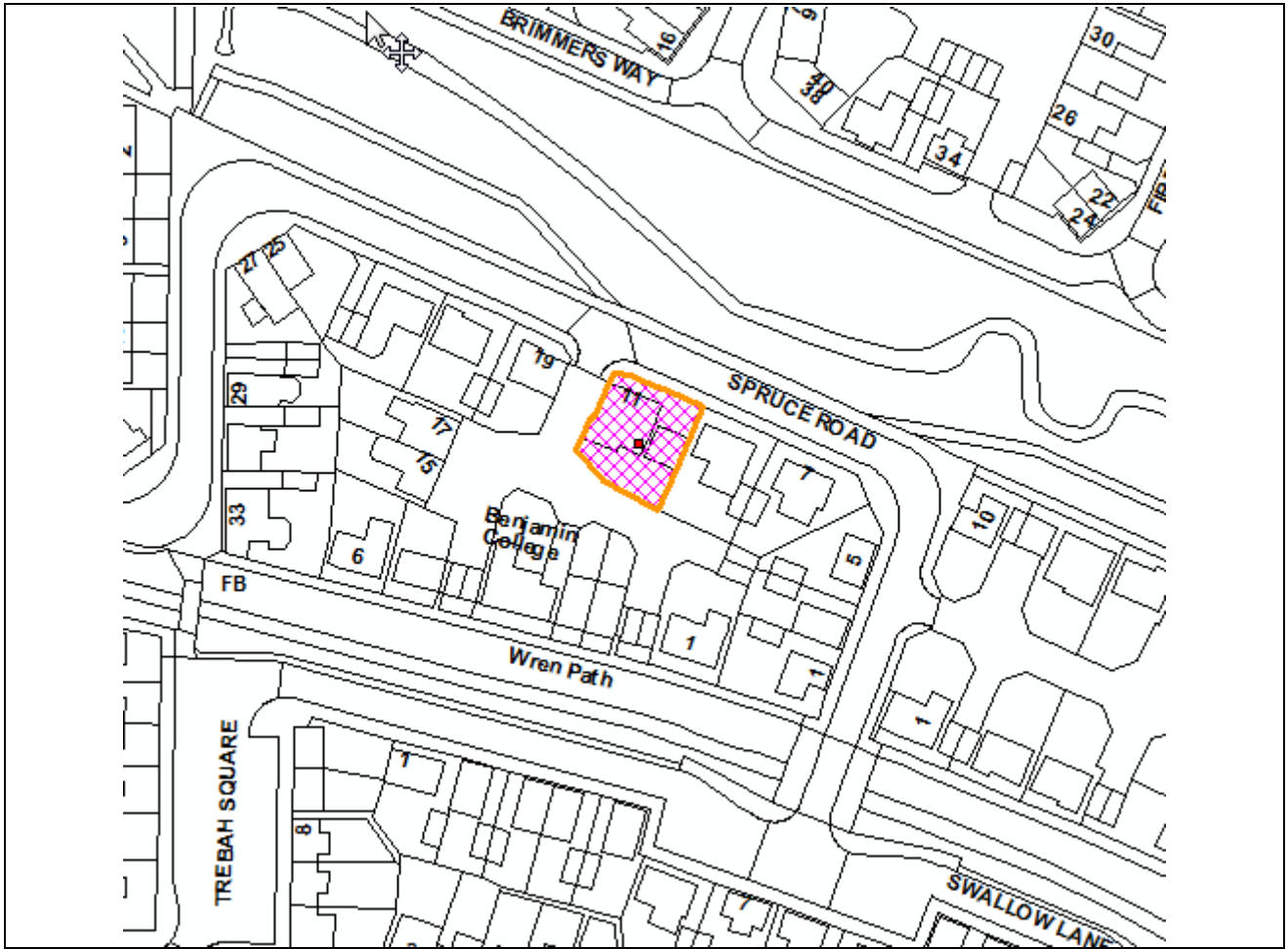


17/04109/APP



© Crown Copyright and database right 2011. Ordnance Survey 100019797

REFERENCE NO	PARISH/WARD	DATE RECEIVED
17/04109/APP	COLDHARBOUR The Local Member(s) for this area is/are: -	31/10/17
GARAGE CONVERSION WITH INFILL EXTENSION 11 SPRUCE ROAD COLD HARBOUR FAIRFORD LEYS HP19 7AE MR S BROWN-SMITH	Councillor A Cole  Councillor Mike Smith  Councillor Steven M Lambert	
STREET ATLAS PAGE NO. 115		

### 1.0 The Key Issues in determining this application are:-

a) Impact upon character and appearance of original property and the character and appearance of the area in general

b) The impact upon amenities of neighbouring residential properties

c) Impact on Highways/ Car Parking

The recommendation is that permission be **GRANTED**

### 1.1 CONCLUSION & RECOMMENDATION

1.2 The proposal is considered to be of a scale and design that respects the character and appearance of the existing dwelling and does not overwhelm it. In addition is considered that the proposal would not appear overly prominent within the street scene or the locality in general.

