



## Development Control Committee Schedule 07/03/2023

<b>Item No:</b>	<b>3</b>
<b>Application No.</b>	S.22/2596/HHOLD
<b>Site No.</b>	PP-11722338
<b>Site Address</b>	32 Wharfdale Way, Hardwicke, Gloucester, Gloucestershire
<b>Town/Parish</b>	Hardwicke Parish Council
<b>Grid Reference</b>	379687,213637
<b>Application Type</b>	Householder Application
<b>Proposal</b>	Erection of double garage to side of main house. (Revised plans received 13.01.2023)
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Parish Council



<b>Applicant's</b>	Mr V Mills
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<b>Details</b>	32 Wharfdale Way, Hardwicke, Gloucester, Gloucestershire, GL2 4JF
<b>Agent's Details</b>	Mr Stephen Sparkes A1 Architecture Ltd, 10 The Anchorage, Gloucester, GL2 5JW
<b>Case Officer</b>	Gemma Davis
<b>Application Validated</b>	28.11.2022
	<b>CONSULTEES</b>
<b>Comments Received</b>	Hardwicke Parish Council Canal Team (E) Contaminated Land Officer (E)
<b>Constraints</b>	Adjoining Canal Consult area Neighbourhood Plan Hardwicke Parish Council Settlement Boundaries (LP)
	<b>OFFICER'S REPORT</b>

### MAIN ISSUES

- o Introduction
- o Principle of development
- o Design, appearance, impact on the area
- o Landscape impact
- o Residential Amenity
- o Biodiversity
- o Highways

### INTRODUCTION

The application site consists of an end of terrace dwelling which is located within a group of seven properties, off Wharfdale Way in Hardwicke, Gloucester. The house is faced in brick, under a plain tiled roof with UPVC windows and doors. There is a driveway to the side of the house. There is no landscape designation at this site.

The site is located within the defined settlement limits for Hardwicke

### PROPOSAL

The application seeks permission for the erection of a double garage. The proposed garage is to be sited over a section of the gravelled driveway and the adjacent hardstanding that serves No.32 Wharfdale Way.

### REVISED DETAILS



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Revised details have been received that attach the garage to the side elevation of the host property

### **MATERIALS**

Walls: Multi / red facing bricks to match existing  
Roof: Red interlocking tiles  
Doors: Stained timber

### **REPRESENTATIONS**

#### **Statutory Consultees:**

Canal and Rivers Trust

No comment

#### **Contaminated Land Officer**

Contaminated Land watching brief condition should planning permission be forthcoming.

#### **Hardwicke Parish Council**

At its meeting on Tuesday January 3rd Hardwicke Parish Council considered its response to the above planning application. A number of concerns were raised and the Council resolved to object to the application and to request that the application be referred to DCC (unless of course the application is refused under delegated authority) The attached report to the Parish Council prepared by the council's planning group along with relevant pictures sets out the Council's opposition to the application. It is also noted that views from neighbouring property have been submitted to the district council.

#### **Public:**

Two letters of objection received to the revised scheme raising the following concerns:

- o Concern regarding permanent structure on a communal car park
- o Inconvenience from construction work
- o Inappropriate location
- o Impact on natural light
- o Interference to parking access
- o Surface water drainage

### **NATIONAL AND LOCAL PLANNING POLICIES**

National Planning Policy Framework.

Available to view at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

[https://www.stroud.gov.uk/media/1455/stroud-district-local-plan\\_november-2015\\_low-res\\_for-web.pdf](https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf)



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Local Plan policies considered for this application include:

CP14 - High quality sustainable development

HC8 - Extensions to dwellings.

ES3 - Maintaining quality of life within our environmental limits.

ES6 - Providing for biodiversity and geodiversity.

ES12 - Better design of places.

