

8 SEPTEMBER 2020 PLANNING COMMITTEE

6e PLAN/2019/1214

WARD: BWB

LOCATION: 30 Winern Glebe, Byfleet, West Byfleet, Surrey, KT14 7LT

PROPOSAL: Removal of Condition 3 (Use of Garage) of planning permission ref: PLAN/2004/1192 dated 25.11.2004 to allow the garage to be used as an annexe for the sole enjoyment of the main dwelling along with a single storey rear addition to the garage (Retrospective).

APPLICANT: Mr Kaushik Trivedi

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The decision on whether to take enforcement action falls outside the scope of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks to remove Condition 3 of PLAN/2004/1192 (Demolish existing garage and construct new garage with shared access with No 32) so as to regularise the habitable use of the detached garage/annexe as opposed to the parking or vehicles ancillary and incidental to the dwellinghouse restricted by Condition 3 of PLAN/2004/1192. A single storey rear addition on the garage is also sought to be retained.

PLANNING STATUS

- Urban Area
- Land adjacent to Green Belt
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

That planning permission be REFUSED and authorise formal enforcement proceedings.

SITE DESCRIPTION

The application site is located on the southern side of Winern Glebe, and contains a detached chalet style bungalow. The garage subject to this application, is a single storey linked detached garage and is adjoined on its western elevation by the neighbouring garage belonging to No.32 Winern Glebe, both of which are served by a shared access.

PLANNING HISTORY

PLAN/2004/1192 - Demolish existing garage and construct new garage with shared access with No 32 – Permitted 25.11.2004

8 SEPTEMBER 2020 PLANNING COMMITTEE

PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain a single storey rear extension on the garage and to retrospectively change of use of the linked/detached garage to habitable space by allowing the removal of the restrictive condition (Condition 3) of PLAN/2004/1192.

The condition reads as follows:

“The garage shall only be used for the parking of vehicles ancillary and incidental to the residential use of the dwelling house and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless the Local Planning Authority otherwise first agrees in writing.

Reason

To preserve the amenities of the neighbourhood and ensure the provision of off-street parking facilities.”

CONSULTATIONS

West Byfleet Neighbourhood Forum: No comments raised

County Highways Authority: No highway requirements (09.07.20)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019

Section 2 - Achieving sustainable development

Section 9 – Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Core Strategy Document 2012

CS1 - A Spatial Strategy for Woking

CS8 - Thames Basin Heaths Special Protection Area

CS9 – Flooding and water management

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable Design and Construction

CS24 - Woking's Landscape and Townscape

CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD 2016

DM9 – Flats above Shops and Ancillary Accommodation

DM10 – Development on Garden Land

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

8 SEPTEMBER 2020 PLANNING COMMITTEE

Supplementary Planning Document 'Design' 2015

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

PLANNING ISSUES

1. The application seeks to remove Condition 3 of PLAN/2004/1192 and the consideration is therefore whether there remain substantial planning reasons for the condition in question to remain attached to the permission.

Planning History

2. Planning permission was granted in November 2004 for the erection of a detached garage across Nos. 30 and 32 Winern Glebe following removal of the existing pair of garages (Certificate B was signed indicating that notification was served to No.32 Winern Glebe). As part of this permission a condition was attached to prevent the use of the garage for anything but the parking of vehicles ancillary and incidental to the residential use of the dwelling house. This condition was attached to ensure off-street parking provision.

Principal of Development

3. The existing garage has been converted into habitable space with an independent lounge/kitchen area and an en-suite bathroom serving the bedroom and in total covers an internal floor area of approximately 36.5 sq.m. Given the siting and internal floor area of the accommodation space, it is considered that, as a freestanding unit, it would be difficult to demonstrate that it would be genuinely ancillary to the occupation of the main dwellinghouse.

4. Policy DM9 of the Development Management Policies DPD 2016 states that:

“Ancillary residential extensions, including ‘granny annexes’ and staff accommodation, designed in accordance with Core Strategy policy CS21 and the Council’s Design SPD, will be permitted provided they share a common access with the main dwelling and are physically incorporated within it, and are designed in such a way that renders them incapable of being occupied separately from the main dwelling. Freestanding units that can demonstrate they are genuinely ancillary to the occupation of the main house will be considered in light of the character and amenities of the area and may be subject to conditions restricting their occupancy. Separate, freestanding, independent accommodation will be treated in the same way as a proposal for a new dwelling.”

