



Appeal Decision

Site visit made on 9 December 2020

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2021

Appeal Ref: APP/T2215/W/20/3259551

210 Birchwood Road, Wilmington, Kent, DA2 7HA

- 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 Mrs Rashmi Maru against the decision of Dartford Borough Council.
 - The application Ref DA/20/00638/FUL, dated 30 May 2020, was refused by notice dated 24 July 2020.
 - The development proposed is for garage conversion to study and new garage.
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Decision

1. The appeal is dismissed insofar as it relates to a new garage. The appeal is allowed insofar as it relates to the conversion of the existing garage to a study and planning permission is granted for garage conversion to a study at 210 Birchwood Road, Wilmington, Kent, DA2 7HA, in accordance with the terms of the application, Ref DA/20/00638/FUL, dated 30 May 2020, so far as relevant to that part of the development hereby permitted and 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 in-so-far as they relate to the garage conversion hereby permitted: RM/01, RM/02, RM/03, RM/04, RM/05 and RM/06.
 - 3) The external materials to be used in the construction of the garage conversion hereby permitted shall match those of the host dwelling.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

3. The appeal site is located within a diverse row of detached and semi-detached family dwellings that are set back from Birchwood Road behind deep front gardens. These front gardens are enclosed by a variety of low walls, metal railings, trees and shrubs, which provide different levels of screening between the properties and the street scene. A number of the dwellings have garages in their front gardens.

4. The garages within the front gardens of the row of dwellings to the southwest of Puddledock Lane are typically set back from the road and are screened from the street scene by planting. This planting contributes to the rural setting of the houses and helps to ensure that the garages do not dominate their host dwellings or detract from the verdant and semi-rural character and appearance of the street scene.
5. To the north of Puddledock Lane the development gradually becomes more intensive and less verdant, with the introduction of housing on both sides of the road. A higher proportion of the dwellings have garages in their front gardens and many of them project close to the front boundaries of the properties. This adds to the more suburban and enclosed character and appearance of this part of Birchwood Road.
6. The appeal property is located within the row of dwellings to the south of Puddledock Lane and which look out over the open countryside on the opposite side of Birchwood Road. The property occupies a slightly narrower plot than the neighbouring dwellings and the majority of the front garden is hard surfaced. The front garden is enclosed on either side by a combination of fences and hedges. Along the front boundary is a low wall with a hedge immediately behind it.
7. Collectively, policies DP2, DP5 and DP7 of the Dartford Development Policies Plan 2017 (DPP), seek to ensure that new development responds to and reinforces positive aspects of the locality. It should maintain or enhance local character and the environment. These policies are consistent with section 12 of the National Planning Policy Framework (the Framework), which states that new development should be sympathetic to local character, whilst not preventing appropriate innovation or change.
8. The proposed garage would be five metres wide, 10 metres deep and would have a false pitched roof with skylights along it. The external materials would be consistent with those of the host dwelling and would comprise painted render walls and a plain concrete tiled roof apron. The proposed garage would be sited close to the front boundary wall and hedge and would project across approximately half the width of the garden. It would occupy almost all of the front lawn, leaving very little space for soft planting around the proposed garage.
9. Due to its combined siting, size and materials the proposed garage would dominate views into the site and would have an enclosing and urbanising impact on the site and the street scene. The upper part of the rendered walls and the roof of the proposed garage would be prominent within the street scene, where they would have an uncharacteristic and urbanising effect.
10. For these reasons the proposed garage would materially detract from the spacious appearance of the property and the verdant and semi-rural character and appearance of the area. This harm is not something that could be satisfactorily dealt with by condition.
11. I have carefully considered the security concerns cited by the appellant and the benefits of providing a garage. However, these matters do not outweigh the harm that would be caused by the proposed garage to the character and appearance of the host property and the street scene.

12. Conversely, the proposed garage conversion would involve very few external changes to the existing dwelling and would respect and reinforce the character and appearance of the dwelling as a whole. This is provided the conversion is undertaken using materials that match the host dwelling and is in accordance with the submitted drawings. These are both matters that can be dealt with by condition.
13. I conclude that the proposed garage conversion would respect and blend in readily with the character and appearance of the host dwelling and the area. As such it would comply with DPP Policies DP2, DP5 and DP7 and section 12 of the Framework. Conversely, the proposed garage would unacceptably harm the spacious appearance of the appeal site and the open, semi-rural character and appearance of the street scene. It would therefore conflict with the above policies and section 12 of the Framework. The proposed garage conversion and the detached garage are both physically and functionally independent. As such I am able to issue a split decision in this case.

Elizabeth Lawrence

INSPECTOR