

2.2 REFERENCE NO - 19/500485/FULL		
APPLICATION PROPOSAL Conversion of garage to kitchen, including new window to replace existing garage door, alterations to roof to match existing rear extension, installation of 2no. roof windows and alterations to rear fenestration.		
ADDRESS 11 The Street Lower Halstow Sittingbourne Kent ME9 7DY		
RECOMMENDATION Approve subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION The loss of the garage is acceptable as the driveway at the property is capable of accommodating two vehicles and therefore provides an adequate parking provision.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection		
WARD Bobbing, Iwade And Lower Halstow	PARISH/TOWN COUNCIL Lower Halstow	APPLICANT Mrs C Hayward AGENT Mr D Kemp
DECISION DUE DATE 12/04/19	PUBLICITY EXPIRY DATE 27/02/19	

Planning History

SW/81/1152 – Outline application for residential development – APPROVED

SW/83/0080 – Approval of reserved matters SW/81/1152 for 6 dwellings - APPROVED

1. DESCRIPTION OF SITE

- 1.1 11 The Street is a modern detached, two storey house located within the built up area boundary of Lower Halstow. There is an attached single garage to the west of the site and a driveway to the front of this. This garage is protected by a condition imposed on the original planning permission for the property which ensures the garage is only used for the parking of vehicles unless approved by the Council. There is private amenity space to the rear of the property.
- 1.2 The street scene is primarily residential although the surrounding dwellings are of varying scales and designs. Lower Halstow conservation area lies approximately 15m to the east of the site.

2. PROPOSAL

- 2.1 This application seeks planning permission for the conversion of the garage to habitable space with external alterations. This includes the replacement of the garage door with a window, which will measure 2.3m x 1m. The ridge of the garage roof will be lowered by approximately 1m to 3.7m in height in order for it to match the pitched roof of the rear extension at the property and two rooflights will be added (one to the front and one to the rear garage roof slopes). French windows will replace the door in the rear elevation of the garage. Internally, the conversion will allow the garage to be used as a kitchen.

3. PLANNING CONSTRAINTS

- 3.1 The site lies within the setting of Lower Halstow conservation area and the Council has a statutory duty to have regard to the desirability of preserving or enhancing the special character of the conservation area under the Planning (Listed Buildings & Conservation Areas) Act 1990.

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 4.2 Policies CP4, DM14, DM16 and DM33 of Bearing Fruits 2031: The Swale Borough Local Plan 2017
- 4.3 Supplementary Planning Guidance (SPG): 'Designing an Extension: A Guide for Householders', & "Conservation Areas".

5. LOCAL REPRESENTATIONS

- 5.1 Three objections have been received from neighbouring properties. Their contents are summarised below:
- Proposal will upset the aesthetic of the building if the pitch of the garage roof is not the same as the house.
 - The wall that will be uncovered after lowering the pitch of the garage roof will be of a substandard finish.
 - The garage wall forms the boundary of the property, the homeowner has no access to it and even with permission from the two joining properties there is no space to carry out the work.
 - No objections to the internal alterations.
 - Works will result in a reduction in off-street parking for the property to only one space - applicant could compensate this loss by constructing additional parking to the front of the property.
 - Parking on 'The Street' (a main route through Lower Halstow) can cause extremely hazardous conditions to both vehicles and pedestrians. Subsequently residents and other drivers feel the need to park on the grass verge which is not acceptable and damages the planting on these verges.
 - Where will contractors unload and store building materials and park their vehicles during construction?

6. CONSULTATIONS

- 6.1 Lower Halstow Parish Council objects to the application, on the grounds of loss of a parking space which could lead to vehicles parking on the grass verge or the road to the detriment of other road users and adversely affect the amenity of the surrounding properties.
- 6.2 Natural England make no comments.
- 6.3 KCC Highways and Transportation – The proposal does not meet the criteria to warrant involvement from the Highways Authority.

- 6.4 Environment Health Manager – Recommend hours of construction condition. However taking into account the limited nature of the works, I do not consider this condition would be necessary.

7. BACKGROUND PAPERS AND PLANS

- 7.1 Application papers and drawings for 19/500485/FULL and SW/13/1459.

8. APPRAISAL

Principle of Development

- 8.1 The site lies within the built up area boundary of Lower Halstow, where the principle of development is accepted. The main consideration in this case concerns the impact that the loss of the garage as a parking space would have upon the character and appearance of the street scene.

Visual Impact

- 8.2 With regards to impact upon visual amenity, I note the proposed window is of a similar scale and design as the existing windows on the property and therefore consider it will sit comfortably on the building. The roof ridge will be lowered by roughly 1m, which results in the roof pitch of the garage being lower. I consider this is a minimal change and given the lack of uniform design in the streetscene, I do not believe it will give rise to harm to the character and appearance of the area. I acknowledge the objectors concern about the exposed brickwork and the fact the roof pitch will not match the roof pitch on the main dwelling, however I believe these changes will be acceptable.
- 8.3 The site lies roughly 15m from Lower Halstow conservation area. I consider the minimal external works proposed here will not impact the character and appearance of the nearby conservation area.