5. The wording *“freestanding units that can demonstrate they are genuinely ancillary to the occupation of the main house will be considered in light of the character and amenities of the area and may be subject to conditions restricting their occupancy”* within Policy DM9 of the Development Management Policies DPD 2016 is considered to be relevant in this instance. A ‘freestanding unit’ could be a smaller (than that subject to this application) building within the residential curtilage which contains habitable accommodation although does not contain all the requirements for separate freestanding accommodation. Given that the development includes an internal floor area of approximately 36.5 sq.m, together with the provision of a

8 SEPTEMBER 2020 PLANNING COMMITTEE

lounge/kitchen and separate bedroom with ensuite, in this instance, it is considered that the current space represents separate, freestanding, independent accommodation. The internal facilities include running water, kitchen sink, fridge, washing machine along with grill/hob along with a separate bedroom and en-suite which points towards an independent living space and should, therefore, be treated in the same way as a proposal for a new dwelling as outlined by Policy DM9.

6. It is noted that this space represents a modest living space and falls marginally short of the 'Technical housing standards - nationally described space standard (2015) for a 1 bed, 1 person dwelling. However, since the introduction of Prior Approval Change of Use from Office to Residential (Class O Schedule 2 Part 3 of the General Permitted Development Order 2015 (as amended) 2015), it is apparent that a number of residential units are commonly below the minimum standard as set out by the Department for Communities and Local Government yet are still utilised and counted as independent dwellings.
7. The detached nature of the garage/annexe along with its separation and fact that it does not have to interact physically with the existing dwelling on site, with access to the garage/annexe gained through the shared drive on Nos.30 and 32 Winern Glebe, indicates that the structure would be separate with no physical incorporation within the building, therefore, it would have no reliance upon it.
8. It should be noted that separate, self-contained living accommodation (as per the application) would be incapable of being constructed by virtue of Article 3, Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as Class E requires a "*purpose incidental to the enjoyment of the dwellinghouse*"; separate, self-contained living accommodation is not considered incidental. Considering the paragraph above, there is, therefore, not considered to be a 'fall-back' position in this instance.
9. As such, the unauthorised development has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and it has not been demonstrated that the garage would be genuinely ancillary to the occupation of the main dwelling considering the level of facilities available within this space including kitchen with plumbed sink, fridge, oven and stove top and separate bedroom with en-suite with submitted plans even annotating the entrance point as a 'separate entrance'. The removal of Condition 3 of PLAN/2004/1192 would remove any restrictions on the building and as outlined above, this would, therefore, be contrary to Policy DM9 of the Development Management Policies DPD 2016. As such, the proposal is required to be assessed against National and Local Policies as a new detached dwellinghouse towards the rear of Nos.30 and 32 Winern Glebe.

Impact on Character

10. Section 12 of the National Planning Policy Framework 2019 states that development should be "*sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*". Policy CS21 of the Woking Core Strategy 2012 echoes this provision and notes that new developments

8 SEPTEMBER 2020 PLANNING COMMITTEE

“should respect and make a positive contribution to the street scene and the character of the area in which they are situated”.

