

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: DM/17/03255/FPA
FULL APPLICATION DESCRIPTION: Conversion of triple garage to create living accommodation (Resubmission)
NAME OF APPLICANT: Mr Dave Johnson
ADDRESS: Broxholme
Stockton Road
Castle Eden
Hartlepool
TS27 4SN
ELECTORAL DIVISION: Blackhalls
CASE OFFICER: Michelle Hurton
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DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site lies within a prominent location within the Castle Eden Conservation Area. The property is unlisted and is not included within the schedule of unlisted buildings of local interest as identified within the Council's adopted conservation area character appraisal document. However, the property possesses a degree of aesthetic/architectural merits as a representative of mid-20th century design, but overall it is considered to be a neutral contributor to the designated area.
2. The application site does fall firmly within the setting of two Grade II listed buildings namely, West Lodge including the gate piers, and gate tower, the former gate lodge to Castle Eden Estate dating from c.1800; and the War Memorial Cross; a First World War and WW2 memorial in the form of a tall stone cross. All three of the above have a very close relationship and can be seen together from the main road.

The Proposals

3. Planning consent is sought for the conversion of the existing triple garage which was approved in December 2014 to create a separate self-contained living accommodation for a family member. The triple garage is located to the south east of the host dwelling.
4. The application is a resubmission of a previous application which was to create living accommodation at first floor level by proposing an extension above the existing triple garage.

5. The application is brought before members by the request of Castle Eden Parish Council who objects to the proposed development.

PLANNING HISTORY

6. DM/14/02374/FPA - Demolition of existing timber garage and erection of detached triple garage – Approved
7. DM/16/03176/FPA - Conversion of garage into habitable room, erection of balustrade to existing first floor terrace area and alterations to existing openings – Approved
8. DM/17/01815/FPA - Erection of first floor extension above detached triple garage to create ancillary living accommodation – Withdrawn
9. DM/17/03268/FPA - Two storey extension to side, single storey extension to rear, replace balustrade to terraced area and alterations to openings and internal layout – Pending Consideration

PLANNING POLICY

NATIONAL POLICY:

National Planning Policy Framework

10. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
11. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'
12. The following elements are considered relevant to this proposal:-
13. Part 1 (*Building a Strong, Competitive Economy*) – The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
14. Part 6 (*Delivering a Wide Choice of High Quality Homes*) - Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.

15. Part 7 (*Requiring Good Design*) – The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people.
16. Part 11 (*Conserving and Enhancing the Natural Environment*) – Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
17. Part 12 (*Conserving and Enhancing the Historic Environment*) – Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.

LOCAL PLAN POLICY:

District of Easington Local Plan

10. Policy 1 - (*General Principles of development*) Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with Saved Policies 3, 7, 14-18, 22 and 35-38.
11. Policy 22 – (*Preservation and Enhancement of Conservation Areas*) The character, appearance and setting of the conservation areas will be preserved and enhanced.
12. Policy 24 – (*Protection of Listed Buildings*) Development which adversely affects the character, appearance, special architectural features or setting of a listed building will not be approved. The retention of architectural or historic features will be encouraged. Demolition of a listed building will be only be allowed in exceptional circumstances.
13. Policy 35 - (*Design and layout of the development*) The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
14. Policy 36 – (*Design and Access and the means of travel*) The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
15. Policy 73 - (*Extensions and/or alterations to dwellinghouses*) Extensions or alterations to an existing dwelling will have no serious adverse effect on the amenities of neighbouring properties in terms of overshadowing, loss of light, overlooking or visual intrusion, to be in keeping with the scale and character of the original building and the area generally in terms of site coverage, height, roof style, details design and materials and not result in the loss of off street car parking or lead to conditions that are prejudicial to road safety.

