VARIATION OF PLANNING CONDITION
36 MAIN STREET, CARLTON
PLANNING, DESIGN & ACCESS STATEMENT

The Proposal

1 This proposal is to use three bays of an existing garage building for office use. The relevant footprint area is 60m². An application is required in the light of a condition imposed upon the 1998 planning permission for the building under reference 98/00641.

2 Condition 3 of that permission reads "***The use of the garage shall at all times remain incidental to the enjoyment of the dwelling house and no trade or business shall be carried out therefrom***." The reason given was ***"to ensure that the use remains compatible with the surrounding area"***.

3 This application is intended to allow the applicant to continue to operate a business from home, and it does not propose any change to that part of the condition requiring any activity to be incidental to the enjoyment of the dwelling. It relates only to the phrase ***""no trade or business shall be carried out therefrom".***

The Site

4 36 Main Street Carlton is a large Twentieth Century bungalow in the middle of the village, a couple of doors away from the Church. There are domestic properties on either side, with the relevant curtilage extending behind the small cottage to the east. The block of garages are in line with No. 36 and to the rear of the cottage.

5 The garage block measures 15.8m x 6.0m, and has five bays. The original approved plans indicated an internal wall dividing the building into a three vehicle space and a two vehicle space. When it was built approximately ten years ago, a domestic scale

door was substituted for one of the garage doors. The other four bays were fitted with green coloured roller shutter doors.



Planning Context

6 When planning permission was granted for the garage block in 1998 (98/00641), a condition was imposed to prevent business use. Such a condition is common in circumstances where a large detached garage building is proposed, because the LPA rightly wishes to ensure it does not become a workshop or other significant employment use that might be to the detriment of the surrounding residential area.

7. In practice, two businesses have been run from this property for more than fifteen years now. One of these is operated only by the applicant (the occupant of the dwelling), and the other is run by the applicant and his family.

8. Planning permission was granted in May 2009 – reference 09/00218 – to vary the terms of the same condition of the 1998 approval to allow use of two bays of the garage building for office use associated with the family business. That business activity has three full time and one part time employees (including family

members) although two of these are more normally based off site rather than here. It has operated from the garage building for the two years since the approval without any detriment to neighbours or the character of the surrounding area. In other words, it has operated entirely within the terms of relevant conditions.

9. For the avoidance of doubt, the present application does not relate to intensification of the business such as it might be in conflict with that condition. One of the bays will provide meeting space with no permanent occupation, and the other two will provide office space for the two existing staff who normally spend most of their time off-site, without the rather unsatisfactory present arrangement of having to share the existing space when they need it.

10. As with the earlier 2009 application, the approval of the LPA is only required because of the 1998 condition. This level of office use remains incidental to the enjoyment of the dwelling house, however it is caught by the second part of the condition. The simple solution is just to submit the application to vary the terms of the condition, in the clear knowledge that the evidence of existing use confirms there is no conflict with the underlying aim of the condition.

Design

11 The garage block is of a contemporary design with facing brick walls under a concrete tiled roof, built to match the existing dwelling. The original construction included provision of four domestic scale roller shutter doors.

12. The 2009 permission allowed insertion of a new window arrangement behind one of the roller shutter doors, with that door retained and closed when the office is not in use.

13. The present proposal involves a similar arrangement, albeit with smaller windows within rendered blockwork infill panels. One such window has already been inserted in what will become the meeting space. As with the previous permission, retention of the roller shutter door arrangement is fundamental to the scheme.



The building with the external doors closed



The building with the existing office and new meeting room external doors open

14. As a result of this arrangement, the building will retain domestic features during the working day, and it will look just like a garage when the office is not in use. Conditions were attached to the 2009 permission in respect of parking, hours of use, and prevention of division of the site. The applicant anticipates the same conditions again.

Access & Parking

15 There is no proposal for any change to the existing successful arrangements for parking in the yard area between the dwelling and the garage block. There are no more than 2-4 visitors per week to the office use and only three cars are associated with that activity. This traffic is domestic in scale and the existing access in the middle of the village can cope well.

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