

Application for Determination

Parish	Filby
Reference	BA/2014/0150/COND Target date 19/06/2014
Location	Land adjacent to Broadacre, Thrigby Road, Filby
Proposal	Variation of condition of planning permission BA/2007/0313/FUL to allow the garage of plot 3 to be re-located to the front of the property
Applicant	Oldman Homes Limited
Recommendation	Approve subject to conditions
Reason referred to Committee	Third Party Objections

1 Description of Site and Proposals

- 1.1 The application site is situated within the rural parish of Filby and is a development plot which has permission for the erection of three detached dwellings and two attached and 1 detached garages (BA/2007/0313/FUL). The three dwellings have been built but the entire development is currently incomplete; the detached garage of plot three has not been erected. The site sits immediately adjacent to a neighbouring dwelling to the south west, an informal car park to the north east and sits facing Thrigby Road to the south east and neighbouring properties beyond. The area is characterised by large dwellings in a uniform building line, set back from the road, in sizable plots. Ancillary buildings, such as garages, tend to be attached to the front of the dwellings or detached and situated to the front. The site is not within a Conservation Area.
- 1.2 There have been a number of previous applications on the site and a full site history is given below. The current proposal is for the relocation of an approved garage at plot 3. The garage is proposed to be a single storey, double garage, and is proposed to be approximately 5.6m wide, 6m long and 4.5m to the ridge. The garage is proposed to be dark stained timber boarded under a pantile roof. The garage was approved to be located behind the dwelling of plot 3, the garage is now proposed to be situated in front of the dwelling of plot three, adjacent to the north east boundary.

2 Site History

06/04/0323 – Full planning Application for two detached, 4 bedroom, 2½ storey dwellings. Application refused 21 May 2004 for reasons of flood risk.

Permission was subsequently allowed at Appeal 08 April 2005.

06/06/0552 – Outline planning application for the erection of 2 bungalows with detached garages to the rear of the dwellings permitted above under 06/04/0323. Application refused 02 August 2007 for the reasons of part of the site being outside the development boundary, design and being detrimental to the form and character of the settlement.

06/06/0964 – Full planning application for the erection of three detached, 2½ storey, 4 bedroom dwellings with integrated garages. Application refused 04 January 2007 for reasons of design and being detrimental to the form and character of the settlement.

BA/2007/0216/FUL – Full planning application for the erection of two detached two storey dwellings with linked garages and one detached two storey dwelling with detached double garage to rear. Application refused 28 November 2007 – the erection of a dwelling on plot 3 would have a significant adverse effect on the adjacent trees (two Fraxinus and one Pinus sylvestris).

BA/2007/0313/FUL – Erection of two detached 2 storey dwellings with linked garages and one detached 2 storey dwelling with detached double garage to rear. Application approved 7th March 2008.

3 Consultation

Broads Society- No objection

Parish Council- We consider the application should be refused on the following grounds:

(a) The position of this garage is inappropriate use of a front garden/parking space area, and represents tandem infill at its worst, and to replace this area with a double garage is inequitable.

(b) The Parish Council is concerned about the visual impact on neighbouring properties on Thrigby Road and Thrigby Road itself bearing in mind that the proposal in such a prominent position is way beyond the approved building line in this Conservation Area.

(c) This very large building will be visually intrusive and unsuitable in an environmentally sensitive area and appears to conflict with Local Plan Policy.

District Member- No response

Environment Agency- No objection subject to conditions covering:

- Floor Level

- Surface Water Drainage

Great Yarmouth Borough Council Planning Department- No response

The Highway Authority- No objection

Water Management Alliance- No response

4 Representation

1 x letter of objection from neighbour on grounds of:

- Scale and siting of the garage
- Infill request which is not in keeping with the existing or original building line
- Un-neighbourly form of development with an adverse impact on neighbouring amenity by reason of an overbearing effect

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application:

Core Strategy (2007) [Core Strategy Adopted September 2007 pdf](#)
CS1- Landscape Protection and Enhancement

Development Management Plan DPD (2011)
DP2- Landscape and Trees
DP4- Design
DP11- Access on Land
DP29- Development on Sites with a High Probability of Flooding

- 5.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application:

Development Management Plan DPD (2011)
[DEVELOPMENTPLANDOCUMENT](#)
DP28- Amenity

