

PLANNING COMMITTEE – 7 April 2016

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

REFERENCE NO - 15/508571/FULL			
APPLICATION PROPOSAL Conversion of garage into habitable room.			
ADDRESS 10 Woodside Dunkirk Kent ME13 9NY			
RECOMMENDATION Approve			
REASON FOR REFERRAL TO COMMITTEE Parish Council objects			
WARD Boughton & Courtenay	PARISH/TOWN COUNCIL Dunkirk	APPLICANT Mr Rosita Higson AGENT	
DECISION DUE DATE 09/03/16	PUBLICITY EXPIRY DATE 09/03/16		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
15/503078/FULL	Two storey side extension as amended by drawing 005/1C	Approved	28/06/15
15/507884/NMAM D	Non material amendment to change window into a door on rear elevation of two proposed windows	Approved	02/11/15
SW/89/0656	Two storey side extension	Approved	26/06/89
SW/830993	Front and rear porch extensions	Approved	15/11/93
SW/99/0733	Renewal of Planning Permission SW89/0656 for two storey side extension	Approved	02/09/99
SW/94/0558	Renewal of SW/89/0656 for two storey extension	Approved	28/07/94

1.0 DESCRIPTION OF SITE

- 1.01 No. 10 Woodside is a two storey semi detached dwelling with white weatherboarding. There is hardstanding to the full width of the property frontage (over 9m) providing off road parking for two cars. To the rear is private amenity space.
- 1.03 The application site is characterised by residential properties, mainly detached and semi-detached dwellings. On the opposite side of the road the dwellings have off-street parking and landscaped gardens to the front of their properties.

- 1.04 The property has been altered recently and currently features a two storey side extension with a new garage on ground floor level (15/503078/FULL).

2.0 PROPOSAL

- 2.01 This proposal is to convert the garage to a habitable room. The integral garage measures 2.8m wide x 5m in length. The external garage door would be removed and replaced with a new window. No additional windows to the rear elevation.
- 2.02 The garage conversion would provide additional ground space for a lounge. An internal wall separates the kitchen and integral garage would be removed.
- 2.03 Two off-road parking spaces would remain in the front of the property. The area of hard standing measures 9.8m wide x 3m depth. There is an additional space for parking 4.7m in depth and 2.2m wide.

3.0 PLANNING CONSTRAINTS

None

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
 National Planning Practice Guidance (NPPG)
 Development Plan: Saved policies E1, E19, E24 of the Swale Borough Local Plan 2008

5.0 LOCAL REPRESENTATIONS

- 5.01 One response has been received from the occupier at No.11 Woodside, objecting to The application on the following grounds:
- Two large cars and would not fit on front area and their cars are over the boundary sometimes.

6.0 CONSULTATIONS

- 6.01 Dunkirk Parish Council objects to the application, referring to the history of the original planning application, to their original concerns over the loss of parking

“We are concerned that the existing granted application that included a garage to continue with provision of an off road parking space is now being considered for conversion to a residential space before it has been completed. The Parish Council have reservations about the loss of an off road parking space In this road and for this reason we feel we must oppose this application.”

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers and drawing referring to application reference 15/503078/FULL and 15/507884/NMAMD

8.0 APPRAISAL

- 8.01 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.
- 8.02 The proposed conversion would result in the loss of one garage. The question then is what impact will that have on the streetscene and on parking provision at the property. The entire frontage of the property is now hardsurfaced. The hardstanding 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 in front of the garage is 9.8m wide which more than complies with this guidance. The approval of this application is not likely to result in any erosion of soft landscaping to the front of the property, as can sometimes be the case with garage conversions. Therefore I do not consider that the proposal would be likely lead to new parking or visual amenity problems in the area as cars can already be expected to be parked across the entire frontage of the property on the existing hardstanding.
- 8.03 The parking provision available to the applicants will be the same two spaces as originally anticipated, and I do not consider that it would result in additional on-street parking potential due to the driveway for the property being adequate for the parking needs of the property. Nor do I find that the conversion of this garage will negatively affect the streetscene as the property's entire frontage is already paved over and used for parking.
- 8.04 Although granting permission for this application could encourage others to do the same, I do not consider this to be a reason for refusal. Each application should be considered on its own merits.
- 8.05 The application does introduce 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.
- 8.06 No 9 submitted an application for change of use of garage to study and landscape frontage SW/07/1493 that was refused on 6th February 2008. However, an appeal was lodged APP/V2255/A/08/2080872 and planning permission was allowed on appeal (copy of decision attached to this item). Accordingly, as circumstances are almost identical I can see no alternative but to recommend approval here.