11. The ‘garage’ (building subject of the application) forms part of a pair of linked detached garages constructed towards the rear of Nos.30 and 32 Winern Glebe under PLAN/2004/1192. Sited towards the side and rear of the dwellinghouse, the garage, which adopts a dual pitched roof form, is recessed back from the street scene which is typical for garages along Winern Glebe. This separation coupled with its detached nature means that the garage does not share a common access with, nor is physically incorporated within, the main dwelling. Additionally, as outlined above, the unit has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and it has not been demonstrated that the habitable space would be genuinely ancillary to the occupation of the main dwelling. The application is therefore considered to be similar to the creation of separate, freestanding, independent accommodation and is therefore assessed in the same way as a proposal for a new dwelling in line with Policy DM9 of the Development Management Policies DPD 2016.
12. The surrounding area is urban in character, where there is a presumption in favour of new development provided it conforms to the existing pattern of development and that it is consistent with land uses. The dwelling on the application site forms part of a consistent grain of development which follows the highways around in a ‘horse-shoe’ layout corresponding to the cul-de-sac. Properties towards the terminus of the cul-de-sac demonstrate shallow rear amenity spaces and wedge shaped plots. Policy CS21 of the Core Strategy 2012 notes that *“buildings should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land”*. It is acknowledged that the garage was granted under PLAN/2004/1192 with a restrictive condition ensuring its use for parking ancillary and incidental to the use of the dwellinghouse restricting the conversion of the garage into habitable space in order to preserve the car parking provision. The built form of the garage has, therefore, been previously found to be acceptable as a secondary and ancillary building.
13. Policy CS24 of the Woking Core Strategy 2012 seeks development to provide a positive benefit to townscape character and respect the setting of, and relationship between, settlements and individual buildings in the landscape. Properties from the application site around to No.39 Winern Glebe form the apex of the Winern Glebe cul-de-sac and therefore adopt broadly similar site characteristics. The proposal seeks to retain the linked/detached garage as separate accommodation which is to be considered in the same light as a dwelling as per Policy CS9 of the Development Management Policies DPD 2016, resulting in a second tier of development or garden/tandem development. Policy DM10 (Development on Garden Land) of the Development Management Policies DPD 2016 states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:
 - it does not involve the inappropriate sub-division of existing curtilages to a size below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;

8 SEPTEMBER 2020 PLANNING COMMITTEE

- it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;
 - the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area; and
 - suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality.
14. The garage has been designed to serve as an ancillary parking building to the main dwelling and, therefore, does not include a layout or scale which is consistent with the prevailing pattern of dwellings. Policy BE2 of the West Byfleet Neighbourhood Plan 2016 states that *“Proposals for new residential development should demonstrate good design and should contribute positively to creating a sense of place. Garden and/or amenity space should be commensurate with the size and type of dwelling and in keeping with the character of the Housing Character Zone in which it is located.”* It is considered that the garage does not relate to the prevailing character of detached dwellings with rear amenity spaces and would appear discordant in terms of the character of dwellings in the locality and would fail to successfully integrate with the prevailing character of dwellinghouses.
15. It is noted that there is an existing unauthorised extension to the garage which extends the garage at the rear by approximately 1.5 metres. This together with the summer house results in a high level of development along the shared boundary, but it is not considered out of place as a number of detached outbuildings appear to extend along shared boundaries within Winern Glebe.
16. Removal of Condition 3 of PLAN/2004/1192 to allow for the habitable use of the garage would result in the creation of a separate detached unit. Further to this, it is considered that in order to provide the separate dwelling with a suitable amenity provision, the subdivision of the plot to facilitate this would involve the inappropriate sub-division of an existing curtilage to a size below that prevailing in the area. It is considered that the unauthorised unit would appear discordant in terms of the character of the area and would fail to respect and make a positive contribution to the character of the area. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012, Policies DM9 and DM10 of the Development Management Policies DPD 2016, Policy BE2 of the West Byfleet Neighbourhood Plan 2016 and Supplementary Planning Document ‘Design’ 2015.

Impact on Neighbour Amenities

17. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new developments should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, loss

8 SEPTEMBER 2020 PLANNING COMMITTEE

of daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. Detailed guidance on assessing neighbouring amenity impacts is provided within Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The garage was approved under PLAN/2004/1192 and was considered to be acceptable in design and impact on neighbour amenities therefore its presence is not deemed to conflict with the amenities enjoyed by neighbours. The conversion of the garage, however, may raise other issues which may be detrimental to neighbours, in terms of parking, which will be assessed in the relevant section of this report.

