

DEVELOPMENT CONTROL BOARD

6 June 2019

Reference: 19/00299/FUL **Officer:** Mrs B Lidster

Location: 26 Gasson Road
Swanscombe
Kent
DA10 0HX

Proposal: Erection of a detached garage (retrospective application)

Applicant: Mrs Matildia Bineri

Agent: Mr Tony Angeletta

Parish / Ward: Swanscombe And Greenhithe / Swanscombe

RECOMMENDATION:

Approval

SITE DESCRIPTION

- (1) No. 26 Gasson Road is a mid-terrace house located on the northern side of the road close to the junction with Sweyne Road to the west.
- (2) The property has a rear access from Sweyne Road.
- (3) The building in question has already been started and is located to the end of the garden. This application is therefore retrospective.

THE PROPOSAL

- (4) The proposal is for the erection of a detached building to be used as a garage. The door leading to the rear access is not however large enough to accommodate a car. The applicant has advised that the building would be used to house motorcycles.
- (5) The building would be 6.945m in length and 5.3m in width. The maximum roof height would be 3.07m. A 1m overhang is proposed to the elevation facing into the garden.

RELEVANT HISTORY

- (6) There is no relevant planning history other than the enforcement investigation into the building the subject of this application.

COMMENTS FROM ORGANISATIONS

- (7) Swanscombe and Greenhithe Town Council - Concerned that application is not for a garage as the door is too narrow and shown to be above ground. Appears unnecessarily high for a garage. They accept the clarification as to use of garage for motorbikes but reiterate their concern that the height of the garage is excessive.

NEIGHBOUR NOTIFICATION

- (8) Two letters of objection received commenting that planning should have been applied for before the building was erected; building is big and overbearing; affects pleasure and

enjoyment of their own garden; building is not a garage and have concerns it will be a bungalow; it should not be connected to drains as will impact on them.

RELEVANT POLICIES

- (9) Dartford Core Strategy 2011
- (10) Adopted Dartford Development Policies Plan 2017
 - DP2: Good Design;
 - DP3: Transport Impacts of Development
 - DP4: Transport Access and Design
 - DP5: Environmental and amenity protection;
 - DP7: Borough housing stock and residential amenity

COMMENTS

Key Issues

(11) The development is located to the rear of the property and not readily visible from any public vantage points. I therefore consider that the key issue is the impact of the development on neighbouring properties and also whether adequate parking is still provided at the property.

Impact on neighbours

(12) The building is located at the end of the garden and properties to either side also have outbuildings at the end of their gardens. The property to the west has a building of similar depth with a pitch roof, the maximum height of which appears to be the same as the flat roof of the application property. To the east the neighbouring property also has a detached building at the end of their garden but it is smaller in terms of height and footprint.

(13) The proposed building is located some 12m from the rear of the neighbouring properties and the presence of the neighbouring outbuildings would minimise the visual impact on the occupiers of these properties in my view.

(14) The rear access to the property serves a number of others properties in Gasson Road as well as Milton Road to the north. There are a number of other rear outbuildings of significant size serving these properties. The proposed outbuilding would not therefore appear out of place.

(15) Given the separating distance from properties to the north in Milton Road (23 metres), I do not consider that this proposal would have any significant detrimental impacts in terms of overshadowing or an overbearing effect on the occupiers of properties in Milton Road.

(16) Whilst I accept that the building appears to be quite high in comparison to the immediately adjacent outbuildings, this is largely due to the flat roof design which requires taller eaves than if the roof were pitched. I note that there are other flat roof outbuildings within the vicinity.

(17) Being at the far end of the rear garden, the proposed building would not result in the overshadowing of important private amenity space (immediately to the rear of properties) or an undue overbearing effect in my view on residents of these properties.

(18) There is a window shown within the proposed south facing elevation which would provide views back into the rear garden. Although the window would provide no greater opportunity to overlook the adjacent gardens than someone standing in the rear garden looking back towards the house, I consider it reasonable to impose a condition to require this window to be obscure glazed and fixed shut apart from a top hung fan light. This would address any potential concerns about perceived increased overlooking.

(19) I cannot identify any demonstrable harm to residential or visual amenities from the proposed building. I do not consider that the building would have any significant detrimental impacts to warrant a refusal given its location and the situation at adjacent properties.

(20) It should be noted that neither of the objections from neighbours comes from the properties to either side.

Parking

(21) The proposed motorcycle garage occupies the entire width of the plot to the rear. As such, opportunities to park a car at the rear of the site would be lost. It is of note however that historic aerial photographs of the site do not indicate that the resident used the rear access to park cars within the rear garden of the property. In addition, the property has a dropped kerb to the front on Gasson Road and the entire frontage of the property already has a hardstanding with room for at least two cars to park. As such, I am of the view that despite the removal of opportunities to park at the rear of the property, an adequate number of car parking spaces would be retained to serve the property at the front. I therefore consider that the proposal would have no undue impact on highway safety or amenity.

OTHER MATTERS

(22) I note the concerns of a neighbour as to any future use of the building as a residential dwelling. The application has to be determined on its merits and it must be taken at face value that it will be used as a garage to house motorcycles which is ancillary to the use of the existing house. Should the use of the building change to a residential dwelling or indeed any other use that is not ancillary to the main dwelling, planning permission would be required. The impacts from a new use of the building would need to be assessed at the time.

