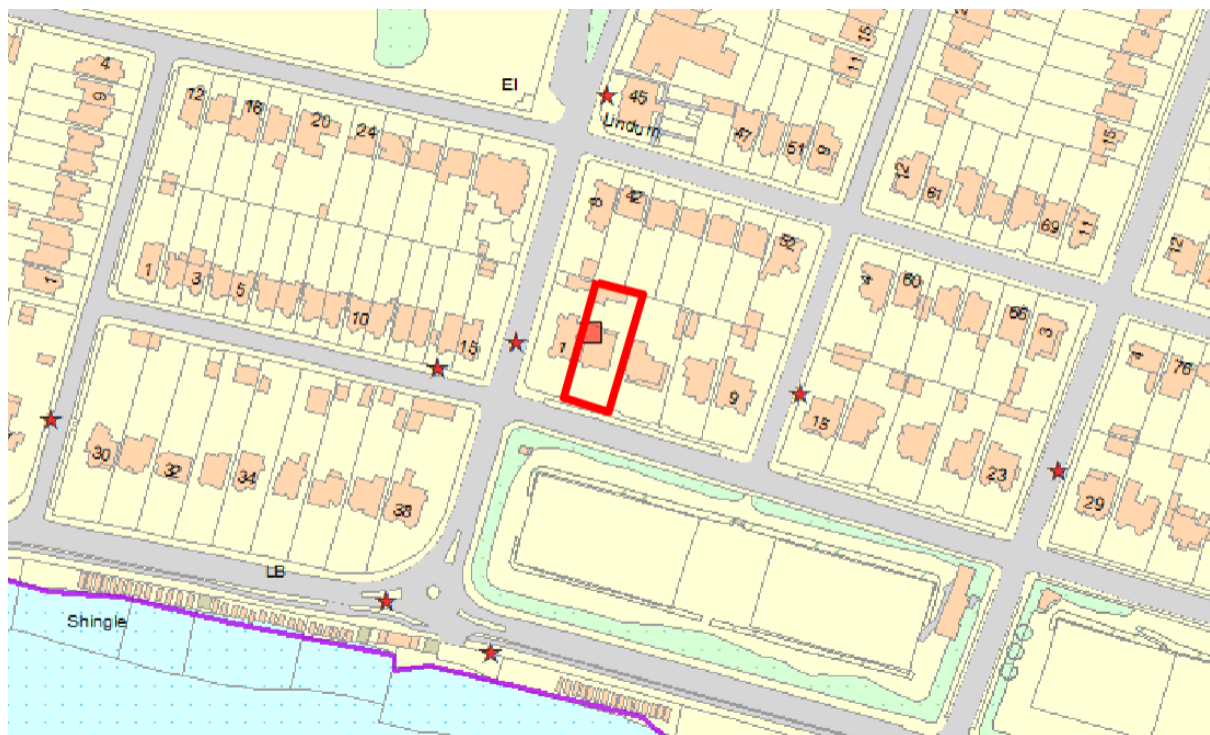


Reference:	17/00041/FULH	
Ward:	Thorpe	
Proposal:	Convert existing rear garage into habitable accommodation and alter elevations	
Address:	3 Thorpe Bay Gardens, Thorpe Bay, Essex, SS1 3NS	
Applicant:	Mr And Mrs Pace	
Agent:	Knight Gratrix Architects	
Consultation Expiry:	9 <sup>th</sup> February 2017	
Expiry Date:	9 <sup>th</sup> March 2017	
Case Officer:	Anna Tastsoglou	
Plan Nos:	1035 020	
Recommendation:	GRANT PLANNING PERMISSION	



## **1 The Proposal**

- 1.1 Planning permission is sought to convert the existing garage to a habitable room and alter south and east elevations to install aluminium bi-folding doors.
- 1.2 The outbuilding is located to the rear of the property and it is partially used as garage (4.7m wide x 4.7m deep) and also currently contains a recreation room, kitchen, lobby, two loft rooms and a bathroom. The proposal is to convert this area to a garden room and install bi-folding doors to the southeast corner.
- 1.3 It is noted that the an application for a certificate of lawful development to convert the garage to habitable room and alter the external elevations was previously refused by reason of removal of permitted development rights to carry out operational development (Ref No.: SOS/96/0902 and SOS/97/0066) and therefore, express planning permission is required.