18. The single storey addition to the rear of the garage would extend the garage by approximately 1.5 metres along the shared western boundary. Its present, however, does not impact on the amenities of the neighbouring property given the level of development evident along this shared boundary from No.32 Winern Glebe.
19. While the development may be considered acceptable, in terms of impact on neighbour amenities, this does not outweigh the fact that the development would fail to comply with both National and Local Policies with regards to principal of development and impact on the character of the area.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

20. One of the Core planning principles set out within Section 12 of the National Planning Policy Framework is to *"secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
21. The garage is currently fitted out to serve as a separate, freestanding, independent accommodation to the side and rear of No.30 Winern Glebe and off a shared communal parking area. The accommodation previously served as an ancillary garage to the host dwelling and amounts to approximately 36.5 sqm of gross internal area (GIA).
22. The Woking Borough Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that *"in established residential areas, where the existing pattern of development has a well-defined character, the size shape and position of the garden will need to reflect the existing context and be in proportion to the size of the dwelling proposed."*
23. No private garden has been shown for the independent residential unit on the submitted plans. If the plot was subdivided, it would result in an inadequately sized plot for either the existing dwelling or the unauthorised independent unit and this would be out of character with the rest of the local area. The lack of any dedicated amenity space for the proposed unit would be detrimental to the amenities of any future occupiers.
24. Overall, by reason of its lack of private amenity space would fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers contrary to the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

8 SEPTEMBER 2020 PLANNING COMMITTEE

Highways and Parking Implications

25. The proposal is considered to be similar to the creation of separate, freestanding, independent accommodation and is therefore assessed in the same way as a proposal for a new dwelling in line with Policy DM9 of the emerging Development Management Policies DPD 2016.
26. The resulting residential unit would provide 1-bedroom accommodation. The existing main dwellinghouse provides 4 bedrooms across ground and first floor. Supplementary Planning Document 'Parking Standards' 2018 identifies a car parking standard for dwellings providing 4 or more bedrooms of 3 car parking spaces, and 1 space per 1 bedroom/studio unit; cumulatively a parking standard of 4 spaces across both resulting units is therefore required.
27. The submitted plans show an area of hard-standing to the front of the existing dwelling which would appear to provide car parking spaces which could accommodate 3-4 cars, thereby addressing the provision required.
28. While the development may be considered acceptable, in terms of impact on parking, this does not outweigh the fact that the development would fail to comply with both National and Local Policies with regards to principal of development, impact on the character of the area and the substandard level of accommodation provided.

Local Finance Considerations

29. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. The Local Planning Authority considers the development to constitute the creation of an independent self-contained residential unit by way of conversion of the pre-existing ancillary garage. Therefore the proposal would be liable for the Community Infrastructure Levy (CIL) on internal GIA. 36.5 of sq.m and therefore liable to the measure of £5,861.06 (including the 2020 Indexation). The development, therefore would be liable to a total CIL contribution of £5,861.06 which would be payable in the event of an approval.

Impact on the Thames Basin Heaths Special Protection Area

30. The application site falls within the 400m - 5km (Zone B) of the Thames Basin Heath Special Protection Area (TBH SPA) buffer zone. The Thames Basin Heath Special Protection Area (SPA) is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended (the Habitats Regulations). The Habitats Regulations designate the Local Planning Authority as the Competent Authority for assessing the impact of development on European sites and the LPA must ascertain that development proposals will not have an adverse effect on the integrity of the site, alone or in combination with other plans and projects, either directly or indirectly, before granting planning permission. The TBH SPA is designated for its internationally important habitat which supports breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars. The Conservation Objectives of the TBH SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Wild Birds Directive.

8 SEPTEMBER 2020 PLANNING COMMITTEE

31. Policy CS8 of the Woking Core Strategy 2012 requires new residential development beyond a 400m threshold, but within 5 kilometres, of the SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
32. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has not submitted a Legal Agreement to secure the relevant SAMM contribution of £515 (1 bedroom unit at £515 per unit) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of a studio unit that has arisen from the conversion. Due to other substantive concerns with the application proposal, the applicant was not requested to provide a signed and completed Legal Agreement during assessment of the application.
33. In view of the above, and in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan 2009 and The Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations").

