

**CIRCULATED AT
THE MEETING**



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
08 APRIL 2019**

MEMBERS' UPDATE

AGENDA ITEM NO. 7

Application Number	HOUSE/MAL/19/00116
Location	8 The Cobbins Burnham-on-Crouch
Proposal	Proposed detached double garage with room within roof with 2 No. pitched roof dormers.
Applicant	Mr & Mrs Lambert
Agent	Mr Ashley Robinson
Target Decision Date	28.03.2019
Case Officer	Devan Lawson
Parish	BURNHAM-ON-CROUCH NORTH
Reason for Referral to the Committee / Council	Member Call In by: Cllr. Peter Elliot Reason: Public Interest

Corrected plans have been submitted (Nos 7A and 9A) which show the proposed dormers at a lower height from the side elevations to ensure that the plans are consistent with what is shown on the front elevation. The revised plan also shows that the conifers are to be retained at the site. Given the alterations relate to a correction rather than an amendment to the scheme they have been accepted.

A revision to sections 12 and 13 of the application form have also been submitted which features a correction to the date printed on the Ownership Certificate and Declarations.

The applicant and agent have provided further supporting information. Any additional points raised have been summarised in the table below:

Supporting Information	Officer Response
Garage is not being built as a separate dwelling but to replace the integral garage which is being converted into ancillary accommodation.	The application has been assessed as a garage.
The proposal has been accepted by Maldon, Burnham and Highways.	Maldon District Council has not yet provided a decision on the application. Therefore, it has not been 'accepted'. Furthermore, whilst Burnham-on-Crouch Town Council and Essex County

<p>Estate Agents say that the proposal will enhance the property and neighbours properties as new purchases will be given the same idea.</p> <p>The applicant proposed to sign a Section 106 to prevent the garage becoming a separate dwelling but Burnham-on-Crouch Town Council did not think this was necessary.</p> <p>By Burnham-on-Crouch Town Council, Essex County Highways and Maldon District Council approving the integral garage conversion there is a need for a new garage.</p> <p>Cobbins Grove all have garages within a similar position to the proposal</p> <p>No. 24 The Cobbins has a detached double garage to the side with a pitched roof and No.17 has one to the rear.</p> <p>All houses within The Cobbins have pitched roofs with Dormers directly</p>	<p>Council Highways are consultees and their comments are material considerations, but they are not decision makers. Therefore, the application will be determined by the Members of the South Eastern Area Planning Committee.</p> <p>This appears to be in relation to property values, which is not a planning consideration.</p> <p>This matter could be dealt with via condition rather than a S106.</p> <p>The garage conversion referred to relates to a building control application and not a planning application. Permitted development rights in most instances allow the conversion of integral garages to habitable accommodation without the need for express planning permission from the District Council. Therefore, whilst it is noted that the conversion will result in the loss of some parking at the site, the impacts were not able to be assessed by The Council.</p> <p>It is noted that dwellings within Cobbins Grove have garages within similar positions. However, these do not feature dormer windows and the cul-de-sac has its own individual character.</p> <p>It is noted that No. 24 has a detached garage. However, it is set in a different setting in a corner plot location and does not feature dormer windows. It is noted No.15 has a garage to the rear and not No.17. However, this is set back from the streetscene to the rear of the property and does not feature dormer windows. Therefore, it is not considered comparable to this proposal.</p> <p>This point refers to integral garages and the dormers serve the living</p>
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<p>above their garages.</p>	<p>accommodation within the dwelling. Therefore, the dormers can be read in the residential context of the dwelling and are not standalone features of the garage. Therefore, the use of dormers upon the dwellings is not considered comparable to the proposal to implement them on the garage.</p>
<p>Proposal mirrors No.10 opposite.</p>	<p>No.10 features an integral garage as described above. Therefore, a detached garage with two pitched dormers is not considered to mirror an integral garage which sits below the habitable accommodation within the dwelling.</p>
<p>Garage is a sufficient size for car parking and meets the Essex County Council Planning Requirements Design and Good Practice in terms of garage size.</p>	<p>As stated at section 5.4 of the Officers report there is no objection to car parking within the site. However, it should be noted that this is in relation to the Maldon District Vehicle Parking Standards SPD and not the requirements of Essex County Council.</p>
<p>Neighbours should provide their own planting.</p>	<p>This is not a consideration for this application.</p>
<p>Proposal has halved in size in comparison to the previous application.</p>	<p>This is noted and addressed in section 5.2 of the Officer report. However, it is not considered that the reductions sufficiently overcome the previously highlighted harm.</p>
<p>The land is of the perfect size and situation for the proposal.</p>	<p>Addressed at section 5.2 of the Officer report.</p>
<p>The applicant has extended their driveway to accommodate the new garage. Neighbouring properties have not ensured they have enough off street parking.</p>	<p>The parking provision within neighbouring properties is not a consideration for this application.</p>
<p>The previous report stated that it would not be unusual to see detached garages or extensions to the front/side part of the site and it is accepted that some form of development could occur in an acceptable manner” and it was concluded that there was no harm to neighbouring amenity.</p>	<p>Addressed at sections 5.2 and 5.3 of the officer report.</p>

7.3 Representations received from Interested Parties

7.3.1 A further letter **objecting to** the application has been received and the reasons for objection are summarised as set out in the table below:

Supporting Comment	Officer Response
<p>Proposal is not in keeping with the original estate plan.</p>	<p>Addressed at section 5.3 of the Officer report.</p>
<p>The dormers shown on the proposed drawings from the side elevation are higher than shown on the principle elevation.</p>	<p>This has been addressed through revised plans and was considered a drafting error.</p>
<p>Dormer windows and roof height are excessive for a storage area. The staircase if to be used as storage would be of more use within the garage.</p>	<p>The application must be assessed based on what is being proposed. This is further addressed at section 5.1 of the report.</p>
<p>If the garage doors were replaced with windows it would appear as a small dwelling.</p>	<p>A condition could be imposed ensuring that the garage remains as a garage.</p>
<p>A third gable end to towards the boundary of No. 6 The Cobbins of this height would create a sense of enclosure. A site plan and aerial image has been provided to try to demonstrate this.</p>	<p>Impacts on neighbouring amenity are addressed at section 5.3 of the report.</p>
<p>The proposal would not mirror the integral garage at No. 10 The Cobbins due to it being detached and featuring pitched dormers.</p>	<p>Addressed above and within section 5.3 of the Officer report.</p>
<p>There would be no objection to a single storey garage or a flat low 4 sided pitched roof as the neighbouring impacts would be reduced which will leave space for a DIY storage shed.</p>	<p>Noted. However, the application must be assessed on what is proposed as part of this application only.</p>
<p>The applicant's hobby is to do up cars. However, neighbours should not have to put up with what will become a commercial endeavour rather than a hobby.</p>	<p>This does not form a consideration for this application.</p>