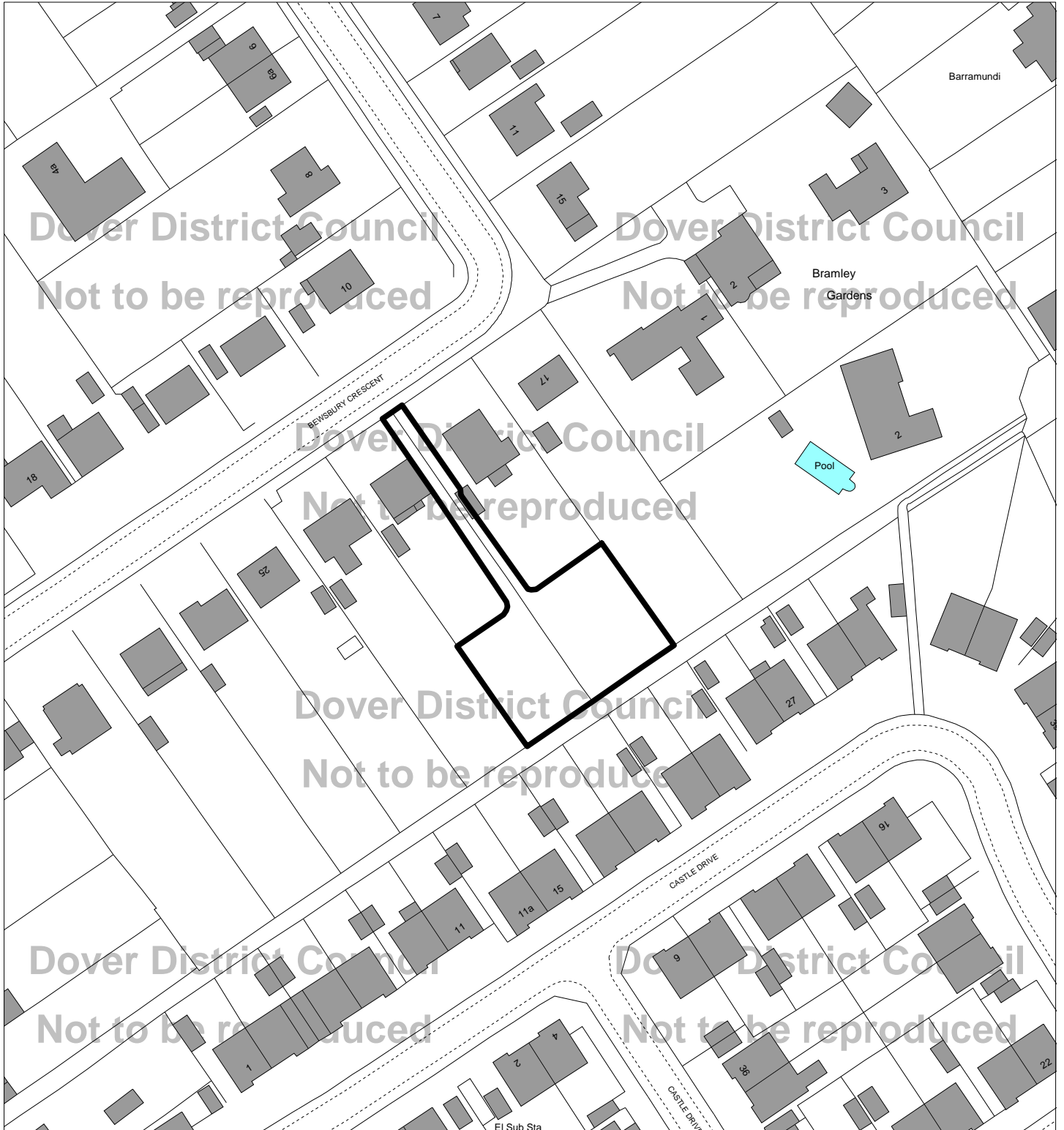


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**Application: DOV/15/01065**

**Land to the rear of 19 and 21**

**Bewsbury Crescent**

**Whitfield**

**CT16 3EU**

**TR29814513**



- a) **DOV/15/01065 - Erection of two single storey bungalows - Land to the rear of 19 and 21 Bewsbury Crescent, Whitfield, Dover**

**Reason for Report**

The number of third party contrary views.

- b) **Summary of Recommendation**

Planning Permission be granted

- c) **Planning Policy and Guidance**

**Dover District Core Strategy (CS)**

Policy CP1 advises on the hierarchy of settlements throughout the Dover District and states that Whitfield is a secondary regional centre and is a major focus for development, it is suitable for the largest scale of developments.

Policy DM13 states that provision for parking should be a design-led approach based upon the characteristics of the area, the nature of the development and design objectives.