## **2 Site and Surroundings**

- 2.1 The site is located on the northern side of Thorpe Bay Gardens, to the east of Thorpe Hall Avenue and it is occupied by a large detached two storey dwellinghouse with roof accommodation. The property has a double hipped roof, a double storey front bay window with a top gable and a verandah to the front with a balcony at first floor. The property is bounded by a stone boundary wall and hedges to the front. The front curtilage of the dwelling is partially hard surfaced and used for parking. A detached outbuilding is sited to the rear of the dwelling and it is a hipped room single storey building incorporating roof accommodation (flat roof dormers).
- 2.2 The area is residential in character, comprising mainly two storey large sized dwellings, which size, mass and form vary. The majority of the properties along Thorpe Bay gardens have balconies to the front, given that they benefited from long estuary views. There are a number of examples of outbuildings within the immediate area at the back of the dwellings. The dwellings are sited well back from the highway. To the south of the application site is a public open green space.

## **3 Planning Considerations**

- 3.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, any traffic and transport issues and impact on residential amenity.

## **4 Appraisal**

### **Principle of Development**

**NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3.**

- 4.1 The dwelling is located within a residential area and alterations to the garage/outbuilding is considered acceptable in principle. Other material planning considerations are discussed below.

### **Design and Impact on the Character of the Area:**

**NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3; SPD 1 (Design & Townscape Guide (2009))**

- 4.2 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.3 Paragraph 56 of the NPPF states that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
- 4.4 Policy DM1 of the Development Management DPD states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.5 Policy DM3 (5) also advises that *‘Alterations and additions to a building will be expected to make a positive contribution to the character of the original building and the surrounding area through:*
- (i) The use of materials and detailing that draws reference from, and where appropriate enhances, the original building, and ensures successful integration with it; and*
  - (ii) Adopting a scale that is respectful and subservient to that of the original building and surrounding area; and*
  - (iii) Where alternative materials and detailing to those of the prevailing character of the area are proposed, the Council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design that positively enhances the character of the original building or surrounding area.’*

4.6 According to Policy KP2 of Core Strategy (CS) new development should *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of CS requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.

4.7 It is proposed to convert an existing detached garage which is part of the outbuilding to the rear of the property to a habitable room. The proposal would replace the existing garage door and window to the south elevation with aluminium bi-folding doors. The building is not visible from public vantage points and therefore, the proposed alteration would not result in a detrimental impact on the streetscene. Furthermore, there is no objection to the replacement of the up and over garage door with bi-folding doors, in design terms. No other external alterations or extensions are proposed to the existing outbuilding and as such, no objection is raised with regard to the visual impact of the proposal.

## **Traffic and Transport Issues**

### **NPPF; Development Management DPD Policy DM15; DPD 1 (Core Strategy) Policies Policy CP3; SPD 1 (Design & Townscape Guide (2009))**

- 4.9 Policy DM15 of the Development Management DPD requires all development to meet the minimum off-street parking standards. Although the garage would be converted into a habitable room and therefore, it would be no longer a usable parking space, at least two off-street parking spaces would still be provided to the front curtilage and driveway of the dwelling and as such, no objection is raised regarding the loss of off-street parking provision.