EMERGING POLICY:

County Durham Plan

16. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was Quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/media/3396/City-of-Durham-local-plan-saved-policies/pdf/CityOfDurhamLocalPlanSavedPolicies.pdf>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

10. Highways Section – Additional information was requested in respect of parking at the site. Confirmation has been received and an informative would be attached to any approval relating to the garage door type.

INTERNAL CONSULTEE RESPONSES:

17. Spatial Policy Section – No response
18. Design and Conservation - No objection
19. Trees – No objection

PUBLIC RESPONSES:

The application was advertised by means of a site notice posted near to the site, within the press and via letter to 3 neighbouring properties within the area. Two letters of objection has been received in respect of the above development regarding the conversion of the garage, car parking/traffic hazards, a traffic survey being required of the un-adopted road outside the site and being overdevelopment of the site.

20. Parish Council – Objects to the application in respect of the proposal being overdevelopment of the site, being within a contentious area which overlooks the grade II listed war memorial and traffic and car parking problems.

APPLICANTS STATEMENT:

21. The conversion will provide additional Living accommodation for Broxholme without extending the footprint of the existing garage. Generally the conversion will utilise the existing form of the garage, with existing openings being used where possible. The use of the existing building will have a neutral impact on the site, the adjacent war memorial and wider heritage asset.

22. The conversion will incorporate high quality modern materials, suitable for the setting of the site within the Conservation Area.

PLANNING CONSIDERATIONS AND ASSESSMENT

23. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
24. The main considerations in regard to this application are the principle of the development, design, scale and layout, impact upon the conservation area and adjacent listed buildings, highway safety and residential amenity.

Principle of development

25. The application site is located within the settlement boundary for the village of Castle Eden and is a detached triple garage within the grounds of the host property Broxholme which is located within a street where the properties do not have a uniform house type. The street comprises of two storey properties to the west and the listed buildings to the east.
26. Castle Eden is a small rural village and is considered to be one of the most attractive villages within the former District of Easington area. The conversion of the triple garage into a self-contained ancillary dwelling is considered acceptable in principle and as such a development of this nature would be considered to be supported in terms of national, regional and local planning policy, in particular NPPF Part 1 and Policies 1, 35, 67, and 73 of the local plan. Therefore the expansion of the property would be acceptable in principle.
27. To ensure that the proposed self-contained unit remains ancillary to the main house, a planning condition is recommended accordingly.

Design, Scale and layout

28. In respect of the design and layout of the development it is considered that due to the proposed conversion of the garage remaining within the existing footprint of the garage, will not be any higher and has been designed to incorporate openings which match those of the host dwelling that the overall design, scale and layout of the development is acceptable.
29. An objection has been received regarding the intention of the previous application for the garage being the intention of the applicants to convert the garages into accommodation at a later stage. Planning applications have to be looked at on their own merit taking into consideration how they are submitted at that time and not what they may be converted into in the future. However this being said, given that the change of use is to an ancillary dwelling to the main house, and of a design similar in appearance to the existing structure, it is considered acceptable and would not create an unwanted visual impact upon the conservation area.
30. Therefore in design terms it is considered that the proposed change of use is in keeping with the host dwelling and would not detract from the character and appearance of the host property or the wider streetscape in line with Policies 1, 35 and 73 of the District of Easington Local Plan, and is considered to preserve the character and appearance of the Castle Eden Conservation Area, in accordance with section 72 of the Listed Building Act 1990.

Impact on Conservation Area and Listed Buildings

31. The site is located in a prominent location within the Castle Eden Conservation Area and close to listed buildings. A previous application proposed to extend the garage by creating a first floor extension above and keeping the garage. This was strongly opposed to and it is considered that by keeping the conversion within the confines of the existing building maintains its subordinate scale and relationship with the main house.
32. The Tree Officer has raised no objections to the proposed conversion of the detached garage given that the conversion will remain within the same footprint as the existing structure will not require any foundations or increasing in height, therefore not impacting on the nearby trees.
33. The Design and Conservation officer has raised no objections to the proposed change of use and has considered the proposal as a sympathetic conversion in design terms. The garage has a neutral contribution to the conservation area and it is considered that the change of use into an ancillary living accommodation would also have a neutral contribution. The character and appearance of the Conservation Area would therefore be preserved.
34. As there is no extensions proposed to the garage and the conversion will be utilising the existing structure, it is considered that the proposed development would preserve the setting of the heritage assets in accordance with section 66 of the Listed Building Act. Therefore it is considered that the proposed development would not have any adverse impacts upon the character and appearance of this part of the conservation area and heritage assets.

