

2.5 REFERENCE NO - 20/502364/FULL		
APPLICATION PROPOSAL Conversion of garage into a habitable room to create a larger kitchen area, including replacement of garage door with a window and installation of a sky light to existing flat roof.		
ADDRESS 42 Berkeley Close Dunkirk Faversham Kent ME13 9TR		
RECOMMENDATION - Grant subject to conditions		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection		
WARD Boughton And Courtenay	PARISH/TOWN COUNCIL Dunkirk	APPLICANT Mrs Keeley Harrison AGENT
DECISION DUE DATE 28/08/20	PUBLICITY EXPIRY DATE 28/07/20	

Relevant Planning History

SW/79/1286
Kitchen Extension
Approved Decision Date: 27.12.1979

Relevant Planning History for nearby sites in Berkeley Close**At 38 Berkeley Close**

15/503828/FULL
Erection of single storey front extension and part conversion of integral garage with door to side.
Approved by Planning Committee Decision Date: 17.08.2015

At 10 Berkeley Close

18/505342/FULL
Conversion of garage to habitable room and erection of single storey front extension
Approved by Planning Committee Decision Date: 07.12.2018

At 8 Berkeley Close

18/501317/FULL
Erection of a single storey front extension, conversion of existing garage into a habitable space and internal alterations
Approved by Planning Committee Decision Date: 29.05.2018

1. DESCRIPTION OF SITE

- 1.1 42 Berkeley Close is a relatively modern semi-detached house located within the Local Plan defined built up area boundary of Dunkirk. The property has been built with a flat roofed single garage projecting forward from the main building line. This is a style prevalent at the time and which is found throughout Berkeley Close and across the Borough.

- 1.2 The site is located in a residential cul-de-sac with mainly similar semi-detached and 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 (in common with many others) now has hardstanding extending across most of the width of the property frontage (a paved width of 5.1m) providing off road parking for two cars with a small grassed area to the side.
- 1.3 The property has had a modest single storey rear extension but it has not been extended at first floor level.
- 1.4 The original planning permission for the house prohibits any normally permitted works that prevent vehicular access to the garage, to ensure that adequate provision is made for the parking of motor vehicles, and to safeguard the amenities of the area. The condition therefore protects the parking space within the garage and the one parking space in front. Hence this application to install a wall and window where the garage door currently stands is necessary.
- 1.5 The property situated close by at no. 38 Berkeley Close, and properties at nos. 8 and 10 Berkeley Close, have all been granted planning permission for a garage conversion in recent years; where adequate alternative parking provision was available and the conversion did not result in loss of soft landscaping. These applications were all approved by Members despite the Parish Council opposing them.

2. PROPOSAL

- 2.1 This application seeks permission for the conversion of the existing garage to a habitable room to provide a larger kitchen. The proposed conversion would involve removing the garage door and replacing it with a new window to match existing windows. The external wall below the new window would be constructed of brick to match the existing brickwork and a rooflight will be installed in the flat garage roof.
- 2.2 Two off-road parking spaces would be available on the already paved driveway.
- 2.3 The applicant sought pre-application advice prior to submitting the application and was advised that as the garage conversion would not result in additional on-street parking or extra hard surfacing of the frontage, it was likely to be considered acceptable.

3. PLANNING CONSTRAINTS

- 3.1 None

4. POLICY AND CONSIDERATIONS

- 4.1 Development Plan: 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): "Parking Standards" (May 2020) was adopted by the Council in June 2020 and is a material consideration in the determination of planning applications. Paragraph 56 states

"In areas without on-street controls, many residents do not use garages for parking, even if they have to park on-street as a result. This is often the case in suburban and

rural locations and therefore garages are unlikely to be counted as part of the parking provision in these locations.”

Supplementary Planning Guidance (SPG): “Designing an Extension – A Guide for Householders”. 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.”

5. LOCAL REPRESENTATIONS

5.1 None

6. CONSULTATIONS

6.1 Dunkirk Parish Council objects to this application, stating

“Dunkirk Parish Council considered this application at a meeting on 20th July 2020 and agreed to object to the removal of the garage parking.

This is an object on the principal of such permissions and the extra number of vehicles that increasingly park on the streets.”

6.2 The applicant has responded to the Parish Council's objection as follows:

Thank you for your latest email. It is some what frustrating that the parish council have objected to our proposed plans. More so as it is impossible for us to use the garage as a parking space due to the size of our vehicles and being able to exit the vehicles !! The attached photograph and measurements more than prove we do not rely on road side parking. Another point to add is that 10 properties in Stony Road and Berkeley Close have converted garages, some of these have parking for only one vehicle and have also extended the property to the front. Hopefully the planning committee will see that our proposed plans would cause no disruption or problems to our neighbourhood.

Please find following information and photograph as requested.

Driveway. 510cm width

720 cm length

Garage. 230 cm wide (inside measurement)

Our vehicles measure 200cm and 215 cm wide leaving no room for moving from the vehicle once parked.

7. BACKGROUND PAPERS AND PLANS

7.1 Application papers and drawings referring to application reference 20/502364/FULL.

8. APPRAISAL

- 8.1 The main considerations in the determination of this planning application concern the impact that the loss of the garage as a parking space would have upon the character and appearance of the streetscene, and upon highway safety and convenience.
- 8.2 The relevant planning condition protected the only two parking spaces then available to this property. The proposed conversion would result in the loss of the property's only single garage. The question then is what impact will that have on the streetscene, and on parking provision at the property. Almost the entire frontage of the property is already hardsurfaced, whereas originally there was some soft landscaping, with one parking space in front of the garage.
- 8.3 The existing 5.1m wide paved driveway in front of the garage exceeds the necessary width for two 2.5m wide parking spaces, and now provides adequate off-road parking for two cars side by side. No lawn or soft landscaped area will be lost as a result of the proposed conversion. Nor will the loss of the garage result in less than the original parking provision for the property being available. As such, my view is that notwithstanding the SPG advice quoted above, there will in this case be no net adverse effect on the streetscene, or additional on-street parking or extra hard surfacing resulting from the proposal.
- 8.4 Members will note that there are several examples in Berkeley Close itself where the Council has recently decided in favour of similar garage conversions despite objections from the parish council. Many other properties in the same road also have paved driveways to the front. As such, I see approval of the application as consistent with the Council's careful approach to this issue, but I see no prospect of the Council being able to defend a refusal of this application at appeal. I suggest that conversion of the garage into a habitable room will have no adverse impact upon the streetscene as no new on-street parking or loss of soft landscaping issues would arise.
- 8.5 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.

9. CONCLUSION

- 9.1 This application for conversion of garage to habitable room 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 approval for similar schemes on other houses nearby would make any refusal of permission here difficult to defend..

10. RECOMMENDATION – Approve 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), February 2019 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 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.

