

UTT/1608/06/FUL - WENDENS AMBO

Erection of two-storey rear extension, front porch and front dormer window. Conversion of detached garage to residential annexe.

Location: 23 Station Road. GR/TL 516-364
Applicant: Mr & Mrs McLaren
Agent: Kenneth Mark Practice Ltd
Case Officer: *Madeleine Jones 01799 510606*
Expiry Date: 22/11/2006
ODPM Classification: OTHER

NOTATION: ULP: Within Development Limits. Ground Water Zone. Adjacent to Conservation Area.

DESCRIPTION OF SITE: The property is a semi detached rendered house in a group of five pairs of semi-detached houses. There is a row of Listed terraced properties adjacent to the semi's. The house has a separate, detached garage, set back from the house at the side of the dwelling. It is situated on the Station Road in Wendens Ambo. The house has a long flat-grassed rear garden, which is separated from neighbours by timber fencing. There are farmers' fields to the rear of the garden. There is a small flat roof addition to the rear of the property. The frontage of the property is symmetrical to the other pair of the semi. It has one dormer window to the front at first floor level and a horizontal row of three windows at ground floor level. The front door has a flat canopy. There is off road parking (on the shingle drive) for at least three cars.

DESCRIPTION OF PROPOSAL: The proposal is for

1. The erection of a two-storey rear extension. This is a revision of a previously approved extension, which would replace the existing rear flat roofed single storey extension. The size of the extension remains the same. The dimensions of the extension would be 5m deep, 5.1m wide and it would have a ridge height of the existing dwelling. The extension would have a gabled end to the rear. The revision consists of changes to the position of windows and doors. Patio doors will replace a conservatory, which was approved to the rear of the existing rear elevation. French windows in the side elevation of the proposed extension are moved slightly closer to the existing house. There would be two new windows in the east side elevation.
2. A front porch and dormer window to the front. The dimensions of the porch would be 3.5m wide, 1m deep and 2m high. It would have two posts supporting a canopy and it would have a gable end to the front, which would have oak beams and be rendered. The roof would have plain tiles. The porch would be glazed and rendered. The dormer window would be the same dimensions and design as the existing front dormer
3. Conversion of the detached garage to residential annexe. The conversion would only require the addition of a new window to the rear of the garage and interior alterations. The front garage door would remain, with the wall bricked up behind.

APPLICANT'S CASE: The garage conversion is to be used to accommodate an au-pair.

RELEVANT HISTORY: Two-storey rear extension, porch, conservatory and detached garage. Approved 2002. Vehicular access approved 1997.

CONSULTATIONS: Anglian Water Services: To be reported (due 18 October 2006).
Environment Agency: To be reported (due 18 October 2006).

REPORT TO DEVELOPMENT CONTROL COMMITTEE 13 DECEMBER 2006

Legal Advice: Advise a Section 106 Agreement should be sought.

PARISH COUNCIL COMMENTS: No objections to the rear extension, the porch or dormer window but do have concerns with regard to the conversion of the garage into a residential annexe for the reason of setting a precedent in the area for other such conversions creating more dwellings in the area. Therefore, with regard to this part of the application the Parish Council would wish to object.

REPRESENTATIONS: None. Notification period expired 18 October 2006.

PLANNING CONSIDERATIONS: The main issues are design, scale and impact on neighbours' amenity. (ULP Policies H8, S1, GEN2);

In relation to the proposed extensions, the designs are satisfactory and in proportion to the original house. There is already a window in the side elevation at first floor level and therefore, there would be no additional overlooking or overshadowing caused and as such no material impact to neighbours amenity.

The proposal is not for the garage to be used as a dwelling in its own right and would not involve the creation of a new planning unit through independent occupation. The conversion of the garage does not require planning permission as the use for an annexe by an au-pair is considered to be " incidental to the enjoyment of the dwelling house" and the use by an au-pair is considered to be classed as ancillary to the main dwelling and therefore exempt from planning permission under the General Permitted Development Order 1995, Schedule 2 Part 1 Class E.

In view of the proximity to the Audley End station this site could be an ideal situation for a one-bedroomed dwelling. Although the site is within Development Limits, this is not a position that an application for an additional dwelling would be supported, due to the relationship with adjacent buildings, and impact on the access/traffic arrangements for the property. There is concern that should the au-pair be no longer required, the garden of the house could be easily divided so that the converted garage could be used as a separate dwelling. On the advice of the Council's Solicitor, a Section 106 Agreement is recommended to ensure that the garage and the house shall remain in the same ownership and that the converted garage at a later date can not be used as an additional dwelling.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.
4. C14.4. Use ancillary to main dwelling.
5. C19.1. Avoidance of overlooking – no additional first floor windows in the side elevations of the rear extension.
6. C.19.1. No further windows, roof lights or other form of opening in the converted garage.

Background papers: see application file.
