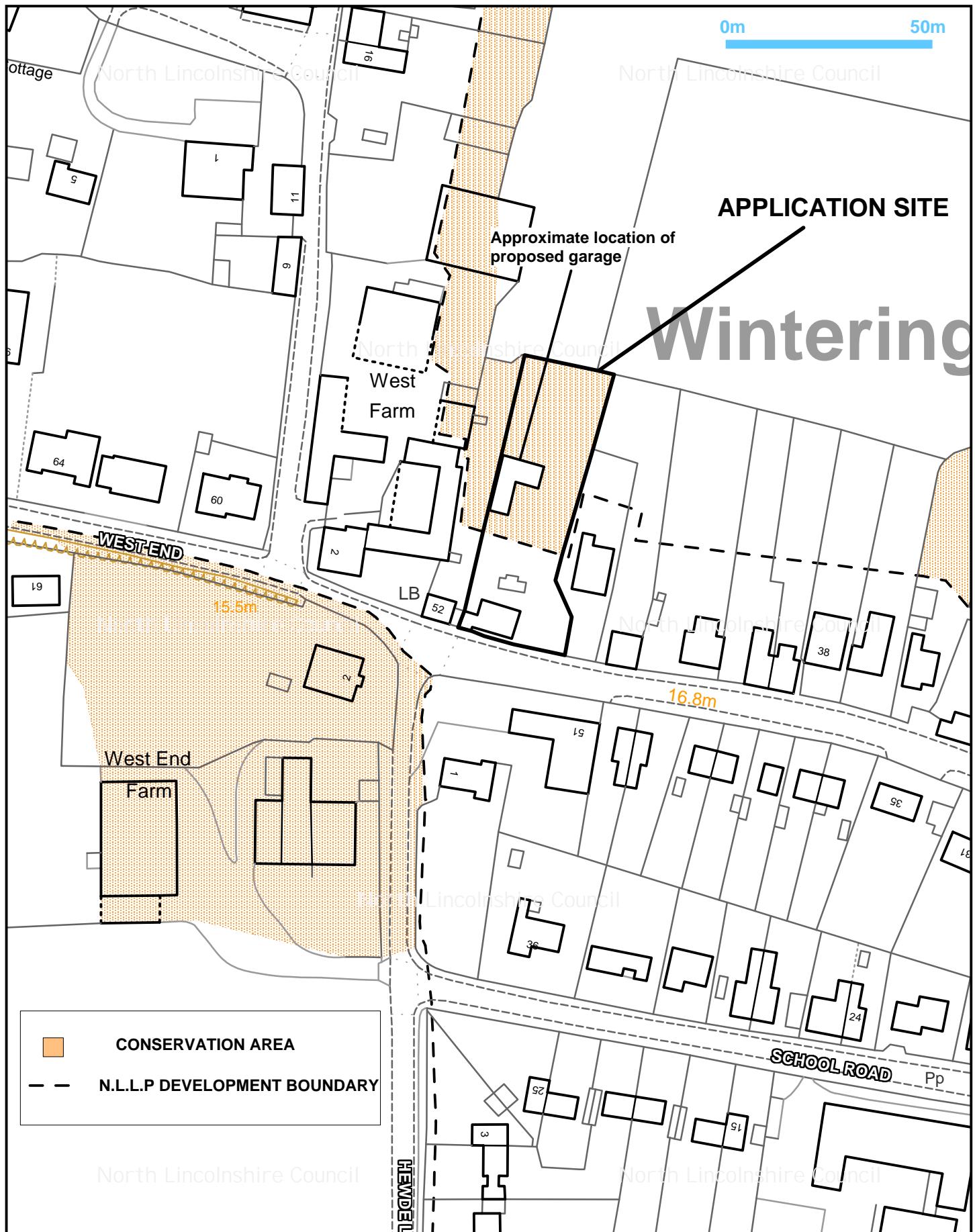
The garage shall not be used other than for purposes ancillary to the residential use of the dwelling known as 50 West End.

Reason

For the avoidance of doubt and to ensure that any future proposed use is in keeping with the character and appearance of the conservation area and the amenities of nearby residential properties in accordance with policies HE2 and DS1 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2013/1413

Drawn by: Sue Barden

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