Supplementary Planning Documents

Residential Design Guide, November 2000

Hardwicke Neighbourhood Development Plan 2017

GEN3 - High quality inclusive design

CT1 - Parking

### **PLANNING CONSIDERATIONS**

#### **INTRODUCTION**

Planning permission was initially sought for the erection of a detached double garage over a section of the dwelling's hardstanding and gravelled driveway, located to the side of the property. Following construction of the outbuilding, two parking spaces would remain on site in front of the garage doors. Following a review of the wider area, revisions were sought to the scheme to attach the garage to the main dwelling as there are examples of similar structures in the immediate vicinity. The revised plans were subject to consultation and form the basis of this recommendation.

#### **PRINCIPLE OF DEVELOPMENT**

Policy HC8 allows for the erection of outbuildings incidental to the enjoyment of the dwelling subject to relevant criteria. Therefore, the principle of development for an outbuilding to this property is deemed acceptable.

#### **DESIGN/APPEARANCE/IMPACT ON THE AREA**

Wharfdale Way comprises a relatively modern dense housing estate located within the defined settlement limits for Hardwicke. The estate comprises of a mixture of semi-detached, detached and terraced properties that are two storeys in height. There are also flat over garage units (FOG) and single and double detached garages that serve some of the residential properties.

It is proposed to erect a double garage to the side of the host property. The garage would be located over two of the parking spaces that serves the host property. Initially, the application proposed a detached garage that was to be sited away from the side elevation of the host property, it is assumed that this original location was sought to maintain access to the host properties rear amenity space.

Officers raised some concerns with this proposal, it was considered that a garage building would appear more cohesive if it was attached to the side elevation of the host property. It was noted that the rear access to the garden would be lost and therefore it was suggested



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that rear access to the garden could be incorporated into the design of the garage. The feedback was considered by the applicant and the agent and revised details was submitted.

Following receipt of the revised plans, it is proposed to attach the garage to the house with access to the rear garden. The proposed garage would measure approximately 5.1 metres by 5.3 metres with an eaves height of 2.4 metres and a ridge height of 4 metres. While the footprint of the garage is relatively large, it is typical in size for its intended purpose as a double garage. Attaching the building to the house would appear more cohesive in design as it would be viewed as an extension to the house rather than a standalone building that may have the potential to appear prominent in the street scene. While it is noted that the design would present a solid brick wall to the street, this could be softened by planting.

The proposed garage is simple in appearance, it reflects that of the main house including the use of matching materials and ensures a continuity of design and built form.

Ultimately, the garage building is not an uncommon feature within the wider estate, there are examples throughout comprising both single and double garage buildings. As such, the development would not appear unduly prominent or out of place within its domestic setting.

### **LANDSCAPE IMPACT**

The development would generally be viewed against the existing built form and domestic context of the setting and would not appear intrusive in the wider setting.

### **RESIDENTIAL AMENITY**

The main concern for the development is the impact on neighbouring residents in terms of the proposal being overbearing or overshadowing.

The garage is located approximately 12 metres away from the front elevation of No.34 Wharfdale Way. The two structures would be separated by a parking forecourt that serves No.32, 34, 36 and 38 Wharfdale Way and a small area of garden to No.32.

It is acknowledged that the presence of the garage building would have the potential to feel overbearing and enclose no.34 Wharfdale Way as, following construction, their outlook would be of a solid wall rather than a clear view through the existing pergola. However, the building would be located a sufficient distance away from the front elevation of no.34 Wharfdale Way as it exceeds the standards (of 10 metres) in the Residential Design Guide SPD. The design of the garage also minimises its impact; it is single storey with a roof that slopes away from no.34.

The garage would also sit to the west of no.34 and follow the building line of the house it is attached to. As discussed, the building exceeds the minimum separation distances. While the building may lead to a reduction of light for no.34, due to the orientation this would be in the evenings. When considering this, weight must also be given to the single storey form of the building.