1.3 Given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale and orientation, it is considered that the proposal would not have an unacceptable adverse impact upon the amenities of the neighbouring properties. Therefore the proposal is considered to comply with policies GP8, GP9 & GP35 of the AVDLP, the Council's Design Guide Residential Extensions and NPPF.

1.4 It is recommended that the application be **APPROVED** subject to the following conditions:-

#### Conditions:

1. STC5 – Standard time condition
2. US04 – Matching materials
3. REU1A - The conversion hereby permitted shall not be used or occupied for any purposes other than as ancillary to the residential use of the property on the site, currently known as 11 Spruce Road, Coldharbour.
4. AMP1 - The development hereby permitted shall only be carried out in accordance with drawing No. 1 Rev A submitted under cover of agent's e-mail dated 12<sup>th</sup> January 2018 received by the Local Planning Authority on 12<sup>th</sup> of January 2018.

5. HG31 - The scheme for parking and garaging indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

**Reasons:**

1. RE03 – To comply with Town and Country Planning Act and Section 51 of Planning and Compulsory Purchase Act.
2. RE11 - Satisfactory appearance
3. RE20 - To preserve and maintain the residential character of the area in accordance with policy GP35 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.
4. RE39 - For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and to comply with the National Planning Policy Framework.
5. To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.

**WORKING WITH THE APPLICANT/AGENT**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case the applicant was advised to submit amended plans which were considered acceptable, and therefore the application is recommended for approval.

**2.0 INTRODUCTION**

- 2.1 The application needs to be determined by Committee as the Parish Council has raised material planning objections. The proposed installation of an additional door at the front of the property is not in keeping with the overall design of the property and alters, negatively, the overall design of the property and street scene.

**3.0 SITE LOCATION AND DESCRIPTION**

- 3.1 The application site comprises of a two storey detached dwelling situated on the south side corner junction of Spruce Road, Fairford Leys. The property is constructed from brick, is characterised with a hipped roof and a detached double garage to the flank and is set back a modest distance from the adjacent highway to accommodate a narrow space laid in hardstanding which is separated by a low level black metal fence.

**4.0 PROPOSAL**

- 4.1 Householder consent is sought for the conversion of the existing garage and an infill extension. The proposal would involve converting internally one part of the detached double garage to part habitable use / utility area and would include a modest infill extension to link the garage to the main dwelling. The proposed extensions and alterations would be finished in materials to match the existing.

## **5.0 RELEVANT PLANNING HISTORY**

The application site benefits from no relevant planning history.

## **6.0 PARISH/TOWN COUNCIL COMMENTS**

### **6.1 Coldharbour Parish Council 07.11.2017:**

Coldharbour Parish Council opposes the application for the following reasons:

- i. Coldharbour Parish Council object to this application as it does not adhere to the Ernest Cook Trust Development guidelines acknowledged by AVDC Development Control. Whilst the Parish Council does not object to the change of use of the garage, providing that adequate parking is available for this property, we do object to the removal of the garage door and replacing this with a window and external door which severely alters the street scene and is not in keeping with the overall design of the property. This proposed change of use does not conform with the overall design build and vision for the development of Fairford Leys and is totally against the architectural design for which Fairford Leys has won previous awards for and the masterplan agreed by AVDC Development Control along with controlled covenants set by AVDC for garage conversions to assist the protection of the overall design and street scenes for Fairford Leys. AVDC have previously refused these types of applications and have also taken previous applications of this type to the planning inspectorate to oppose the application. The Parish Council requests that AVDC ask the property owner to make suitable changes to the plan to ensure that the street scene is not altered by the removal of the garage door. Coldharbour Parish Council REFUSES to grant permission under Ernest Cook Trust Covenants for this application as it stands unless the requested changes are made to the satisfaction of the Parish Council.

- 6.2 Following receipt of revised plans removing the window, the Parish Council were reconsulted.

