

Item No. 10**SCHEDULE B**

APPLICATION NUMBER	CB/10/02672/FULL
LOCATION	5 New Road, Clifton, Shefford, SG17 5JH
PROPOSAL	Full: Single storey timber outbuilding (retrospective)
PARISH	Clifton
WARD	Langford and Henlow
WARD COUNCILLORS	Cllr J Clarke & Cllr T Rogers
CASE OFFICER	Judy Self
DATE REGISTERED	19 July 2010
EXPIRY DATE	13 September 2010
APPLICANT	Mr Bustance
AGENT	Homestead Timber Buildings
REASON FOR COMMITTEE TO DETERMINE	Cllr T Rogers has called the application to Committee in response to the concerns raised by neighbouring properties
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises of a two storey end of terrace Victorian cottage which is located to the east side of New Road in Clifton. The site does not fall directly within the conservation area but is adjacent to it and this predominantly residential area is characterised by a mix of terraced Victorian cottages and larger detached properties.

The Application:

Retrospective planning permission is sought for the erection of a single storey timber outbuilding (7.8m in depth, 2.4m in width with a dual pitched roof height of 3.1m) in the rear garden area. The timber outbuilding has been painted green and there are black tiles to the roof.

In accordance with The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Schedule 2, Part 1, Class E) planning permission is required for the outbuilding as the height would exceed 2.5m (in the case of a building within 2 metres of the boundary of the curtilage of the dwellinghouse).

Previous application CB/10/01639/full was approved on 16/6/10 for the erection of a single storey timber outbuilding. However, the outbuilding was erected in a different position to that which was approved. On the approved plan the timber outbuilding was shown to be positioned approximately 3.0m from the eastern boundary with no. 18 Broad Street and approximately 5.0m south of where the building has actually been erected.

The approved plans did not detail a WC and shower facilities which are now proposed. The size and design of the building has not changed between the approved scheme and this retrospective application.

RELEVANT POLICIES:

National Policies (PPG & PPS)

National Policies

PPS 1 Delivering Sustainable Development (2005)

PPS 3 Housing (2006)

Bedfordshire Structure Plan 2011

Not applicable

South Bedfordshire Local Plan Review Policies

Not applicable

Core Strategy and Development Management Policies, November 2009

Policy DM3 - High Quality Development – including extensions

Supplementary Planning Guidance

Design in Central Bedfordshire. A Guide for Development (2010)

Planning History

CB/10/01539

Full: Single storey timber outbuilding - approved

MB/06/01526

Full: Two storey and single storey side extensions - refused

Representations:

(Parish & Neighbours)

Clifton Parish/Town
Council

Objects to the proposal for the following reasons:

-The current building has been constructed on a raised platform and includes a shower and WC. The planning application makes no reference of surface water or foul sewer drainage;

-The site has been moved and should revert to that originally applied for;

The dimensions quoted need to be checked as it appears these are greater than those quoted on the original application;

-Adverse impact on neighbour's property;

-Removal of trees and shrubs although this was not mentioned on the application.

Neighbours

2 letters of objection have been received which have been summarised as following:

- impact on amenity as it appears to be constructed as living accommodation (having both plumbing and electrics) rather than an out-building. There is concern that the proposed use as a garden room is in fact a chalet style habitable dwelling;
- waste and soil pipes are protruding close to the shared boundary;
- given the height of the development rain water runs directly off the building under the boundary fence into the adjacent garden;
- loss of privacy from the window in the raised gable end and from the raised veranda;
- it has replaced a small shed and appears overly dominant and not in keeping with the character and setting of the existing garden grounds in the immediate vicinity;
- there would be an increase in noise when the building is put to its intended use;
- the plans submitted show inaccurate boundary lines;
- the size noted on the application excludes the veranda but this is an integral part of the construction as the roof overhangs this area;
- the building has been constructed on a raised bed which has resulted in an increased overall height making it appear more dominant and has a severe impact upon privacy and amenity;
- the building would be visible in the streetscene;
- building regulations were not obtained.

Determining Issues

The main considerations of the application are;

1. Visual impact upon the character and appearance of the area.
2. Impact upon the neighbouring residential amenity.
3. Any other implications.

Considerations

1. ***Character and Appearance of the Area***

Whilst not in the conservation area the application site falls next to it. The proposed timber outbuilding is positioned at the end of the rear garden area of no. 5 New Road. Whilst the comments have been noted with regard to the outbuilding being visible in the streetscene at the time of the site visit the outbuilding did not appear to be visible from any public vantage point to any material degree. As such no detriment would arise to the character and appearance of the area.

2. ***Residential Amenity of Neighbouring Properties***

The rear garden containing the outbuilding adjoins no. 14 Broad Street and no. 1 New Road to the north. Nos. 16 and 18 Broad Street to the east and no. 7 New Road to the south of the site. These are the principle properties that may be affected by the proposal. All other properties are adequately well removed so as not to be affected.

