

**PLANNING COMMITTEE – 6 DECEMBER 2018****PART 2**

Report of the Head of Planning

**PART 2**Applications for which **PERMISSION** is recommended

<b>2.1 REFERENCE NO - 18/505342/FULL</b>				
<b>APPLICATION PROPOSAL</b> Conversion of garage to habitable room and erection of single storey front extension.				
<b>ADDRESS</b> 10 Berkeley Close Dunkirk Faversham Kent ME13 9TR				
<b>RECOMMENDATION</b> - Approve				
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objection				
<b>WARD</b> Boughton And Courtenay		<b>PARISH/TOWN</b> Dunkirk	<b>COUNCIL</b>	<b>APPLICANT</b> Mr Darryl Creed <b>AGENT</b> GBA Designs
<b>DECISION DUE DATE</b> 11/12/18		<b>PUBLICITY EXPIRY DATE</b> 08/11/18		
<b>RELEVANT PLANNING HISTORY including relevant history on adjoining/nearby sites</b>				
<b>At 10 Berkeley Close</b>				
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>	
14/50039/FULL	Demolition of conservatory and single storey rear extension	Approved	10/11/2014	
SW/08/0218	New porch addition, conversion of garage into kitchen and internal alterations	Refused	21/04.2008	
<b>At 8 Berkeley Close</b>				
18/501317/FULL	Erection of a single storey front extension, conversion of existing garage into a habitable space and internal alterations	Approved	29/05/2018	
<b>At 38 Berkeley Close</b>				
15/503828/FULL	Erection of single storey front extension and part conversion of integral garage with door to side.	Approved	17/08/2015	

**1.0 DESCRIPTION OF SITE**

- 1.01 10 Berkeley Close is a modern end of terrace estate dwelling located within the Local Plan built up area boundary of Dunkirk. The property is one of a row of five dwellings which are distinctively designed with a flat roofed single garage projecting some 5m forward from the main building line across about half the width of the site. A small flat roofed porch sits alongside the garage to a depth of almost 2m. This is a style prevalent at the time and which is found throughout Berkeley Close and across the Borough.

- 1.02 The site is located on a residential cul-de-sac with mainly similar terraced dwellings with semi or fully paved front gardens. Originally, these houses might have had a short driveway providing room for one car space in front of the garage and a grassed area beside. However, this property now has hardstanding extending across the full width of the frontage of the property, combining a 5m wide gravelled driveway providing off road parking for two cars with a narrow footpath alongside. As the property is positioned close to a bend in the road, the length of the driveway reduces from 5 metres on one side to 4 metres in front of the garage, although the garage is set 5m back from the pavement.
- 1.03 In April 2008, planning permission was refused at this property for the conversion of the garage to create a kitchen on the grounds that additional hardstanding and the loss of soft landscaping to the front of the property, including removal of a prominent bush, would harm the visual amenity of the area and the appearance of the streetscene. This soft landscaping has been removed in the meantime and the frontage covered in hardstanding; as provided for by householder Permitted Development rights.
- 1.04 The property has had a modest single storey rear living room extension replacing a conservatory, but it has not been extended at first floor level.
- 1.05 The adjoining property at no. 8 Berkeley Close, and a property further down the road at no. 38 Berkeley Close, has since been granted planning permission for a garage conversion and a similar front extension where these changes did not result in loss of soft landscaping. The latest of these (next door at 8 Berkeley Close) was approved by Members in May 2018 despite the Parish Council opposing that application

## **2.0 PROPOSAL**

- 2.01 This application seeks permission for conversion of the existing garage to a habitable room (bedroom/office), and for the construction of a flat roofed single storey kitchen extension to the front of the property alongside the garage (replacing the porch). Two off-road parking spaces would remain in front of the garage.
- 2.02 The main garage door would be removed and replaced with a new uPVC window to match existing windows. The external wall below the new window would be constructed of brick to match the existing brickwork.
- 2.03 The single storey front extension would be set back from the front of the existing garage by 1.0 metre. It would thus project 4.4 metres from the front elevation of the house, and measure 2.6 metres wide and 2.7 metres high. The front entrance door would be re-positioned to the front of the extension.
- 2.04 The existing tile hanging to the front elevation will also be replaced with new cement board cladding.

## **3.0 PLANNING CONSTRAINTS**

- 3.01 None

#### 4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 Bearing Fruits 2031: The Swale Borough Local Plan 2017: Policies DM7 (Vehicle Parking), DM14 (General Development Criteria) and DM16 (Alterations and extensions)

Supplementary Planning Guidance (SPG) entitled “*Designing an Extension – A Guide for Householders*”. Of particular relevance here is the guidance on car parking and front extensions.

With regards to car parking, the guidance states that:

*“Extensions or conversion of garages to extra accommodation, which reduce available parking space and increase parking on roads is not likely to be acceptable. Nor is the provision of all car parking in the front garden a suitable alternative as the position is unlikely to be suitable for a garage and will create a poor appearance in the streetscene.”*

With regards to front extensions, the guidance states:

*“The Borough Council normally requires that it should have a pitched roof and that its projection should be kept to an absolute minimum. The Borough Council normally requires that front additions are kept to a maximum of 1.2m.”*

The SPG sets out a guide to extensions in rural areas of up to a 60% increase in floorspace, but this does not apply to properties within built up area boundaries, as is the case here.

