The Planning Inspectorate

Appeal Decision

Site visit made on 16 June 2021

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 9th July 2021

Appeal Ref: APP/T2215/D/21/3271712
3 Fairlawn Crescent, Greenhithe DA9 9YG

- 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 Stephen Paris against the decision of Dartford Borough Council.
- The application Ref DA/20/01335/FUL, dated 1 November 2020, was refused by notice dated 24 February 2021.
- The development proposed is the erection of a single storey rear extension to enclose car port and new garage door facing street.

Decision

1. The appeal is allowed and permission is granted for the erection of a single storey rear extension to enclose car port and new garage door facing street at 3 Fairlawn Crescent, Greenhithe DA9 9YG, in accordance with the terms of the application, Ref DA/20/01335/FUL, dated 1 November 2020, subject to the attached schedule of conditions.

Main Issues

2. The main issues are

   - the effect of the proposal on car parking provision; and
   - the effect of the proposal on the character and appearance of the area.

Reasons

Car parking

3. No 3 is an end of terrace house on a recently built residential estate with an open, double depth carport extending from the front elevation of the property through to the rear garden where it ends in a tall close boarded fence. The proposal is to enclose the carport with a single storey extension to the rear of the house and a garage door set flush to the front elevation.

4. The Council argue that this would reduce the capacity of the carport by at least one car parking space leading to a shortfall in relation to the Council's parking standards and increased pressure for on street parking. However, this would not be the case, as the enclosed carport would have the same shape and floorspace as the existing open carport and would still be able to accommodate two cars.

5. Whilst an enclosed tandem garage may be less likely to be used for parking cars and more likely to be used for storage than an open carport, in this instance on-street parking is strictly controlled with a residents-only parking scheme. It is thus in the interests of the appellant to continue to use the tandem garage for parking purposes and this could also be made the subject of a condition.

6. For these reasons the proposal would not affect the level of car parking provision for the property and would comply with Policies DP3 and DP4 of the Dartford Development Policies Plan 2017 (the DDPP). These seek to avoid excessive pressure for on-street parking and require parking provision in accordance with adopted parking standards.

Character and appearance

7. The front of the open carport would be enclosed with electric metal gates. Contrary to the views of the Council, this would improve the character and appearance of the area by replacing the existing unsightly opening through the building with its view of fencing and the rear garden behind. It would also improve security. These benefits are clearly demonstrated by the attractive up and over shutter door, matching the colour of the panel above, which has been installed at a similar property No 12 nearby. Whilst the submitted plans show a pair of outward opening doors which may not complement the existing house design in the same way, the details of the garage door or doors could be controlled by condition.

8. For these reasons the proposal would enhance rather than detract from the character and appearance of the area and would comply with Policies DP2, DP5 and DP7 of the DDPP. These require good design, facilitating a sense of place, reducing opportunities for crime & anti-social behaviour and the enhancement of the character and amenity of established residential areas.

Conclusion

9. The Council are concerned that the proposal would set a precedent for other open carports in the area but each planning application should be determined on its own merits.

10. In addition to the standard implementation time limit a condition is necessary to define the approved plans in the interests of certainty. Further conditions are necessary to control the materials to be used for the rear extension and to control the details of the garage door(s) to ensure the satisfactory appearance of the development. Finally a condition is necessary to ensure the tandem garage continues to be used for parking purposes to avoid any increase in pressure for on-street parking.

11. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

Schedule of conditions

1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: PROJEK 05A Amended 24/04/20, PROJEK 06A Amended 24/04/20, PROJEK 07A Amended 24/04/20, PROJEK 08A Amended 24/04/20, PROJEK 09, PROJEK 10, PROJEK 11.

3) The materials to be used in the construction of the external surfaces of the rear extension hereby permitted shall match those used in the existing building.

4) Notwithstanding the submitted plans the garage door(s) facing the street hereby permitted shall not be erected until full details of the door(s) have been submitted to and approved in writing by the Local Planning Authority. The door(s) shall then be erected in strict accordance with the approved details.

5) The two car parking spaces in the enclosed tandem garage hereby permitted shall be kept available for the parking of cars at all times and no alternative use or development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 or any amendment thereto, shall be carried out within the tandem garage or to preclude vehicular access thereto.