Officers accept that there would be an impact on the outlook afforded and daylight to no.34, however, the consideration is whether that impact is 'unacceptable' and the development would therefore fail policy ES3. Whilst there will be a degree of impact, officers do not



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consider it to be significant, given the factors discussed above, and does not warrant refusing this application. The impact is not considered to be unreasonable or prejudicial to the living conditions of the occupiers.

The development would not give rise to a loss of privacy.

### **BIODIVERSITY**

The proposal is located on a hardstanding therefore would have minimal ecological impact.

### **HIGHWAYS**

The proposal would allow for two parking spaces within the new garage and the existing parking spaces in front would be maintained. There would be no change to the existing vehicular access. This complies with the parking standards.

While it is noted that the original planning permission imposed the following condition:

"The development hereby permitted shall not be brought into use until vehicle parking, turning and manoeuvring areas shown on the approved plans are made available for use. Each unit shall be provided with parking spaces in accordance with the Local Planning Authority's vehicle parking standards. This provision shall be maintained as such, free from obstruction thereafter."

While the proposed garage would effectively obstruct two of the parking spaces, Officers do not consider that the proposed development would be in conflict with this condition as sufficient parking within the plot in accordance with the Council's standards would still be maintained.

### **REVIEW OF CONSULTATION RESPONSES**

#### Concern regarding permanent structure on a communal car park

The car park is not a communal car park, the applicant has presented their deeds that identifies that the space proposed to locate part of the garage is within the ownership of the applicant. While the parking space does form part of a car park / parking forecourt that serves four properties, the loss of one space would not be detrimental to the street scene or wider area. Furthermore, should other occupants of the estate wish to undertake similar developments in the future, this would attract a planning application of which due consideration would be given.

#### Inconvenience from construction work

Any concerns regarding noise / working hours would be a matter that is controlled via Environmental Health legislation.

With regards to the construction of the extension i.e. foundations this is not a planning consideration, it is a matter that would be addressed by Building Control and the agreement of the two parties.



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In order to construct the proposed outbuilding, the applicant would have to enter into an agreement with the owners of the adjacent parking space. The applicant would also need to get their permission to maintain any guttering. This is a civil matter and cannot be controlled through the planning system.

### Inappropriate location

Part of the site forms part of a parking forecourt that serves multiple properties, the wider estate demonstrates outbuildings located adjacent to properties and therefore it would not appear out of keeping within its setting.

### Impact on natural light

Discussed within the main body of the report.

### Interference to parking access

This would be a civil matter between the interested parties.

### Surface water drainage

This is a matter that would be assessed by Building Control.

Whilst the objections and comments raised have been read and considered, it is concluded that in purely planning terms the proposed outbuilding is acceptable.

## **PROCEDURAL MATTER**

The application has been submitted as a householder planning application rather than a full application. A section of the area where the proposed garage is to be sited forms a parking forecourt and therefore could be deemed to be outside of the property's domestic curtilage. While a different application type may have been more appropriate, it does not prevent the local planning authority determining this application and granting (or not) the necessary planning permission.

## **RECOMMENDATION**

Permission is recommended.

## **HUMAN RIGHTS**

In compiling this recommendation, we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

<b>Subject to the following conditions:</b>	1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  Reason:
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To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

22.11.07A Proposed elevations received 17.1.23

22.11.05A Proposed block plan received 13.1.23

22.11.06A Proposed plan and section received 13.1.23

22.11.01 The location plan received 28.11.22

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. The materials to be used in the construction of the external surfaces of the outbuilding hereby permitted shall match those used for the host dwelling No.32 Wharfdale Way, Hardwicke.

Reason:

In the interests of the visual amenities of the area.

4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority. The development shall continue in accordance with approved additional details.

Reason:

To protect the health of future users of the site from any possible effects of contaminated land in accordance with the guidance within the NPPF in particular, paragraphs 183 and 185.

Informatives:

1. ARTICLE 35 (2) STATEMENT - The case officer contacted the applicant/agent and negotiated changes to the design that have enhanced the overall scheme.