### **Coldharbour Parish Council: 14.11.2017:**

- i. The proposed installation of an additional door at the front of the property is not in keeping with the overall design of the property and alters, negatively, the overall design of the property and street scene.

They are prepared to send a representative to Development Control should this be necessary.

## 7.0 CONSULTATION RESPONSES

None undertaken

## 8.0 REPRESENTATIONS

None received

## 9.0 EVALUATION

### ***The impact on the character/appearance of the host dwelling and the impact on the character and appearance of the area in general:***

- 9.1 Policy GP9 of AVDLP states that proposals for extensions to dwellings will be permitted where they protect character of outlook, access to natural light and privacy for people who live nearby; respect the appearance of the dwelling and its setting and other buildings in the locality; and acco308rd with published Supplementary Planning Guidance on residential extensions and the other policies of the development plan.
- 9.2 Policy GP35 of AVDLP states that the design of new development proposals should respect and complement the physical characteristics of the site and the surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines.
- 9.3 The proposal is for the part garage conversion and infill extension. The proposal as amended would comprise of a part conversion of the detached double garage to create additional habitable accommodation, whilst proceeding to retain the second garage space as a car parking space. Revised plans were received to demonstrate the garage would continue to benefit from garage doors within the front wall to retain the original appearance of a garage. The infill extension would project parallel with the front and rear wall of the detached garage to link it to the main dwelling whilst reflecting its roof design to retain the existing pitch and height. The proposed garage conversion given it would comprise solely of internal alterations, would not be visible from the public domain and therefore this element of the proposal would not detract from the character and appearance of the host dwelling and street scene.
- 9.4 The proposed extension by reason of its infill nature and modest size and scale would be a sympathetic and subservient addition to the host dwelling. The extension would be set back 3.5m from the principal elevation, would be finished in materials to integrate with the host dwelling and due its single storey composition and relatively low level height would remain as a lower subsidiary structure to not appear unduly obtrusive when viewed from the street scene. The extension would comprise of a secondary door across the front elevation, however it would be set back 3.5m from the principal elevation, would be of a design which reflects the original pattern and colour and would continue to provide a secondary from of access to the rear garden and for the storage of bins.
- 9.5 The proposed conversion would comprise of additional habitable use as well as an independent access via the new front door and to ensure it remains ancillary to the host dwelling. The proposal would be attached to the main dwelling and would be internally linked via an entrance to the kitchen and would be subject to a condition prevent subdivision of the property.
- 9.6 In summary the proposal is considered to be of a scale and design that respects the character and appearance of the existing dwelling and does not overwhelm it. In addition is considered that the proposal would not appear overly prominent within the street scene or

the locality in general. The proposals are therefore considered to comply with GP9 & GP35 of the AVDLP, the Council's Design Guide Residential Extensions and NPPF.

***Impact on residential amenity***

- 9.7 Policy GP8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal. Where planning permission is granted, the Council will use conditions or planning obligations to ensure that any potential adverse impacts are eliminated or appropriately controlled.
- 9.8 It is considered given the modest infill nature of the works, the proposal would not result in an adverse impact upon the residential amenities of the adjoining occupiers.
- 9.9 In summary, given the positioning of the proposal and its relationship relative to the neighbouring properties in terms of scale, position of windows and orientation it is considered that the proposal would not have an unacceptable adverse impact upon the neighbouring amenity. Therefore the proposal accords with GP.8 of AVDLP and NPPF.

***Impact on highways and parking***

- 9.10 Policy GP24 of the AVDLP requires parking to accord with the Council's SPG. The Council's SPG seeks for a 4 or more bedroom dwelling to provide a maximum of three car parking within the curtilage of the dwellinghouse.
- 9.11 The conversion would result in the loss of a single garage space, however, the proposed plans continue to show that the property would continue to benefit from the second space internally as well as two external spaces on the forecourt. Accordingly it is considered that adequate parking will remain for the property once the garage is part converted and as such would continue to accord with Policy GP24 of the AVDLP, the Council's SPG parking guidelines and the NPPF.

***Ernest Cook Trust development Guidelines***

- 9.12 The proposed infilling of the garage accords with the general criteria for alterations to freehold properties by virtue of the fact that the material details will match the existing. Under the terms of the covenant imposed by the Ernest Cook Trust, the applicant is required to obtain a separate consent from the Trust for the alterations to the dwellinghouse. This is a matter separate from planning legislation and is for the Parish Council to enforce should it so decide.

Case Officer: Mr Naim Poptani

Telephone No: 07931 839927