Highway Safety

35. Castle Eden Parish Council and a neighbouring resident have objected to the change of use of the garage into an ancillary dwelling as it will impact upon traffic and car parking, which could impact upon the un-adopted road outside the site.
36. The Highways Authority has been consulted as part of the application and the Highways officer has raised no objection to the change of use of the garage into an ancillary living accommodation given that there is a sizable on-site car parking hardstand area to the front of the garage capable of accommodating at least 3no. motor vehicles and with addition to this a further 3no. motor vehicles can be parked to the front of the host dwelling.
37. The un-adopted road outside of the application site, is not part of this application. It is acknowledged that there may be a slight increase in the amount of traffic egressing into and out of the site, however the access into and out of the site are not being changed from the existing arrangements and therefore it is not considered that the additional numbers would have a detrimental impact upon highway safety enough to warrant refusal of the application. It is considered that the proposed development is acceptable from a highway safety aspect.

Residential Amenity

38. The Parish Council objected to the proposed development in regards to being overdevelopment of the site and being within an area which overlooks the war memorial.

39. In respect of residential amenity, due to the location of the garage already being established it is considered that the development would not be overdevelopment of the site. There are no residential properties located near to the detached garage except the host dwelling, therefore there will be no adverse impacts caused from the proposed development in terms of residential amenity. The windows are proposed to be inserted within the side elevation facing the host property and within the front elevation replacing the garage doors.
40. The properties to the west of the application site are considered to be at a sufficient distance away from the proposed works as not to have any impact on this property. With regards to the war memorial, it is considered that due to there being a high boundary treatment to the side of the garage that the change of use of the garage would not impact upon the war memorial any more than the existing arrangements on site and is therefore considered acceptable.

CONCLUSION

41. Due to the existing boundary treatment and the location of the garage it is not considered that the works would adversely impact upon the current levels of amenity enjoyed at the site and it is considered that the proposed works would preserve the character and appearance of this part of the Castle Eden conservation area and the designated heritage assets.
42. The site is capable of accommodating a number of parked vehicles on-site and as such no objections have been raised by the Highways Authority.
43. Taking all relevant planning matters into account it is considered that the proposal is acceptable given that it accords with both national and local planning policy.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans.

Location Plan, Proposed Garage Plans and Elevations drawing number 16 82 03 F, Proposed Site/Block Plan drawing number 16 82 04 A, Heritage Statement, Design and Access Statement received 04 October 2017 and Arboricultural Survey Report received 11 January 2018

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1, 22, 24, 35, 36 & 73 of the District of Easington Local Plan 2001.

3. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policies 1, 22, 35 and 73 of the District of Easington Local Plan;

4. Notwithstanding the details submitted with the application, prior to the commencement of development full details including plans at a scale of 1:20 and cross sections, of the proposed windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The windows shall be installed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies 1, 22, 35 and 73 of the District of Easington Local Plan.

5. The conversion hereby permitted shall not be occupied at any time other than as part of the residential use of the dwelling known as Broxholme; It shall not be occupied as a separate unit of residential accommodation from Broxholme.