#### 5.0 LOCAL REPRESENTATIONS

- 5.01 None

#### 6.0 CONSULTATIONS

- 6.01 Dunkirk Parish Council objects to the application in a letter containing two photographs showing the rear of a single car parked at the property overhanging the path and stating;

*“Dunkirk Parish Council objects to the application.*

*DPC objects to this type of development as a matter of principle.*

*The continual conversion of garages is increasing the traffic pressures with excessive on-street parking.*

*Recently No 8 Berkeley Close was given consent, against our advice, and the application property is closer to the corner with about 1 metre less frontage to the pavement. It is slightly wider making it possible to open doors for disabled passengers, but this should not outweigh the dangerous aspects of cars parking close to the corner.*

*With the current on-street parking, the extra pressure on the street would prove dangerous. The property has previously been extended and with this extra extension this would make the overall increase in footprint 67% which is contrary to Swale policy: Planning and Development Guideline No. 5 This guidance also states (for front extensions and porches) BC normally requires it*

*should have a pitched roof and that its projection should be kept to an absolute minimum. SBC normally requires that front additions are kept to a maximum of 1.2metres and this exceeds this from the existing front door by some measure.”*

- 6.02 The agent has responded to the Parish Council's objection to say that the existing parking area is adequate for the two cars that current parking guidance requires, and it is possible for the applicant's car to park within the current curtilage. Photographs demonstrating this have been submitted. The agent has explained that cars potentially overhanging the pavement are due to the presence of a raised sleeper wall set one metre in front of the garage, and that removal of the sleeper wall (as proposed) will increase in length of the drive to 5m at its shortest and 5.9m at its longest, so improving the current situation. It is also proposed to widen the car parking area to the full width of the frontage (6.1m) making it ample for two cars to park side by side (wider than the recommended minimum of 5.4m between walls).
- 6.03 The agent has also noted that the Council's guidance normally requires front extensions to have pitched roofs, but in view of the fact that properties in this estate have flat roofed garages to the front, it is felt that the flat roofed design of the extension is in keeping with the current streetscene.
- 6.04 Finally, although the extension projects more than 1.2m out from the main front wall of the house, the agent notes that it will still be set back behind the line of the garage wall, and that this is similar to that recently approved at number 8 next door.

## **7.0 BACKGROUND PAPERS AND PLANS**

- 7.01 Application papers and drawings referring to application reference 18/505342/FULL

## **8.0 APPRAISAL**

- 8.01 The main consideration in this case is whether the site and its surroundings have changed since the previously refused application (SW/08/0218) to the extent that a different decision may be reached now. The key issue in relation to the garage conversion remains whether the proposal is acceptable in terms of design and whether the loss of the garage as a parking space, and providing all parking to the front of the property is acceptable.
- 8.02 The gravelled driveway to the front now provides off-road parking for two cars which is what the current parking standard for a three bedroom dwelling in a village location requires (see IGN3 from KCC). Parking spaces should normally be 2.5m wide, although between walls it is recommended by Kent Highways that this width should be enlarged to 2.7m. Here the area available for parking would be 6.1m wide which more than complies with this guidance for two spaces. The proposal would not lead to new parking or visual amenity problems in the area as cars can already be expected to be parked across almost the entire frontage of the property on the existing hardstanding. As such, I see no prospect of the Council being able to defend a refusal of this application at appeal – past experience has made this clear. I take a view that by converting the garage into a habitable room it will have no impact upon the streetscene as no new issues would arise.
- 8.03 The removal of the sleeper wall will increase the length of the parking area from 5m to 5.9m (1m longer than now) which should reduce the likelihood of cars overhanging the pavement. In my view, the driveway will be adequate for the parking needs of the property.

- 8.04 The garage conversion introduces a window facing the highway in place of the existing garage door. The size and design of this window is in keeping with the other front windows and as such, I consider that the proposal is acceptable in relation to its impact upon neighbouring amenities.
- 8.05 Finally, despite the Parish Council's mention of the previous enlargement of the property, I do not consider that to be excessive, contrary to any policy of SPG guidance, or to alter the parking requirement for the property.
- 8.05 The other part of the application is the proposed kitchen extension, and how this would alter the character of the property and the visual appearance of the street scene. The proposal is potentially contrary to the advice contained within the SPG, which suggests that front extensions should have a pitched roof and not project more than 1.2m. However, as the flat roofed front garages to this and adjacent properties mean that they have an irregular frontage this advice needs to be applied carefully. The extension would be set between two even longer front mounted garages and so would not be intrusive in views along the road. Several other properties within the area, including the adjoining property, have carried out front extensions alongside the garages, and I do not consider this to be sufficiently harmful to the strong character of the area to warrant refusal of the application.
- 8.06 The single storey extension would not project further forwards than the neighbours' garage and would not give rise to any serious overshadowing or loss of light to the adjoining property. There is no identifiable harm regarding the impact of the proposal upon the amenity of the residents of the adjacent dwelling, no.8.

## **9.0 CONCLUSION**

- 9.01 This application for conversion of garage to habitable room and a single storey front extension is considered acceptable and I therefore recommend that planning permission be granted. I do not consider that there are grounds to refuse this application and the Council's very recent approval for a similar scheme on the adjacent attached house would make any refusal of permission here perverse and untenable.

## **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 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 approved shall be carried out in accordance with the following approved drawings:
- 18.03.PRIV-002 and 18.03.PRIV-004
- Reason: For the avoidance of doubt and in the interests of proper planning
- (3) The materials to be used in the construction of the external surfaces of the extension and garage conversion hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reason: In the interests of visual amenity

### **Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The application was 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.

If your decision includes conditions, there is a separate application process to discharge them. You can apply online at, or download forms from, [www.planningportal.co.uk](http://www.planningportal.co.uk) (search for 'discharge of conditions').

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.

