

**Development Control Committee  
16 May 2006**

Report by Enforcement Officer

**Conversion of carport and use of annexe,  
Greytrex House, Tinwell Road Lane, Stamford.**

Members may recall planning application S04/531/69 – Alterations to dwelling and erection of carport.

**Site**

The dwelling was built on a former industrial storage distribution site which is located on the northern side of Tinwell Road Lane, an unmetalled/unadopted track connecting with Roman Bank to the east and Exeter Gardens to the west. The track provides vehicular access to virtually all properties fronting Tinwell Road, some fronting Exeter Gardens, and a few plots served directly off it.

Planning application S04/531/69 was submitted as a result of several differences between the house as built and as it was originally approved and also the carport for which details were not submitted prior to it being built.

The carport could accommodate four cars and had storage accommodation in the roofspace. Five rooflights in the east facing slope provided light to the storage space, which was accessed via an enclosed staircase within the southern end of the building.

Further, as part of the application an annexe adjoining Greytrex House was approved. This was for one of the owners aged relative.

**Breaches of Planning Control**

A recent complaint has been made concerning alterations that have been conducted regarding the carport.

A site visit was conducted where it was established that the frontage of the carport had been enclosed and windows and doors had been inserted. Further, the owners planning consultant provided details of the internal alterations that had been undertaken. The layout of the converted carport clearly indicated a sitting room, dining room, kitchen, utility, dressing room, bathroom and bedroom.

With regard so the annexe that is attached to the main dwelling. It has been established that the aged relative which lived in the annexe has passed away. The annexe is now being currently occupied by a foreign national who is working for the current owners of Greytrex House in a cleaning capacity.

Under planning approval S04/531/69 a number of conditions were attached to the permission. Conditions 3, 4 and 5 stated:

3. The roofspace of the carport shall be used for domestic purposes ancillary to the occupation of the main dwellinghouse and for no commercial purposes.
4. The annexe shall only be occupied on a basis ancillary to the occupation of the main dwelling.
5. There shall be no additional rooflights or windows installed in the carport without the express consent of the local planning authority.

### **Planning Policy**

The Local Plan highlights policy which deals with such instances and H6 and EN1 should be given careful consideration and are applicable in this instance.

Policy H6 identifies new residential development where suitable sites exist within or immediately adjoining existing built-up areas. These can be individual dwellings or a change of use of an existing building.

Policy EN1 identifies the visual quality and amenity of the built environment of the plan area which will be conserved and enhanced. It should in respect of buildings reflect the general character of the area through layout, siting, design and materials. The structure should be located where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated.

### **Officers Comments**

The conversion of the carport to a residential unit, separate from the main residence, identifies a separate residential use which is considered not ancillary to the main residence. There is already an adjoining annexe to the main residence which was approved under planning permission S04/53169. The occupation of the annexe is by a foreign national who works for the owners of Greytrex House. It is considered the use of the annexe is not ancillary to the main residence.

The use and the works that have been conducted to the annexe and carport are in breach of Conditions 3, 4 and 5 of planning permission S04/531/69.

The suitability of the site for additional residential development has previously been formally considered by the local planning authority and the Planning Inspectorate.

When outline planning permission was originally granted for a dwelling on this site (S99/956/69 refers), it was subject to a condition stipulating that only one dwelling be erected due to the sub-standard access. A subsequent appeal (AP/E2530/A/00/1044366 refers) to remove this condition was dismissed. The

Inspector agreed with the planning authority that a restriction to one dwelling was necessary to avoid a detrimental impact on the character and appearance of the surrounding area and an unacceptable highway situation.

**RECOMMENDATION:**

That authority be given for appropriate enforcement action to be undertaken.

**M J Sibthorp**  
**Acting Development Control Services Manager**

<b>RELEVANT CONSIDERATIONS OF THIS REPORT</b>			
	<b>SIGNIFICANT</b>	<b>MINOR</b>	<b>NONE</b>
<b>STATUTORY POWERS</b>	*		
<b>COUNCIL STRATEGIES</b>		*	
<b>COUNCIL POLICIES</b>		*	
<b>T &amp; C PLANNING</b>	*		
<b>BEST VALUE</b>	*		