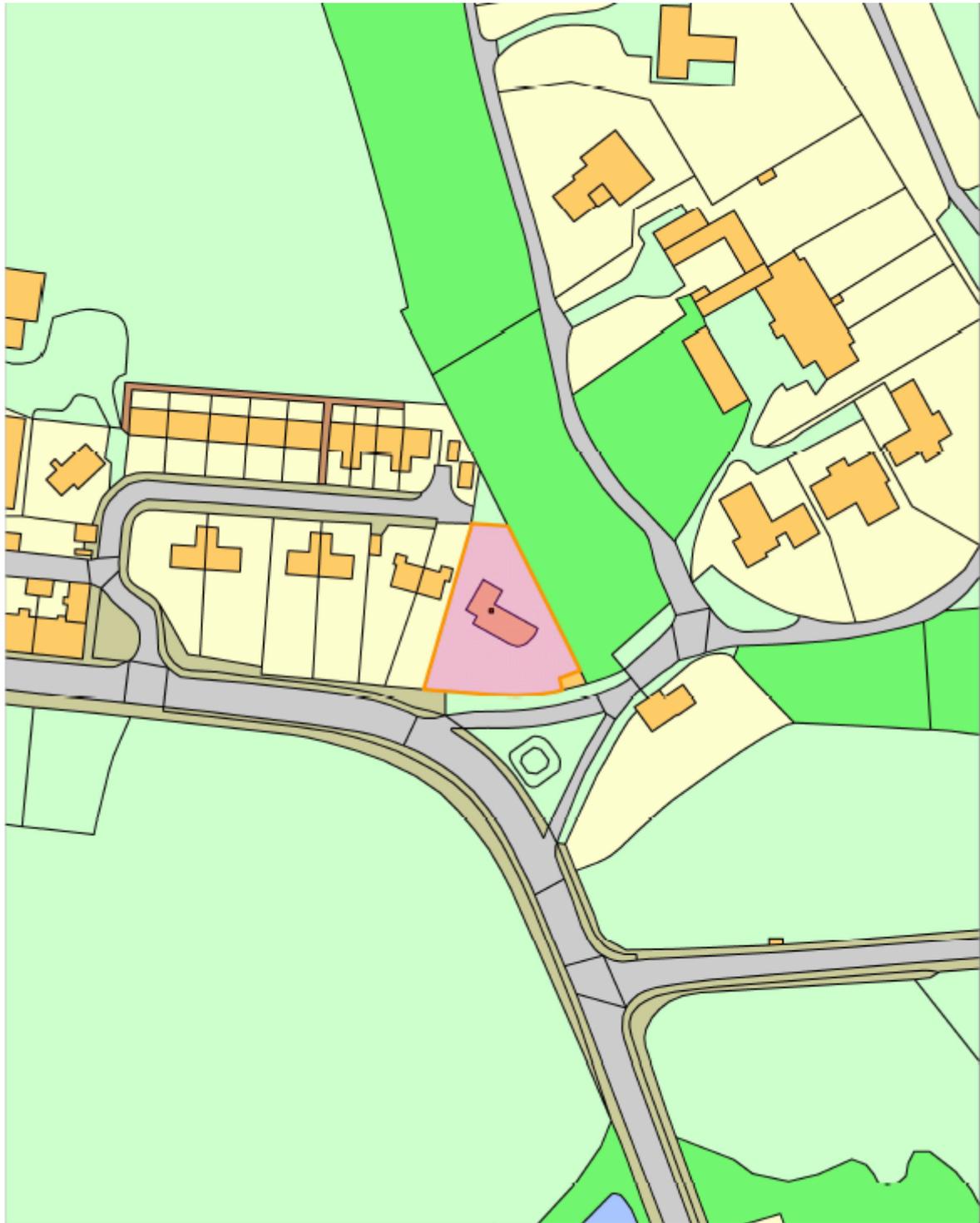
Reason: The creation of a separate residential unit in this location would be contrary to Policy 1 of the District of Easington Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

BACKGROUND PAPERS

- Submitted Application Forms, Plans and reports
- District of Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



Planning Services

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Comments

Date. 13 February 2018.

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