9.0 CONCLUSION

- 9.01 This application for the conversion of an existing integral garage to a habitable room is considered acceptable and I therefore recommend that permission 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 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 and new window to be used in the construction of the external surfaces of the conversion hereby permitted shall match those on the existing building in terms of type, colour and texture.

Reasons: In the interests of visual amenity

Council's approach to the 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 acceptable as submitted and no further assistance was required

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.

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c: 12414



Appeal Decision

Site visit made on 3 March 2009

by Frances Mahoney DipTP MRTPI IHBC

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

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Decision date:
17 March 2009

Appeal Ref: APP/V2255/A/08/2080872

9, Woodside, Dunkirk, nr Faversham, Kent ME13 9NY

- 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 Lee Hancock against the decision of Swale Borough Council.
- The application Ref SW/07/1493, dated 10 December 2007, was refused by notice dated 6 February 2008.
- The development proposed is a change of use of a garage to a study and landscape the frontage.

Decision

1. I allow the appeal, and grant planning permission for a change of use of a garage to a study and landscape the frontage at 9, Woodside, Dunkirk, nr Faversham, Kent ME13 9NY in accordance with the terms of the application, Ref SW/07/1493, dated 10 December 2007, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) Prior to the garage conversion hereby permitted first being brought into use, the proposed frontage parking spaces and their associated accesses shall be completed and made available for their designated purpose.

Main issue

2. I consider the main issue in this case is the effect of the proposed garage conversion on the character and appearance of the surrounding area.

Reasons

3. Woodside is a pleasant established residential area, characterised in the main, by the mix of dwelling types many of which are set back from the road allowing for off-street parking to the front and/or side of the properties. When I visited the appeal site I saw cars parked both on Woodside, which has unrestricted parking and off-street in front of the dwellings. The presence of cars within property frontages and parked on the road is not an uncommon sight within the street scene.
4. No 9 Woodside is a semi-detached house extended to the side to include an integral garage which it is proposed to convert to a study. It is uncharacteristic of much of the development in the immediate area as it is set closer to the road. Due to the limited depth of the front garden area the existing driveway in front of the garage can only accommodate a small car. In my view in these

Appeal Decision APP/V2255/A/08/2080872

circumstances it is impractical to use the drive as well as the garage for parking as it is not possible to open the garage door when a car is parked on the drive. Therefore at present in practical terms, only one off-street parking facility is available for the use of the residents of No 9.

5. The appeal proposes the conversion of the existing garage at No 9 to a study with the creation of two parking spaces in the front garden of the house. Both of the proposed parking spaces would be an improvement on the length of the existing driveway but would be marginally below the size promoted by the Kent Highway Services. However, in the restricted circumstances of the appeal property, the proposed frontage layout would offer the opportunity for two medium size cars to be parked off-street which in my view would be an improvement on the current situation. The scheme also includes two drop-curb accesses from Woodside which would be a further improvement as currently there are none serving the garage and driveway of No 9.
6. However, whether cars were parked on the proposed driveways or on the road, there would be some visual effect on the street scene. Taking into account the extent of the off-street parking available within Woodside, as well as the unrestricted nature of the available on-street parking, I consider that parked cars are already a feature within the street scene. The proposed frontage parking at No 9 would not unacceptably add to the extent of the effect of cars parked within the street scene, particularly as this aspect of the appearance of the street would be in constant flux as vehicles fulfil their function of travel. Therefore, in the specific circumstances of the appeal proposal, the conversion of the garage to a study would not unacceptably harm the character and appearance of the street scene. Thereby the terms of the Swale Borough Local Plan Policies E1, E24 and T3 and the guidance in the Council's supplementary planning guidance document *Designing an Extension: A Guide for Householders* would not be compromised.
7. In reaching my conclusion I have also taken into account the appeal decisions referred to by the Council. In the Ivory Close decision (APP/V2255/A/02/1100283), I have few details of the circumstances of this case. However, I have noted that the reported characteristics of the Ivory Close area appear to differ from the locality of the appeal site, in that garages and driveways were not common features in Ivory Close, where as the reverse is true of Woodside. The Inspectors in that instance, as well as in the Boughton case (APP/V2255/A/05/1191733), would have exercised their judgement on the evidence in relation to those particular cases. I have similarly used my judgement in respect of the evidence before me.
8. The Council has not suggested any conditions in the event the appeal is allowed. Therefore, I have considered the need for appropriate conditions in accordance with the guidance given in Circular 11/95 *The Use of Conditions in Planning Permissions*. To maintain the continuity of off-street parking at the appeal site I shall impose a condition requiring the completion of the parking area before the garage conversion is first brought into use.

Frances Mahoney

INSPECTOR
