
Parish: BRANTHAM

Location: Freshfields, 42 Cedar Close, Brantham

Proposal: Erection of garage and porch; insertion of windows to side elevation.

Applicant: Mrs L Cherry

Case Officer: Christine Thurlow **Date for Determination:** 19.01. 2010

At the Development Committee meeting on the 20 January 2010 it was agreed to carry out a Site Inspection at the request of the local Member. A panel of Members visited the site on the 27 January 2010 to assess the impact of the development on residential and visual amenities.

THE SITE

1. Freshfields is a two-storey detached dwelling located at the end of a private drive and accessed from a turning head in Cedar Close, Brantham. To the front of the dwelling and to the south of the neighbour at 41 Cedar Close lays a gravelled area which provides parking and turning for No. 43. This parking area is elevated above the level of the adjoining pedestrian footpath due to the considerable change in ground levels along this boundary; the gravelled parking area is supported by a retaining wall and close boarded fence.
2. Ground levels considerably change between no. 43 Cedar Close (Freshfields) which constitutes the application site and numbers 45 and 47 located to the west. Ground levels are considerably lower than the application site and continue to and fall away in a westerly direction (accurate scaled plans of the side elevation of the garage currently awaited).

THE PROPOSAL

3. The application seeks planning permission for the construction of a detached garage to be located on the gravelled area with a porch to the front of the property and three additional windows in the side elevation facing out onto open countryside.
4. The proposed garage would measure 4.6m by 4.6m and have a hipped roof with the highest point of the ridge measuring 3.5m from ground level. The eaves height of the garage structure would be 3.5m above ground level. The porch would measure 1.6m by 3.12m; additional windows in the side elevations would be at first floor level and provide additional light and ventilation to bedroom accommodation.
5. The applicant has submitted a letter and photographs in support of the application which disputes some of the points made by the objector at paragraph 10 and states that the garage will fit in and not spoil the open plan effect and benefit neighbouring privacy.

RELEVANT HISTORY

6. Estate history only; the only exceptions being:-
 - B/99/0234/FHA – erection of retaining wall and fence to front and side boundaries – planning permission granted

- B/09/01/1114/FHA – erection of shed – planning permission refused on the grounds that the shed would be located in an open plan and elevated part of the estate presenting a new feature within the street scene.

NATIONAL GUIDANCE

7. **PPS1** (Delivering Sustainable Development)

PLANNING POLICY

8. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan – 2008

- **SS1** (Achieving Sustainable Development)
- **ENV7** (Quality in the Built Environment)

Babergh Local Plan (Alteration No.2) 2006

- **CN01** (Design Standards)
- **HS33** (Extensions to Existing Dwellings)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

9. PC – Recommend refusal as the Parish Council considers the proposed building to be out of character with the local scene.

REPRESENTATIONS

10. One letter of objection has been received from the resident of 43 Cedar Close making the following comments:-
- No. 43 overlooks my back garden
 - Levels are not shown on plan
 - Hardstanding was attractive until previous owner built it up
 - Garage would be very visible and be an eyesore and would restrict light into living room
 - Would affect value of my property; close neighbours also unhappy
 - Previous application for shed refused (B/01/0414/FHA)
 - This new building is much larger and would represent a greater eyesore and obstruct light
 - Would contravene building line, the whole of the estate is open plan
 - Eight properties of this design in Cedar Close all have an integral garage, the one at 43 is converted to a lounge and none have a porch
 - Hard standing can accommodate 6 vehicles – formerly have 3 cars; according to the applicants the garage is to accommodate 1 car and 2 motorbikes
 - Applicants husband is a builder working from home, with inadequate storage facilities elsewhere on site – space around garage could be used for this purpose.
11. One letter has been received from the nearby resident at 47 Cedar Close making the following comments:-

- The garage would contravene covenants in the deeds about working from home and having well maintained open aspects to front gardens
- Garage will make boundary treatment even taller
- Concern about methods of construction given ground level changes and concerns for pedestrians and cyclists
- Properties have site driven foundations
- Garage will tower above the footpath
- Further impact on vision and light
- Structure will not be in keeping and look out of place.

