

PLANNING COMMITTEE – 17 AUGUST 2017

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

REFERENCE NO - 17/503447/FULL			
APPLICATION PROPOSAL Conversion of garage into additional living accommodation with associated external alterations (part-retrospective).			
ADDRESS 3 Orchid Close Minster-On-Sea Kent ME12 3HH			
RECOMMENDATION - APPROVE			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would not give rise to a loss of parking, due to the inadequate size of the garage, and is acceptable in all other respects.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD Sheppey Central	PARISH/TOWN Minster-On-Sea	COUNCIL	APPLICANT Miss Gemma Hoffman AGENT DHA Planning Limited
DECISION DUE DATE 25/08/17	PUBLICITY EXPIRY DATE 28/07/17		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/95/0102	outline application for residential & leisure development & community hospital including housing, village shopping centre & community facilities, primary school, affordable & executive housing, golf course & club house, hotel, health farm including all necessary infrastructure & associated facilities	Approved	12.09.1197

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 No. 3 Orchid Close is a semi-detached property on a modern housing estate. The property has a driveway leading to the garage, providing off-road parking for one vehicle.

2.0 PROPOSAL

- 2.01 This application seeks planning permission (part-retrospective) for the conversion of garage into additional living accommodation with associated external alterations. The rear of the garage has already been converted into a playroom.
- 2.02 The garage door will be removed and replaced with a UPVC to match those of the existing property. The existing driveway to the front of the garage will remain, providing off-street parking for one vehicle.

3.0 PLANNING CONSTRAINTS

- 3.01 None relevant

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and The National Planning Practice Guidance (NPPG): The NPPF and NPPG are relevant in that they encourage good design and seek to minimise serious amenity concerns.
- 4.02 Swale Borough Local Plan “Bearing Fruits 2031” (adopted 2017) policies DM14 (General Development Criteria); DM 16 (Alterations and extensions);
- 4.03 Supplementary Planning Documents: The Council’s adopted Supplementary Planning Guidance entitled “Designing an Extension” is also relevant, and remains a material consideration having been through a formal review and adoption process.

5.0 LOCAL REPRESENTATIONS

- 5.01 One letter of objection has been received from the adjoining neighbouring, which states:

“As a direct neighbour my living room wall backs onto the garage (and it is where we must sit due patio doors and to aerial/sockets etc being on opposite wall). I am of course concerned over noise disturbance if the planning is approved. I specifically bought the house, with extra expense, as it is linked detached (with both neighbouring properties using garages as originally planned for) as I value my home time to relax without disturbance. Noise from the garage is very noticeable when it has been used for normal day-to-day DIY on occasion and when my neighbour’s dog was a puppy, therefore if it was converted to living accommodation potentially the noise would be disruptive throughout the day/evening impacting on the quality of my family’s time within our home. In addition I am concerned about the impact of parking which is already very busy outside both our properties and that of neighbouring homes. Are there plans for soundproofing that could guarantee no sound penetrating our home?”

6.0 CONSULTATIONS

- 6.01 Minster Parish Council object to the application, commenting:

“This will result in inadequate parking provision. To avoid this, Minster-on-Sea Parish Council believes the restrictive covenant should be upheld. It was part of the parking provision originally granted to allow development in the Thistle Hill estate to go ahead without impacting negatively in an area where density and parking present as major issues. Approval would set a precedent causing

insurmountable problems both for applicant and their neighbours adding to the existing problems of parking provision which would be unacceptable.”

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawings referring to application reference 17/503447/FULL
Application papers and drawings referring to application reference SW/95/0102

8.0 APPRAISAL

- 8.01 The site is located within the defined built up area boundary in which the principle of development is acceptable subject to amenity and other relevant policy considerations. The main considerations here are the impact of the proposal upon the residential and visual amenity of the area, as well as the impact upon residential parking.
- 8.02 The rear part of the existing garage has already been partly converted to living accommodation. This application seeks to regularise this change of use and to fully convert the entire garage to living accommodation. The use of the garages on this development is controlled by condition 33 of planning permission SW/95/0102, which prevents their conversion without the grant of planning permission.
- 8.03 The existing garage measures 3m internally, which is below the 3.6m minimum considered acceptable for parking of a car in the Kent Vehicle Parking Standards. As the garage has not been used as a residential parking space, and is of a size which prevents it being used as such I consider that there will not be fall in the parking provision at this property. The property benefits from one existing off street parking space on the driveway. The property has three bedrooms, and as such the requirement is for two off street spaces. However – it would be difficult if not impossible to successfully defend a refusal of planning permission here on the basis that the proposal would give rise to an increase in on street parking, as it is clear that the garage, even prior to its unauthorised conversion, was of insufficient size to accommodate a vehicle.
- 8.04 Given the above, is it clear that there would be no change to the parking provision or layout at the site, and that the proposal would not be significantly harmful to visual amenity in this regard.
- 8.05 I note the objection of the neighbours. However – in my view the level of noise and disturbance arising from normal domestic use of the garage as converted would not be significant and would not amount to a reason for refusing this application.

9.0 CONCLUSION

- 9.01 I consider that due to the narrow width of the existing garage being unsuitable for the parking of a modern vehicle and that the garage is not being used at present for the parking of a vehicle, that planning permission be granted.

10.0 RECOMMENDATION – GRANT Subject to the following 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.

Reasons: 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reasons: In the interests of visual amenity.

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 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.