- 5.3 Material Planning Consideration
National Planning Policy Framework (2012) [NPPF](#)
National Planning Policy Guidance (2013)

6 Assessment

- 6.1 The main issues to consider in the determination of this application are the principle of the re-location, the design, highways, trees, flood risk, and impact on neighbouring amenity.
- 6.2 In terms of the principle, the erection of a detached garage has been approved under application (BA/2007/0313/FUL) and this assessment therefore centres upon the appropriateness of relocating the garage to the front of the property. The area is defined by large properties set back within their plots. Both attached and detached garages, situated to the front of the properties, are characteristic of the area. The garage is proposed to be situated in a location set back from the road by approximately 15m and to the side of the plot, along the same building line of other garages in the immediate vicinity. The erection of the garage to the front of the property is therefore considered appropriate and in character with the wider area. The proposed location of the garage does interrupt an area which had been set aside for some soft landscaping as agreed by the previous approval. It is therefore considered reasonable to condition some additional soft landscaping to mitigate the area which has been lost. The principle of re-locating the garage is therefore considered acceptable in principle subject to replacement soft landscaping being agreed by condition.
- 6.3 In terms of the design, the scale of the garage is similar to other garages in the immediate vicinity and appropriate given the dwelling and plot size. The materials are considered appropriate and are traditionally used on ancillary buildings, such as garages, within the Broads. The design is therefore considered acceptable subject to conditions covering sample materials and joinery to be agreed.
- 6.4 The site will be accessed via the same agreed access point and the parking areas meet the standard requirements. The Highways Authority has no objection to the application and it is therefore considered that there will be no adverse impact on highway safety.
- 6.5 The garage is proposed to be situated adjacent to trees at the boundary, within the root protection area of an Ash and a Horse Chestnut. A tree assessment was submitted with the proposals which showed the garage could be erected without adverse impact on the trees subject to the appropriate management of the trees throughout the course of the development. Subject to the development being undertaken in accordance with the recommendations of the assessment it is not considered there will be an adverse impact on trees and it is advised that this is secured via condition.
- 6.6 The site is situated within a Flood Risk Zone 3 but subject to the floor level and surface water drainage being agreed it is not considered there will be an adverse impact on flood risk as a result of re-locating the garage.
- 6.7 Turning to impact on neighbouring amenity, as outlined above, garages to the front of properties are characteristic of the area. The garage is

proposed to be situated along the boundary, adjacent to the car park and is opposite dwellings on the far side of Thrigby Road, namely, Holly Cottage, Wells Cottage and The White House. The garage is considered to be situated far back enough within the plot (approximately 15m from the road and approximately 40m from the neighbouring dwellings on the opposite side of Thrigby Road) to not be considered overbearing on neighbouring amenity. In addition a window is proposed on the south east elevation facing the neighbouring properties, but given the limited use of the garage and the distance to neighbouring properties it is not considered that overlooking could occur on an overbearing scale. It is therefore not considered that there would be an adverse impact on neighbouring amenity as a result of the proposal.

7 Conclusion

The location, scale and design of the garage is considered appropriate and in character with the wider area. It is not considered there would be an adverse impact on highways, trees, flood risk, or neighbouring amenity as a result of the proposal.

8 Recommendation

Approve subject to the following conditions:

- (i) Time Limit
- (ii) In accordance with AMENDED plans
- (iii) In accordance with Tree Assessment
- (iv) In accordance with agreed floor level
- (v) Surface water drainage to be agreed
- (vi) Sample materials to be agreed
- (vii) Large scale joinery details of doors and windows to be agreed
- (viii) Soft landscaping to be agreed

9 Reasons for Recommendation

In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with Policies CS1 of the Core Strategy (2007) and Policies DP2, DP4, DP11, DP28 and DP29 of the Development Management Policies DPD (2011).

List of Appendices: Appendix 1: Site Location Plan

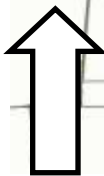
Background papers: BA/2007/0313/FUL and BA/2014/0150/COND

Author: Kayleigh Wood

Date of Report: 02/06/2014

BA/2014/0150/COND Land adjacent to Broadacre, Thrigby Road, Filby

Variation of condition of planning permission BA/2007/0313/FUL to allow garage of plot 3 to be relocated to the front of the property



North

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