HUMAN RIGHTS

(23) I have considered the application in the light of the Human Rights Act 1998. I am satisfied that my analysis of the issues in this case and my consequent recommendation are compatible with the Act.

PUBLIC SECTOR EQUALITY DUTY

(24) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

CONCLUSIONS AND REASONS FOR RECOMMENDATION

(25) Whilst it is accepted that this proposal is retrospective the application has been submitted to regularise the building which has already been started and the application before Members must therefore be determined on its merits.

(26) In my opinion the development would not have any significant detrimental impacts on the residential amenities of adjacent properties and there would also be no visual harm. An adequate number of parking spaces would be retained at the front of the property and therefore there would be no undue impact on highway safety and amenity.

RECOMMENDATION:

Approval

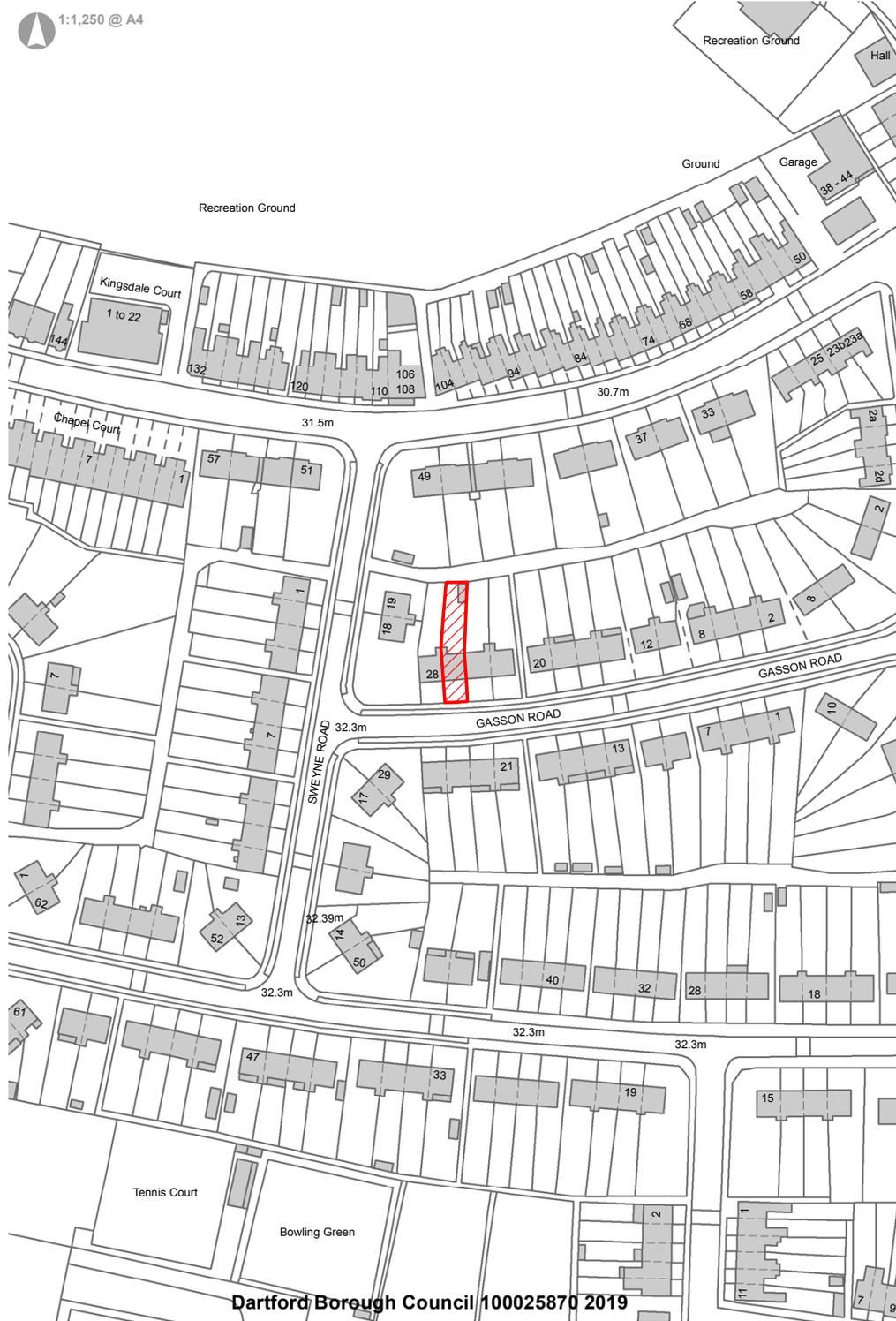
01 The development shall be carried out in accordance with the following plans and documents: DO/01; DO/1; DO/03

01 For the avoidance of doubt and to ensure a satisfactory form of development.

- 02 Prior to occupation of the development hereby approved the window in the south-facing elevation of the building hereby approved shall be obscure glazed with a minimum obscurity level of 3 as referred to in the Pilkington Texture Glass Range leaflet, or nearest equivalent as may be agreed in writing by the Local Planning Authority. Such glazing shall be incapable of being opened with the exception of any top hung fan lights, and shall subsequently be maintained as such at all times.

- 02 To safeguard the privacy of adjoining residents in accordance with Policies DP2 and DP5 of the adopted Dartford Local Plan.

1:1,250 @ A4



Dartford Borough Council 100025870 2019

Application No.:	19/00299/FUL
Address :	26 Gasson Road Swanscombe Kent DA10 0HX
Date: 20 May 2019	Scale: Not to Scale