PLANNING CONSIDERATIONS

12. Lead planning policies in connection with this planning application are ENV7, CN01 and HS32 listed above. These policies seek to ensure that such development should be satisfactory not only in terms of its layout and design but also in relation to the impact on residential amenity and the environment in general. As such key issues in relation to consideration of this application are:-

- Layout and design and impact on visual amenity and the wider environment
- Impact on residential amenity.

Layout and Design and Impact on Visual Amenity and the Wider Environment

13. There is no objection in design or layout terms to the proposed porch or the insertion of windows to the side elevation at first floor level. These alterations and additions are entirely acceptable in design and material terms and will not harm the appearance of the host dwelling or have a detrimental effect on the visual amenities of the area or the environment in general.
14. With regard to the proposed garage further plans have been requested to substitute those recently received so as to ensure that scaled plans of all elevations are submitted to support the proposal. Given its location at the head of a private drive and its detached siting 2.2m away from the host dwelling (taking into account the proposed policy) it is considered that sufficient space exists on site to accommodate the garage without the development appearing cramped or intrusive in visual amenity terms.
15. Although the gravelled parking area in front of the dwelling is at a much higher level than the ground level of the adjoining footpath and those of the neighbours at 43 and 47 Cedar Close the scale of the garage has been lessened by incorporating a full hipped roof into the design. This helps to reduce its prominence despite the elevated nature of the site.
16. Despite the fact that the erection of the garage in this location may block views of the surrounding countryside to nearby residents it does none the less provide a visual stop to the end of the private drive. Given that the garage would not appear cramped in spacial terms and there would be sufficient space around the building it is considered that the proposal is acceptable in layout, design and external appearance terms. The applicant has stated materials will match the existing dwelling and the conditions listed below seek to secure this.

Impact on Residential Amenity

17. There is no objection to the insertion of the windows or the erection of the porch in relation to residential amenity.

18. With regard to the proposed garage this will be located on the western side of the application site and in an elevated position by comparison with the neighbours at no. 45 and 47 Cedar Close. From these neighbours perspective the garage will be located further south than the rear elevations of their properties and will lie to the east of their gardens. Due to the siting and the elevated nature of the slab level of the garage the proposed structure will impact on these residents. However it is single storey in nature with a hipped roof and does not lie in such close proximity to the position of those dwellings such that refusal of planning permission would be justified on loss of light grounds either to gardens or to the dwellings concerned.
19. In terms of its neighbourliness or dominance in relation to these properties and gardens it is clear that any structure even of single storey height will appear prominent in relation to the gardens of these properties particularly as the land falls away from the footpath level in a westerly direction. However the southern and rear boundaries to both properties no. 45 and 47 are open to the countryside with no buildings directly to their rear. In view of this it is considered that it would be unreasonable to resist this garage either on over dominance or un-neighbourliness grounds due to the fact that space light and aspect can be gained in an unfettered manner on other boundaries. On this basis the recommendation is one of approval for the application in its entirety.

CONCLUSION

20. The above represents and assessment of the proposal taking into account current approaches and practices to planning and the prevailing development plan policies and considerations. Although as part 5 states, planning permission was previously refused (in 2001) for a shed in a forward position on the parking area, it was of an inferior design and was located closer to the neighbour and on the frontage of the application site to the private drive. Given the design and location of the proposed garage it is considered that insufficient grounds exist to resist the proposal

REASONS FOR APPROVAL

20. The proposal is considered to be in accordance with saved policy CN01 and HS33 of the Babergh Local Plan (Alteration 2) 2006 and ENV7 of the East of England Plan 2008, by reason of the scale, design, materials and relationship of the garage and porch to the existing building and those which lie in close proximity. The proposal including the insertion of additional windows is not considered to reduce the level of amenity enjoyed by neighbouring occupants and does not detract from the character of the dwelling or the surrounding area in visual terms sufficient so as to justify refusal of planning permission.

RECOMMENDATIONS

Subject to receipt of accurate scaled plans of the elevation the Chief Planning Control Officer be authorised to grant planning permission subject to the following conditions:-

- Samples of materials of porch and garage (so as to match existing host dwelling)