

**Mr Abiodun Olaitan**

**44 Cavell Crescent**

**Dartford**

**DA1 5NS**

**Demolition of existing garage and the creation of a new annex to provide  
ancillary family accommodation.**

**(Resubmission of DA/23/00376/FUL)**

**Design Statement**

## The Proposal

Located at the junction of Cavell Crescent and Shaftesbury Lane this semi-detached dwelling was constructed in the late 1950's.

The proposal would entail the demolition of the current garage and attached store and the construction of a new annex to provide ancillary family accommodation.

The annex would be built on the footprint of the existing garage and therefore no existing amenity space or off street parking spaces would be lost.

## Planning History

1. 53/00128/FLB85  
Erected under this no. 178 dwellings, 14 garages & a Park Department store.  
Application permitted and constructed.
2. 86/00400/FUL  
Erection of a detached garage.  
Application permitted and constructed.
3. 93/00490/FUL  
Erection of a conservatory and retention of 1.9m high boundary wall.  
Application permitted and constructed / retained.
4. 15/01023/FUL  
Erection of a single storey rear/front extension and demolition of existing detached garage and erection of a detached outbuilding together excavation of front garden for provision of a driveway for car parking.  
Application permitted but not constructed.
5. 22/00403/FUL  
Demolition of existing detached garage and the erection of a detached granny annex ancillary to the main building with parking and landscaping.  
Application withdrawn.
6. 23/00376/FUL  
Demolition of existing garage and erection of a detached annex to provide ancillary family accommodation.  
Application refused.
7. APP/T2215/D/23/3325790  
Appeal dismissed.

## The previous application

The previous proposal, reference DA/23/00376/FUL, was submitted on 23<sup>rd</sup> March 2023 and refused on 19<sup>th</sup> May 2023.

The reason for refusal was-

*The proposed annex, by virtue of its siting, scale, design, and form, results in the introduction of an intrusive development, to the detriment of the character and appearance of the host property and wider street scene. The proposed annex, by virtue of its siting, scale, design, form and access independent of the main house would appear as a separate unit of accommodation, at odds with the character of the area, and result in overdevelopment of the site. This would be contrary to Policies DP2, DP7, of the Development Policies Plan (2017).*

The decision was the subject of an appeal which was dismissed on 14<sup>th</sup> September 2023, as follows-

Items highlighted in red in the Inspector's reasons for dismissing the appeal are seen as fundamental to his decision and notes on how these issues have been overcome by this resubmission have been inserted in blue.

## Decision

1. The appeal is dismissed.

## Main Issue

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

## Reasons

3. The appeal site is located on a corner plot, with the host house fronting onto Cavell Crescent, and its garaging and parking accessed from Shaftesbury Lane to the side. The existing garage is in a highly prominent position, as it sits on elevated ground to the rear of the house. The land levels continue to rise beyond the appeal site.
4. Although the existing garage and store is flat roofed, it occupies a significant portion of the rear of the appeal site, and is visible due to its elevated position and views across the open access. **However, despite its large footprint, its height and flat roofed form means that it retains a degree of visual subservience to the host house;** and as garaging, it is a typical feature in the street scene. There is a limited gap between the garage and house, with most of the amenity space for the dwelling being located to the side, alongside Shaftesbury Lane.
  - a. **The height and the flat roof of the proposal maintains this degree of visual subservience to the host house.**
5. The proposed annexe would be built on the footprint of the existing garage, excluding a small store on the northern end of the building. However, this modest reduction in footprint would not be noticeable from outside of the site, **and would be offset by the significant increase in the height and bulk of the building as a result of its pitched roof.** Although the replacement building would be lower in height than the main house, **it would appear overly large on the plot, and unduly dominant alongside the dwelling.** The use of matching roof pitch and materials to the house would not mitigate the visual intrusion in the street scene. I appreciate that the design and condition of the existing outbuilding does not make a positive contribution to the area, **but an enhancement to its appearance could be achieved without a significant increase in its bulk.**
  - a. **With the removal of the pitched roof the height and bulk of the proposal is effectively the same as the existing structure.**
  - b. **It is no longer unduly dominant alongside the dwelling.**
  - c. **The proposal enhances the appearance without increasing the bulk.**
6. **In principle, use of the building as annexe accommodation to the main house could be controlled by a planning condition, as suggested by the appellant.** There would be no loss of garden and there are off-street parking spaces in front of the garage. If occupied as an annexe, as applied for, **the existing garden space and parking would appear to be sufficient** to meet the needs of the single household. **With no door in the roadside elevation, I do not share the Council's view that the building would appear as a separate dwelling.** However, a building of this size, scale and siting, with the appearance of habitable accommodation as opposed to the existing garaging, would be at odds with the existing pattern of development in the area.
  - a. **A condition restricting the use of the building as annexe accommodation is acceptable.**
  - b. **With no increase in the number of residents at the address the existing garden space and parking remain sufficient.**
  - c. **The Inspector's view that the building would not appear as a separate dwelling is duly noted.**
7. I note that there are other outbuildings in the vicinity, including a double garage to the south and flat roofed building in the rear garden of the attached house, 42 Cavell Crescent. However, none appear to be of such large scale as proposed in this case, nor appear as dominant alongside the dwellings which they serve.
8. **I appreciate the intended occupancy of the annexe,** and the appellant makes reference to severe housing difficulties encountered by younger people in the southeast of England. I also acknowledge that the site is sustainably located. However, these factors would not justify the proposal **given the**

harm which has been identified.

- a. The intended occupant will be a younger member of the family currently residing in the main dwelling.
  - b. The proposal would not result in harm to the street scene.
9. The proposal would not result in overlooking or loss of privacy for neighbouring residents, but **this absence of additional harm would not outweigh the adverse visual impact.**
- a. The adverse visual harm has been addressed.
10. **I therefore conclude that the proposal would detract from the character and appearance of the host property and the wider street scene**, contrary to Policy DP2 of the Dartford Development Policies Plan 2017 (DDP), which amongst other criteria seeks good design which is reinforced and enhanced through integrating new development with the public realm, with regard to matters including **how the height, mass, form, scale, siting, and roof form relate to neighbouring buildings**, as well as the wider locality; and contrary to DDP Policy DP7, which requires development to retain or enhance the character, local environment and amenity of established residential areas, to achieve satisfactory quality of residential/householder development, and to ensure that the design proposed is not visually obtrusive.
- a. The revised proposal no longer detracts from the character and appearance of the host property or the wider street scene.
  - b. The matters relating to height, mass, form and scale have been addressed.

### **The design of the revised proposal**

1. The use of matching materials will ensure that the proposal blends with the main dwelling whilst remaining subservient to it.
2. The provision of a flat roof ensures that the bulk and scale of the proposal are essentially the same as those of the current garage.
3. Access to the proposal can only be achieved via the existing steps and raised platform immediately to the south of the main dwelling or from the existing parking area via a pedestrian gate.
4. The east elevation facing Shaftesbury Lane is pierced by two windows which serve the sitting room and bedroom.
5. The north elevation facing the rear of the main dwelling is pierced by a door and adjacent window to allow access to the sitting room.
6. The remaining elevations are unpierced to obviate overlooking or loss of privacy.
7. The proposal will use the power, water and drainage services of the existing property.
8. As the proposal will be used by an existing family member the current refuse services will be utilised.
9. The current garden space and parking facilities are unchanged.

### **Conclusion**

This revised application addresses the issues identified by the Inspector and therefore Dartford Borough Council is requested to approve the application.