Stated size of the outbuilding

7.8m in depth

2.4m in width

2.2m to eaves height

3.1m to ridge height

0.3m roof overhang

Concern has been raised with regard to the actual finished height as the outbuilding appears to have been constructed on a timber platform. During the site visit it was noted that the outbuilding had a timber veranda which extended around the structure however the height has been checked and is in accordance with the submitted plans.

The eaves height was measured at 2.2m (this included the base) which is consistent with the submitted plans.

During the site visit it was confirmed that the outbuilding was positioned approximately 3.6m from the boundary with no. 16 Broad Street (to the east) and approximately 0.7m from the boundary with no. 14 Broad Street (to the north). These measurements are consistent with the submitted site plan.

The depth and width of the outbuilding were checked and are in compliance with the submitted plans.

Residential Amenity of Neighbouring Properties

The timber outbuilding has been constructed to the rear of the garden and is positioned away from the main dwellings of nos. 1, 3 and 7 New Road. The residential amenity of these properties (by way of overbearing impact, overlooking or loss of light) is not considered to be significantly affected. The following considerations relate to the impact on number nos. 14, 16 and 18 Broad Street.

Impact on no. 14 Broad Street

Overbearing impact

The main dwelling of no. 14 is positioned 17 metres away from the timber outbuilding with the L-shaped rear garden adjoining the application site (to the south). The outlook from the main dwelling is in a westerly direction and the outbuilding would not be particularly visible from the house. The concerns raised are in connection with the visibility of the outbuilding from the rear garden area.

The boundary fence separating the garden from the application site measures 1.8m in height (as measured from this property) and the same fence measures 1.6m in height (as measured from the application site). Given that the ground level of the application site is slightly higher the side elevation of the outbuilding would extend above the boundary by approximately 0.6m before the pitched roof slopes away. Whilst it is acknowledged that there is a degree of visual impact resulting from the outbuilding it is considered that given its height (ie single storey in nature) and positioning (in relation to the main house and its immediate amenity area to the rear) that the impact is not so significant that the application should warrant a refusal.

Overlooking

There are no side windows and no overlooking would result.

Loss of light

No loss of light would arise given the positioning of the outbuilding in relation to the main dwellinghouse.

Impact on no. 16 Broad Street

Overbearing impact

The main dwelling is positioned approximately 11m from the outbuilding (to the east). The garden area of this property is modest in size and a timber fence and mature planting separate the two sites. A small timber shed is also located between the dwelling and the application site. Whilst the comments are duly noted, the gable end which is nearest to the boundary measures 2.9m in height and is positioned approximately 3.6m away from the boundary. Given the nature of the outbuilding (ie single storey), the degree of separation and the mature planting no significant harm to the residential amenity of no. 16 is considered to have arisen.

Overlooking

Concern has been raised with regard to the small feature window in the east facing roofline. This window is positioned approximately 2.5m above floor level and whilst the comments have been duly noted it is not envisaged that any significant overlooking would result given its high level positioning.

Loss of light

No material issue of overshadowing would arise given the height of the development and the degree of separation.

Impact on no. 18 Broad Street

Overbearing impact

The main dwelling is positioned approximately 12m away from the outbuilding. Given the degree of separation and the height of the development no significant harm to the residential amenity of no. 18 is considered to have arisen.

Overlooking

Whilst there is a small feature window in the east facing roofline the window is positioned approximately 2.5m above floor level and it is not envisaged that any significant overlooking would result given its high level positioning.

Loss of light

No material issue of overshadowing would arise given the height of the development and the degree of separation.

In conclusion, whilst the comments received have been given their due consideration the application is acceptable with regard to residential amenity.

3. *Any other implications of the proposal*

The following concerns have been raised during the determination of the application and have been addressed as following:

The inclusion of WC and shower facilities:- this has been noted but it would be a matter for the Building Regulations.

The outbuilding could be used as a separate dwelling:- whilst the concern is noted a condition will be attached to any permission requiring that the outbuilding shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling. As such the accommodation could not be used as a separate dwelling without a formal application.

Surface water run off:- this has been noted but it would be a matter for the Building Regulations.

The removal of trees:- this has been noted but the trees fell within the application site and were not covered by any tree preservation orders.

The potential for noise:- There is no evidence to suggest that the building would give rise to a likely noise nuisance in the future. However, should excessive noise be generated from the building in the future, this would need to be investigated by the Council's Public Protection Team at that time.

Reasons for Granting

No detriment to the character and appearance of the area would arise or significant harm to residential amenity. As such the proposal is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009); Planning Policy Guidance: Planning Statement 1 Delivering Sustainable Development (2005); Planning Statement 3 Housing (2006); the adopted Central Bedfordshire Design Guide (1010)

Recommendation

That Planning Permission be granted subject to the following:

- 1 The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 5 New Road.

Reason: The ancillary accommodation created by the development is not suitable, because of the circumstances of the site, to be used as a separate, independent residential unit.

DECISION

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