Conclusion

34. To conclude, by reason of its detached nature, internal accommodation and siting in relation to the main dwelling, the converted garage would not share a common access with, nor be physically incorporated within, the main dwelling. Additionally, the accommodation has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and it has not been demonstrated that the accommodation would be genuinely ancillary to the occupation of the main dwelling. The removal of Condition 3 of PLAN/2004/1192 which would mean that there is no restriction on the use of the detached building and, therefore, allow for its continuous use as separate detached habitable space with facilitates capable of providing independent accommodation is, therefore, contrary to Policy DM9 of the emerging Development Management Policies DPD. As such, the proposal represents the creation of an independent self-contained residential unit and would involve the inappropriate sub-division of an existing curtilage to a size below that prevailing in the area. Additionally, the layout would appear discordant in terms of the character of the area and would fail to respect and make a positive contribution to the character of the area.
35. The development is tantamount to the creation of an independent self-contained residential unit sited to the side and rear of the existing dwelling at No.3 Winern Glebe. It has not been demonstrated that a good standard of residential amenity, in terms of private amenity space, would be retained for the existing dwelling at Winern Glebe nor the separate detached accommodation for potential future occupiers.

8 SEPTEMBER 2020 PLANNING COMMITTEE

36. In addition, in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures or to secure the proposed units as affordable housing, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policies CS8 and CS12 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan 2009 and The Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations").
37. Consequently it is considered that the development is contrary to provisions outlined in the National Planning Policy Framework, Policies CS8, CS9, CS21 and CS24 of the Woking Core Strategy 2012, Policies DM9 and DM10 of the Development Management Policies DPD 2016, Policy BE2 of the West Byfleet Neighbourhood Plan 2016, the Council's Supplementary Planning Documents on 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008, the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 and the Conservation of Habitats and Species Regulations 2017 (SI No. 1012 - the "Habitats Regulations") and is, therefore, recommended for refusal for the reasons outlined below. It is further recommended that enforcement action to ensure the unauthorised accommodation is reverted back to its original state as a garage for parking/storage.

BACKGROUND PAPERS

1. Site visit photographs.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason:-

1. By reason of its scale, internal accommodation and the size of the accommodation in relation to the main dwelling, the accommodation proposed to be retained as part of this application has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and has not been demonstrated to be genuinely ancillary to the occupation of the main dwelling. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
2. Retention of the separate accommodation would appear as an anomaly and discordant to the prevailing plot characteristics of the surrounding area failing to make a positive contribution to the area contrary to guidance outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy, Policies DM10 of the Development Management Documents DPD 2016, Policy BE2 of the West Byfleet Neighbourhood Plan 2016 and Supplementary Planning Document 'Design' 2015.
3. No private amenity space has been demonstrated for the independent accommodation. The proposal is therefore contrary to provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policies DM10 and DM11 of the Development Management Policies Development Plan Document 2016, Policy BE2 of the West Byfleet neighbourhood Plan 2016 and Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.

8 SEPTEMBER 2020 PLANNING COMMITTEE

4. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwelling would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD 2016.

It is further recommended that:-

The Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of The Town & Country Planning Act 1990 (as amended) in respect of the above land requiring the remedy of the breach of planning control to be achieved through:

1. Enforcement action be authorised to remedy the breach of planning control within six months of the date of the Enforcement Notice to;
 - (i) Cease the unauthorised use of the garage as a separate residential unit contrary to Condition 3 of planning permission PLAN/2004/1192
 - (ii) Remove the blockwork/brickwork to the front elevation used in connection with the conversion of the garage to habitable accommodation so that the garage can be made available for the parking of vehicles by provision of the garage doors in accordance with Condition 3 of planning permission PLAN/2004/1192.
 - (iii) Remove all unauthorised door and windows on the side elevation used in connection with the conversion of the garage as habitable accommodation and restore the side elevation to accord with the approved plans no CS/01 and CS/02 dated 29/07/2004 from planning permission PLAN/2004/1192
 - (iv) Remove the cooking facilities, bathroom and all internal walls from the garage used in connection with the conversion of the garage as habitable accommodation so that the garage can be made available for the parking of vehicles

Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. The plans/particulars relating to the development hereby refused are numbered / titled:

8 SEPTEMBER 2020 PLANNING COMMITTEE

Drawing No. 1 (Received 12.12.19)
Drawing No. 4 (Received 18.06.20)
Drawing No. 6 (Received 12.12.19)