

a) **DOV/18/01393 – Erection of double garage and garden room - 8 Bewsbury Crescent, Whitfield, Dover**

Reason for Report: Number of contrary views (8)

b) **Summary of Recommendation**

Planning Permission be GRANTED

c) **Planning Policy and Guidance**

Dover District Core Strategy (CS)

Policy DM1 supports development carried out within the urban confines

National Planning Policy Framework (NPPF)

NPPF 2018 Achieving sustainable development (paras 7 – 14)
Achieving well designed places (paras 124-132)

d) **Relevant Planning History**

CH/6/54/0005 – Erection of a bungalow - Permitted

DO/85/0157 – Single storey extension and roof conversion for domestic use - Permitted

DOV/14/00683 – Extension between garage and kitchen - Permitted Development

e) **Consultee and Third Party Responses**

Whitfield Parish Council object to this application. There is already a garage located on the property, and the property has also been extended previously to provide additional accommodation. The size structure and positioning of the proposed Garage and Garden Room together with the facilities and services to be provided to the building, give us concerns that this is indeed a back garden development, to which we are totally opposed to in Whitfield.

Eight local residents object to the proposal on the following grounds:

- Previously extant garden trees already removed,
- Too large
- Too close to boundary,
- Impact on residential amenity – noise and lights from cars,
- Potential future use as a dwelling

f) **1. The Site and the Proposal**

The Site

- 1.1 The site comprises a fairly large 1950's detached brick and tile bungalow set in a crescent of bungalows and houses. The house benefits from an approved extension and loft conversion along with a Conservatory. The bungalow sits within a fairly large

plot about seventy metres deep and twenty-five metres wide. There is good screen fencing and hedging surrounding the side. There is an existing vehicular access as well as open parking spaces to forward of the house with the access gate on the southern end of the road frontage. At the northern end of the road frontage is an additional gate.

- 1.2 The site lies within the confines of Whitfield. On the southern boundary of the site are two bungalows and a chalet bungalow numbered 10 to 14 Bewsbury Crescent each with fairly short rear garden areas. On the rear (western) boundary is the rear garden of number 16 Bewsbury Crescent. On the northern garden boundary there is a back land bungalow granted planning permission under DOV/06/00201.

The Proposal

- 1.3 The applicant seeks permission to erect a brick and tile garage/garden room with a footprint of 10.5 metres wide by 6.5 metres deep with a pitched and hipped roof to an overall height of 5 metres. Approximately two thirds would be given over to the parking of two cars with the garden room occupying the remaining third including a small WC facility to the rear of the building.
- 1.4 The garage/garden room would have a double roller garage door and a two pane window on the east facing elevation with bi-folding doors on the south facing elevation. There would be an obscure glazed window serving the WC on the rear (west) facing elevation and a two pain window of the north facing elevation.
- 1.5 The garage/garden room would be located in the rear garden, in its south western corner.
- 1.6 The proposal also seeks permission for a 3.5-metre-wide driveway which would run from the existing access on the north side of the road frontage. This driveway would serve the proposed garage and incorporate a small turning area.

2. Main Issues

- The principle of the development
- Residential amenity
- Character and appearance of the area
- Boundary Issues
- Highway Issues
- Loss of trees
- The potential future use of the building

Assessment

Principle of Development

- 2.1 Core Strategy Policy DM1 supports and encourages development within the confines, accordingly the principle of this proposal is acceptable.

Residential Amenity

- 2.2 The ground level in the area of the proposed building is almost half a metre lower than the surrounding land. In the case of the neighbour to the south west (number 16 Bewsbury Crescent) I do not consider that there would be any adverse impact caused by the size of the building, which has a pitched and hipped roof sloping away from this dividing boundary. This is especially true in that this neighbour's garden lies to the south west of the proposal and there would thus be no overshadowing or loss of sunlight.
- 2.3 In the case of the neighbours to the south east (numbers 12 and 14), although the bi-folding garden room doors look towards these properties, because of the lower ground level of the proposal, and the height and depth of the boundary treatment and distance between building and dividing boundary, there will be no potential interlooming or overlooking of private areas.
- 2.4 The design of the roof to the new building, and lower ground level than no 16 (to the south west) would mitigate any overbearing or overshadowing impact to an acceptable degree. There are no overlooking opportunities.
- 2.5 Insofar as potential noise and disturbance is concerned, I note that the access drive to the new garage would pass close to the new 'back land' bungalow on the northwest flank of the applicant's garden area. However, in view of the limited traffic movements likely I do not consider that any minor additional activity and light disturbance would be significantly greater than normal routine use of a domestic garden area and therefore not sufficient to recommend refusal. In this context it should be borne in mind that the proposal may constitute 'permitted development' were the roofline of the garage/garden room to be lowered by one metre.

Character and Appearance of the Area

- 2.6 The proposal is set within the rear garden area and not readily visible from the public realm. Although slightly higher than a 'permitted development' outbuilding, it would have no adverse impact on the character and visual amenity of the area. The roof form is of an acceptable appearance.

Boundary Issues

- 2.7 As originally submitted the plans appeared inaccurate insofar as the south western boundary is concerned. Revised drawings have been received which correct a minor error in regard to the rear boundary of the plot adjacent to number 16.

Highway Issues

- 2.8 There is an existing (informal) means of access at the point shown on the submitted plans, albeit this seems to have been constructed within the past few years and the applicant has said has only been used occasionally and that a future application would be made to KCC Highways for a dropped kerb.

Trees

- 2.9 An objector is correct in that a number of trees have recently been removed. These trees were within a domestic garden, not within a Conservation Area or the subject of a Tree Preservation Order and their removal cannot be controlled by the Local Planning Authority

Future Use of the Building

- 2.10 The majority of neighbouring objections related to the possible future use of the building and the perceived potential for it to become an independent 'backland' dwelling. This perception is probably re-enforced by the grant in 2006 of a back-land bungalow immediately to the North behind 6 Bewsbury Crescent.
- 2.11 Notwithstanding the above mentioned permission all applications are determined on their own merits and any application for use of this building as a separate dwelling would need an express planning permission. The existence of an outbuilding, in itself, would not set a precedent for a separate residential use. Further, I consider that a 'no habitable use' condition can also bring under planning control any potential use as a residential annexe thus addressing residents' concerns as well as the concerns of the Parish Council.

Other Issues

- 2.12 The Parish Council has rightly pointed out that there is an existing single garage to the side of the property. The detached garage appears to have been part of the original dwelling which has been joined to the house pursuant to the 1985 and 2014 permissions and is currently, I understand, used for domestic storage.

3. Conclusion

- 3.1 Overall, I consider the development would cause no undue harm to residential amenity, is satisfactory in terms of the visual amenity of the area and highway safety and, with appropriate conditions, the future use of the building can be controlled.
- 3.2 I therefore recommend planning permission subject to conditions be granted.

g) Recommendation

- (i) Planning permission **BE GRANTED** subject to conditions to include (1) time, (2) compliance with plans and (3) The use of the garage/garden room shall not be used for habitable accommodation.
- (ii) Powers be delegated to the Head of Regeneration and Development to settle any necessary issues in line with the matters set out in the recommendation and as resolved by planning committee.

Case Officer
Tony Jarvis