### **Impact on Residential Amenity:**

### **NPPF; Development Management DPD Policies DM1 and DM3; SPD 1 (Design & Townscape Guide (2009))**

- 4.10 The Design and Townscape Guide (SPD1) states that *“extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.”* (Paragraph 343 - Alterations and Additions to Existing Residential Buildings). Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”*
- 4.11 The proposed doors would be installed to the south and east elevations, facing the application dwelling to the south and No. 5 Thorpe Bay. A high fence separates the application site with the neighbouring dwelling to the east and therefore, it is not considered that the proposed ground floor glazed doors would result in an unacceptable overlooking or loss of privacy.
- 4.12 No other external changes or extensions are proposed to the outbuilding and thus, the proposal would not adversely impact upon the residential amenity of the rest of the nearby neighbours.
- 4.13 It is noted that the building is already used for other purposes ancillary and incidental to the main dwelling, apart from the garage. The existing loft room and bathroom to the roof space and recreation room at ground floor would be retained as existing. A condition in relation to retain the ancillary and incidental use of the outbuilding in order to safeguard the character and amenities of the area will be imposed.

## **Community Infrastructure Levy**

### **CIL Charging Schedule 2015**

- 4.14 No new floor space is created. Therefore, the proposed development is not CIL liable.

## **5 Conclusion**

- 5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The proposal would not result in a material harm on the parking availability. This application is therefore recommended for approval subject to conditions.

## **6 Planning Policy Summary**

- 6.1 The National Planning Policy Framework (2012) : Section 7 (Requiring Good design)
- 6.2 Development Plan Document 1:, KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management DPD 2015: DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

## **7 Representation Summary**

### **Public Consultation**

- 7.1 Five neighbours were notified and a site notice posted on site and one representation has been received raising concerns regarding the existing windows to the west elevation of the outbuilding, requesting that these should not to be changes to clear glass or be opening.

**[Officer Comment: It is noted that no alterations are shown to the existing windows to the west elevation and it is noted that any external alterations to the building would require express planning permission, given that permitted development rights were withdrawn by applications SOS/96/0902 and SOS/97/0066.]**

- 7.2 The application has been called into committee by Cllr Woodley, who commended as follows:

- *This is an application to turn what is described as a garage into habitable accommodation. However the plans show that the existing building is already habitable in the sense of having a bathroom, kitchen and other rooms capable of being habitable. Superficially this application is a simple change of part of the internal layout and is of little consequence over and above the current situation. But an application for a lawful use certificate was refused last year and this application for planning permission is the result.*

### **Design and Regeneration**

- 7.3 No objection received.

### **Transport and Highways**

- 7.4 There are no highway objections to this proposal the applicant has retained 2 off street parking spaces.

## **8 Relevant Planning History**

- 8.1 84/1289 - Use house as old persons home. Planning permission granted.
- 8.2 96/0902 - Erect single storey extension to outbuilding at rear to form garage. Planning permission refused.
- 8.3 97/0066 - Erect single storey extension to outbuilding at rear to form garage. Planning permission refused.
- 8.4 16/01187/FULH - Erect two storey rear extension including habitable accommodation in the roof, erect garage to side, extend single storey side extension and porch to front, form new balconies to front, enlarge existing dormer to front and alter elevations. Planning permission granted.
- 8.5 16/01898/CLP - Alter elevations and convert garage into habitable accommodation (Lawful Development Certificate - Proposed). Certificate of Lawfulness refused.

## **9 Recommendation**

**GRANT PLANNING PERMISSION** subject to the following conditions:

- 01 The development hereby permitted shall begin not later than three years from the date of this decision.**

**Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.**

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1035 020.**

**Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.**

- 03 All new work to the outside of the building must match the choice of materials, method of construction and finished appearance of the existing outbuilding, unless otherwise shown on the drawings hereby approved.**

**Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policies DM1 and DM3,**

and SPD1 (Design and Townscape Guide).

- 04 The converted outbuilding hereby permitted shall only be used for purposes incidental to the residential use of the dwelling known as No. 3 Thorpe Bay Gardens.**

**Reason: To safeguard the character and amenities of the area and to safeguard the amenities of adjoining residential properties, in accordance with the Development Management DPD policies DM1 and DM3.**

**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**

**Informative**

- 1 You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.**