

2.2 REFERENCE NO - 17/500701/FULL			
APPLICATION PROPOSAL Erection of detached double garage with room over.			
ADDRESS Woodbine House, 12 Selling Court, Selling ME13 9RJ			
RECOMMENDATION Approve			
SUMMARY OF REASONS FOR RECOMMENDATION The proposed garage accords with the relevant policies within both the Swale Borough Local Plan 2008 and the emerging Local Plan Bearing Fruits 2031.			
REASON FOR REFERRAL TO COMMITTEE Parish Council and Neighbour Objection			
WARD Boughton And Courtenay	PARISH/TOWN COUNCIL Selling	APPLICANT Mr And Mrs Arnold AGENT Blink Architecture	
DECISION DUE DATE 04/05/17	PUBLICITY EXPIRY DATE 06/03/17		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
16/507483/FULL	Erection of detached double garage with room over and a new front boundary wall with access gate.	Refused	20/12/2016

1.0 DESCRIPTION OF SITE

- 1.01 Woodbine House is a detached property located within the small cul-de-sac of Selling Court within the Kent Downs Area of Outstanding Natural Beauty. There is parking to the front of the property with amenity space to the rear. Selling Court comprises a number of individually designed modern detached properties spaciouly set amongst mature trees, with a mixture of open lawns and mature hedgerows to the fronts.
- 1.02 This property, approved in 1980 (application SW/80/0969) with an integral double garage to the left front, appears to have had its original integral garage converted to habitable accommodation some years ago (there was no restrictive condition on the original planning permission and there are no records of approval for the conversion) and now only has parking space to the front, although this front garden is of generous dimensions, and features mature trees.
- 1.03 The previous recent application sought to erect a high wall and gates across the open-plan site frontage and proposed a taller garage in the same position as the current application. My decision then was to refuse that application due to the impact of the wall and gates on the character of the estate, and to recommend a reduced height for the garage.

2.0 PROPOSAL

- 2.01 The proposed double garage would be located to the front left of the main property, screened by mature planting. The garage is reduced in height compared to the

previous application and the previously proposed wall is not part of the application now.

- 2.02 The proposed garage would measure 6.05m in width, 5.9m in depth, 2.4m to the eaves and would have an overall height of 5m. The materials would include red/brown brickwork, plain clay roof tiles, timber door, sectional garage door, black powder coated steel staircase and UPVC windows.
- 2.03 A room in the roof space of the garage that would be accessed via the external staircase is also proposed, with a small circular feature window to the side elevation and three rooflights to the front elevation.

3.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty KENT DOWNS

Tree Preservation Order: Land at Selling Court, Selling

4.0 POLICY AND OTHER CONSIDERATIONS

Development Plan – The Swale Borough Local Plan 2008 saved policies:

E1 (General Development Criteria)
 E9 (Landscape)
 E19 (Design)
 E24 (Alterations and Extensions)

Emerging Local Plan – “Bearing Fruits 2031”:

CP4 (Requiring good design)
 DM14 (General development criteria)
 DM16 (Alterations and extensions)
 DM24 (Conserving and enhancing valued landscapes)

5.0 LOCAL REPRESENTATIONS

- 5.01 Four letters of objection have been received. They can be summarised as follows:

- The property has been rented out for the last three to four years
- There appears to be a self contained flat upstairs with its own entrance
- The motivation for development is likely to be able to create a separate dwelling for rent
- Will the room above the garage be used for a commercial use?
- Tenant leaves dustbins on the pavement all week
- Front lawn is covered with leaves
- Existing garage has already been incorporated in to the house – it could be converted back
- Proposed garage too big and tall for the site
- The proposed garage is in front of the building line
- The proposed garage would be built backing on to a neighbouring hedge
- Lack of parking will ensue
- Overlooking of neighbours
- The property should not be allowed to increase further in size
- Loss of neighbours’ property value

5.02 A letter has been received from the applicant (from an address in Herne Bay) in response to the above points, and to comments from the Parish Council (see below). The letter can be summarised as follows:

- In 2007 when we purchased the property the integral garage was converted into additional residential space, our needs have since changed and it is not practical to undo the internal infrastructure to convert it back
- There is no self contained flat
- Independent gardening contractors ensure tidy gardens
- Although currently living elsewhere, the property will again one day become our family home
- It is irrelevant that the house is rented
- A number of houses at Selling Court have been extended considerably over the years
- The large garage the Parish Council refers to disappeared in 2006
- The current application has been resubmitted following amendments suggested
- The new garage will not interfere with neighbours or harm the character of the area

6.0 CONSULTATIONS

6.01 Selling Parish Council has made the following comments:

- Development is out of keeping with the surrounding buildings
- Absentee owner might be developing for gain only
- There is already a large double garage on site
- Everyone is against the development

7.0 BACKGROUND PAPERS AND PLANS

7.01 All plans and documents relating to 17/500701/FULL. And 16/507483/FULL

8.0 APPRAISAL

8.01 The site lies within the built up area of Selling, where extensions and alterations to dwellings are generally acceptable, subject to them being of a high standard of design and sitting comfortably within the street scene and not giving rise to any serious amenity concerns in accordance with the above policies. The site also lies within the Kent Downs Area of Outstanding Natural Beauty and so development within this area must preserve and where possible, enhance the surrounding area.

8.02 Saved policy E19 and policy DM24 of the emerging Local Plan expects development to be of a high quality design. The Council considers that high quality design, whether large or small proposals should be the aim for all development. A previous application at the site was refused due to the boundary wall and gate being unacceptable and it was suggested by an informative that the proposed garage should be reduced in height. This current application has reduced the overall height of the garage and also brought down the height of the eaves. The proposed garage would use materials found elsewhere in the street and would also be largely screened from view by the mature hedgerow and trees to the front of the property, which are protected by a TPO. The proposed garage in my view would preserve the quality and character of the AONB and would not have an adverse impact on the street scene.

- 8.03 The plot is generous and the proposed garage is of a suitable scale and height for its location and would still leave enough space to the front of the property for the parking of at least 4 cars, therefore not giving rise to any on street parking issues. The room above the garage would not cause any overlooking issues as there are no windows to the rear elevation which backs on to the neighbouring boundary. Three rooflights are proposed to the front elevation that would overlook the additional parking area to the front of Woodbine House, and a side window that would look out on to the street, again screened by the mature hedgerow. No windows would face towards neighbours
- 8.04 Although the original garage has been converted in this case there is adequate room to erect a garage in the front garden area here without it appearing intrusive. Selling Court is an exclusive estate but its generous nature and houses are all different, meaning that the proposed garage will not stand out against a uniform streetscene, but rather will add to the variety and gradual development of the estate where most properties continue to be improved over the years to suit changing modern lifestyles.

9.0 CONCLUSION

- 9.01 Overall the proposal complies with the saved policies within the Swale Borough Local Plan 2008 and the emerging Local Plan Bearing Fruits 2031 with the proposed garage preserving the quality and character of the wider AONB setting. As such I recommend that planning permission should be granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Reason: In the interests of residential amenity

- (3) The ground floor area of the garage hereby approved shall be kept available for the parking of vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land or in such a position as to preclude vehicular access thereto.

Reason: In the interests of the amenities of the area.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice
- Where possible, suggesting solutions to secure a successful outcome.

- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance the application was the result of previous advice and was considered acceptable as submitted and no further assistance was required. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.