

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 February 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2753/14/VC
Parish(es):	Stapleford
Proposal:	Removal of Condition 4 (Ancillary Use) of Planning Consent S/1953/13FL for Alterations and Conversion of Garage to for Self- Contained Annexe
Site address:	12, Aylesford Way, Stapleford
Applicant(s):	Mr Charles Nightingale
Recommendation:	Approval
Key material considerations:	The main issue, is why should, the Local Planning Authority (LPA) remove condition 4 of planning permission reference: S/1953/13FL
Committee Site Visit:	None
Departure Application:	No
Presenting Officer:	Edward Oteng
Application brought to Committee because:	Elected Member Application
Date by which decision due:	27 January 2015

Planning History

1. S/1953/13/FL Alterations and Conversion of Garage to form Self Contained Annexe

Planning Policies

2. **National Planning Policy Framework**
3. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies (DPD) adopted 2007**
DP1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria

4. **Proposed Submission Local Plan (July 2013)**

S/7 Development Frameworks

HQ/1 Design Principles

5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD- Adopted March 2010

Consultations

6. **Stapleford Parish Council-** Recommends approval and makes the following comments:-

“Prepared for condition 4 to be lifted but not to be sold as separate entity. Stapleford Parish Council recognise that there has been a breach of the original planning consent but recommend approval”

7. **Local Highways Authority-**Raise an objection to the application on the grounds that the applicant had failed to provide a drawing showing the required visibility splays of 2.4 meters by 43 meters as measured from along the nearside edge of the carriageway. The Local Highways Authority requested that the LPA impose several conditions in relation to pedestrian safety, visibility splays, materials and surface water drainage of the driveway, and retention of the manoeuvring area to the front of the property

Representations

8. None

Material Planning Considerations

9. The application site is within the village framework of Stapleford which is designated as a rural centre in policy ST/4 of the South Cambridgeshire Local Development Framework Core Strategy Development Plan Document (CS). The application scheme would involve no physical changes to the external fabric of the garage adjacent to the rear garden of the bungalow. The crux of the matter for due consideration, is why should, the Local Planning Authority (LPA) remove condition 4 of planning permission reference: S/1953/13FL and the justification for or against its removal needs to be carefully assessed.

The principal of using the garage as annexe ancillary to, the enjoyment of the bungalow has the benefit of an extant planning permission.

Character and Appearance of the Street Scene

10. The proposed alteration and conversion of the garage to self- contained annexe involves no material change to the fabric of the external face of the, building, the application property is situated at the foot of the garden, of the bungalow and a modest separation distance exist between the host building and the proposal. The application property is not prominent within the street scene and has a generous set back from the public highway. The proposal presents no visual signs of incongruity.

Neighbour Amenity

11. The development has no adverse impact upon the residential amenity of adjoining neighbours as an annexe compared to an independent self- contained unit there would be material difference in terms of the level of use however this would be

controlled by the occupant of the host bungalow controlling the comings and going of either property in particular vehicular access.

Highway Safety

12. The objection raised by the Local Highways Department can be addressed by way of conditions attached to the consent.

Conclusion

13. The applicant has stated that there are medical reasons for the need for a departure from condition 4 under planning reference: S/1953/13/FL which stated the following: *“The development hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as No.12 Aylesford Way, Stapleford. (Reason- to protect, the amenities of adjoining residents in accordance with, Policy DP/3 of the adopted Local Development Framework 2007)”*. The future change in the applicant's physical health when care and assistance would be sought from none family member is been planned for by way of this application. The garage offers the opportunity for a separation of privacy and independence for both the occupants of the bungalow and garage. The applicant is planning for future change in circumstance, related to an existing condition. Whilst condition 4 placed on the extant permission referenced : S/1953/13/FL precluded the use of the self-contained annexe from becoming a separate planning unit, its removal to allow the future residential care needs of the applicant is fair and reasonable, given the degree of separation that exist between the two buildings.

Recommendation

14. It is recommended that Planning Committee approve the application
Subject to the following conditions and informative:-
- (a) The development hereby permitted shall be begun before the expiration of 3 years from the date of permission.
(Reason- To ensure that consideration of any future application for development in the area will not be prejudiced by permission for development, which have not been acted upon.)
 - (b) No development shall commence without prior approval of the required visibility splays.
(Reason: To provide adequate inter- visibility between the users of the access and the existing public highway for safety and convenience of users of the highway and of the access.
 - (c) No development shall commence without prior approval of all drainage details for the driveway showing that, no private water from, the site does not run across or onto the adopted public highway.
(Reason for the safe and effective use of the highway)
 - (d) No debris or bonded material shall be allowed to spread onto the adopted public highway due to the intensification of the site.
(Reason- in the interest of public safety)
 - (e) The approved Self- Contained Annexe shall not be sold as a separate unit and shall only be used as annexe to the host bungalow.
(Reason- To protect the amenity of adjoining neighbours)

Informative:

The granting of planning permission does not constitute a permission or license to developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

Background Papers**South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD- Adopted March 2010

Planning File Reference: S/1953/13/FL

Case Officer

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