Residential Amenity

- 8.4 The footprint of the garage will not change, and I consider the lowering of the roof ridge on the garage will have no impact upon residential amenity. With regards to any overlooking impact from the new window, I note it will be located on the front elevation of the garage, facing onto the street, and as such I do not believe there would be any adverse impacts to residential amenity.

Highways

- 8.5 Paragraph 7.0 of the SPG states that *“Extensions or conversion of garages to extra accommodation, which reduce available parking space and increase parking on roads are not likely to be accepted.”*
- 8.6 In this case, the property has four bedrooms, and as such, two off-street parking spaces should be required for a property in this location under current parking standards. The driveway to the front of the garage is 8.5m in length, which is under the KCC Highways minimum required length of 9.6m for two parking spaces in tandem. However, I pay regard to the marginal shortfall in the length of the driveway and consider that it is capable in practice of providing parking for two vehicles, especially

where parking spaces are to be used by members of the same family. This view is supported by an appeal decision for a garage conversion at 9 Saxon Shore, Sittingbourne (ref. SW/13/1459), where the Inspector found that the driveway at that property, which was 8.8m in length, was capable of providing parking for two regular sized vehicles without giving rise to additional on-street parking. A copy of that appeal decision is attached for reference. The situation is almost identical at the current application site, and as such I consider it would be difficult and unreasonable to refuse planning permission in the face of the Inspector's clear reasoning on such proposals.

- 8.7 Taking the above into account, I consider the loss of the garage at the property is acceptable as the driveway is capable of providing the required parking provision for this four bedroom property. Therefore the proposal would be unlikely to lead to additional, unacceptable parking on the road. I acknowledge the Parish Council's and neighbour comments relating to parking. Nevertheless, as the parking provision is adequate, the proposal is acceptable in relation to parking.

Other Matters

- 8.8 An objector mentions the difficulty the applicants will have carrying out the work as the garage forms the boundary of their property. This is not a material planning consideration, being a private legal matter between the relevant parties. Objectors also raise concerns about where construction vehicles will park and store their vehicles. As the development proposed here is small in scale, I do not consider that this will be an issue which causes significant disruption.

9. CONCLUSION

- 9.1 The proposal will not give rise to any unacceptable impacts on residential or visual amenity, and I envisage no impact on the Conservation Area. The loss of the garage will be acceptable as the driveway at the property is capable of accommodating two vehicles and therefore the parking provision is adequate. Consequently, I recommend planning permission is granted.

10. 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 materials to be used in the construction of the external surfaces of the 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.

The Council's approach to the application

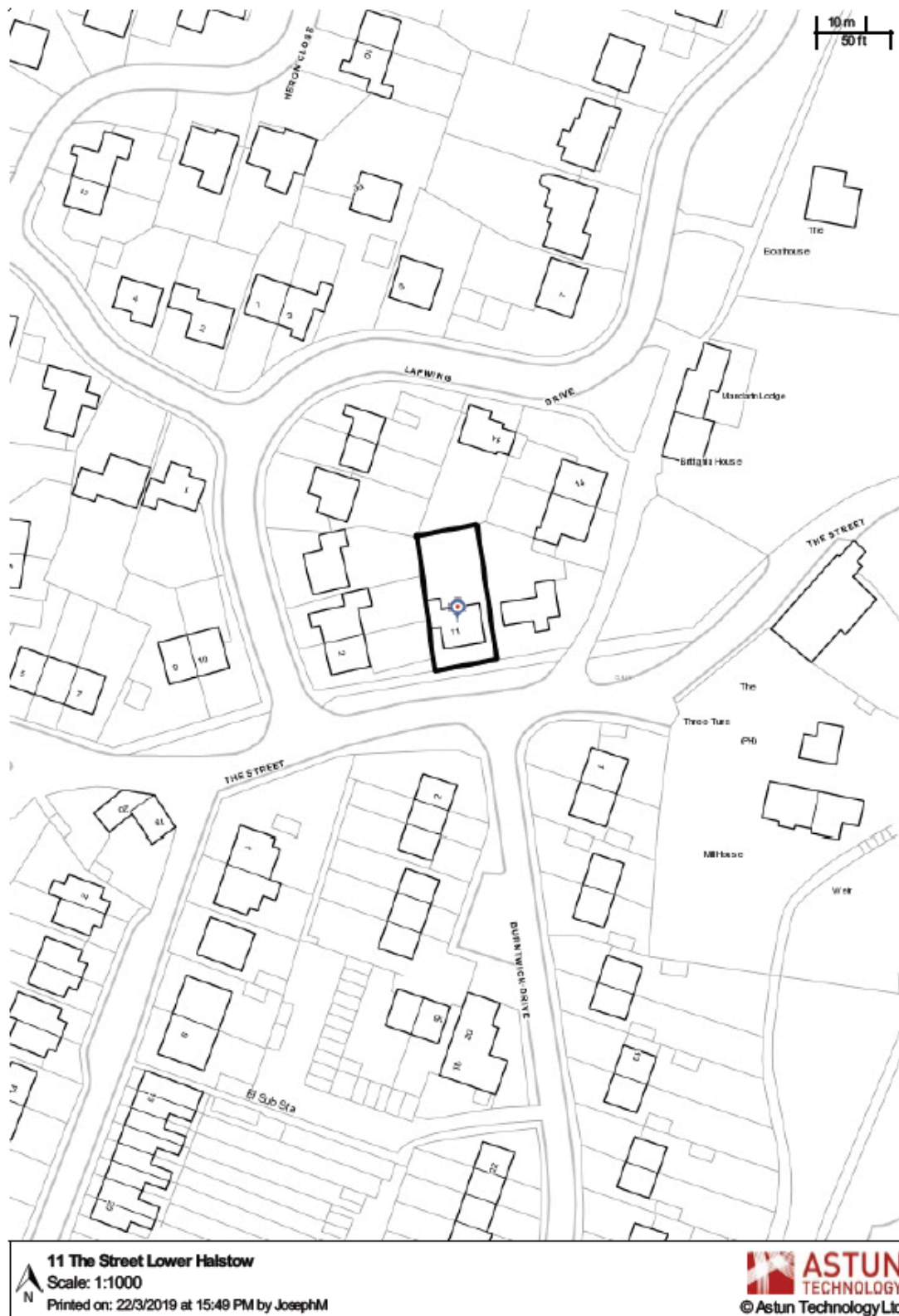
In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-

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.

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.





UNRECORDED
UKP J

Appeal Decision

Site visit made on 10 April 2014

by Ray Wright BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 April 2014

PLANNING SERVICES

22 APR 2014

Appeal Ref: APP/V2255/D/14/2215351

9 Saxon Shore, Sittingbourne, Kent ME10 2UP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr S Coward against the decision of Swale Borough Council.
- The application Ref SW/13/1459 was refused by notice dated 13 January 2014.
- The development proposed is a 'garage conversion.'

Decision

1. The appeal is allowed and planning permission is granted for a garage conversion at 9 Saxon Shore, Sittingbourne, Kent ME10 2UP in accordance with the terms of the application, Ref SW/13/1459, dated 18 November 2013, subject to the following conditions:
 - 1) The development, hereby permitted, shall begin not later than three years from the date of this decision.
 - 2) The development, hereby permitted, shall be carried out in accordance with the following approved plans: PL 01, PL 02, PL 03, PL 04, and PL 05.
 - 3) The materials to be used in the construction of the external surfaces of the development, hereby permitted, shall match those used in the existing building.

Main Issue

2. The main Issue in this case is the effect on the character and appearance of the area.

Reasons

3. The property is a modern two storey house on an estate, principally consisting of detached and semi-detached dwellings in a variety of different styles and materials. The appeal proposal would involve the conversion of an existing garage to form a dining room with a new frontage replacing the existing garage door.
4. The National Planning Policy Framework (Framework) indicates that there should be a presumption in favour of sustainable development, but confirms that good design is a key aspect of sustainable development. Policies E1, E19 and E24 of the Swale Borough Local Plan 2008 (LP) similarly require development to achieve a high quality design and to reflect the positive

www.planningportal.gov.uk/planninginspectorate

Appeal Decision APP/V2255/D/14/2215351

characteristics and features of their locality, with extensions and alterations maintaining the character of the street scene. Some further guidance on preferred car parking arrangements is given in the 'Designing an Extension – A Guide for Householders' (SPG).

5. The properties on the estate exhibit a variety parking and garage arrangements, with different levels of front garden hard standing dependent on their style. The appeal property is located in a cul-de-sac and has a single width front drive to the garage. The Council indicate that the length of the drive does not meet normal standards to enable two cars to be parked on this area. However, there is only a marginal shortfall and the appellant has demonstrated that it is capable of accommodating two regular sized vehicles without encroachment onto the highway. To my mind, with two parking spaces for the dwelling retained, future pressure to reduce the existing front garden to provide extra hard standing, as put forward by the Council, would be limited. Further parking of vehicles immediately outside of the site would also be unlikely in this location, as this would be liable to lead to obstruction to the front parking area of the adjoining property at no 10 Saxon Shore.
6. The Council indicate the area is characterised by some parking to the front of dwellings, together with areas of soft landscaping. I would not disagree with this assessment but do not consider the continued parking of two cars on the front drive of the appeal property would be out of keeping within this part of the estate or that it would be visually detrimental to the street scene.
7. I conclude that the proposal would not materially harm the character and appearance of the area and as such there is no conflict with the Framework or Policies E1, E19 or E24 of the LP or the SPG.

Other Matters

8. I have been referred to other sites where garages have been converted to living accommodation. However, I do not have full information of these examples and have considered this scheme solely on its individual merits, based on the specific location of the property and the particular site layout involved.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

10. The Council have put forward two conditions should this appeal succeed. The standard commencement condition is required. Also to ensure the infill of the garage frontage satisfactorily relates to the existing house, a condition requiring matching materials should be imposed. A condition, referring to the relevant plans, is also required for the avoidance of doubt and in the interests of proper planning.

Ray Wright

INSPECTOR