**National Planning Policy Framework (NPPF)**

- The NPPF has 12 core principles which amongst other things always seek to secure high quality design and a good standard of amenity for all existing and future occupants.
- Paragraph 7 of the Framework sets out that there are three dimensions to sustainable development: economic, social and environmental, and that these roles are mutually dependent and should be jointly sought to achieve sustainable development.
- Paragraph 14 of the Framework requires that where the development plan is silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole.

**The Kent Design Guide**

The Kent Design Guide provides criteria and advice on providing well designed development.

- d) **Relevant Planning History**

DOV/14/00388 - Erection of three detached dwellings, creation of parking and provision of replacement parking and new vehicular access for No.21 (existing garage at No.21 to be demolished) – Refused under delegated powers for the following (summarised) reasons;

- 1) The proposed scheme would result in an over-intensive form of development that would unacceptably disrupt the linear pattern of development in Bewsbury Crescent through the introduction of a visually incongruous form of development that would have a poor visual connection to its surroundings and which would be out of keeping with the appearance of other development in the immediate locality. The proposed development is therefore contrary to Paragraphs 17, 61 and 64 of the National Planning Policy Framework and the Kent Design Guide.
- 2) The intensification of the use of the access to the side of No.21 Bewsbury Crescent, would result in an unacceptable impact upon the amenities of neighbouring occupiers through the introduction of vehicle movements along the side and rear of this property and the associated activity and disturbance that would arise from these movements. The proposed development is therefore contrary to Paragraph 17 of the National Planning Policy Framework.

DOV/14/00726 - Outline application for the erection of two detached dwellings, creation of parking and provision of replacement parking and new vehicular access for No.21 - Refused under delegated powers for the same reasons as listed above.

An appeal was submitted against both applications, the appeal was dismissed and the following comments were made by the Inspector:

- The proposed vehicle access would have a detrimental impact on the residential amenities of the occupiers of no.23 through noise and disturbance; and
- The proposed vehicle access would result in the loss of car parking for no. 21 and the replacement car parking and bin storage at the front of the dwelling would have a detrimental impact on the visual amenity of the street scene.

e) **Consultee and Third Party Responses**

Whitfield Parish Council – Object for the following (summarised) reasons;

- The proposed scheme would result in an over-intensive form of development that would unacceptably disrupt the linear pattern of development in Bewsbury Crescent through the introduction of a visually incongruous form of development that would have a poor visual connection to its surroundings and which would be out of keeping with the appearance of other development in the immediate locality. The proposed development is therefore contrary to Paragraphs 17, 61 and 64 of the National Planning Policy Framework and the Kent Design Guide.
- The intensification of the use of the access to the side of No.21 Bewsbury Crescent, would result in an unacceptable impact upon the amenities of neighbouring occupiers through the introduction of vehicle movements along the side and rear of this property and the associated activity and disturbance that would arise from these movements. The proposed development is therefore contrary to Paragraph 17 of the National Planning Policy Framework.
- Will increase housing density at a time when new houses are being built as part of the Urban Expansion.

Third Party representations: 18 letters of objection have been received and the comments are summarised as follows:

- Shows a total disregard for the Council's original objection,
- Back garden development should not be allowed,
- Impact on residential amenities,
- Poor design,
- Cramped,
- Overbearing,
- Sited in close proximity,
- Will set a precedent for other similar development,
- Will result in overlooking,
- The openness of the area will be replaced by an over intensive concentration of properties,
- Loss of trees,
- The bridleway could become a road to serve other similar developments,
- Only the access location is different from the previous application,
- The new sited access will cause disturbance to no.10 and 10A (granny annexe) opposite the site,
- More visitors parking on the road will cause a hazard,
- Already too much traffic,
- Insufficient infrastructure for two further dwellings,
- The bridleway is a haven for flora and fauna, bats and newts are often seen,
- Exacerbate problems with drainage,
- Will not be affordable housing,
- It is impossible to relocate existing mature fruit trees,
- Vehicle headlights will harm no.23,
- The reduced scale does not over come the impact previously identified,
- Existing properties suffer from subsidence,
- Flooding is a common problem,
- If granted the bungalows could be extended.

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

- 1.1 The application site consists of the rear gardens of Nos.19 and 21 Bewsbury Crescent, Whitfield. These properties are detached bungalows which have plots extending approximately 65m from Bewsbury Crescent to the bridleway at the rear. A bridleway runs from Singeledge Lane to the west to Bewsbury Cross Lane to the east, it separates the rear gardens of the application site from the rear gardens of those dwellings in Castle Drive.
- 1.2 The development site are rear gardens that are laid to lawn and there are a number of ornamental and fruit trees and hedgerow on the site and around the boundaries. Both Nos. 19 and 21 have driveways and parking to the front and side, directly accessed from Bewsbury Crescent. The land levels rise up gently towards the properties from Bewsbury Crescent road level.
- 1.3 Full planning permission is being sought for the erection of two detached bungalows situated to the rear of no's 19 and 21. The access to the site would be via the existing driveway of no.19, adjacent to no.21. The creation of the access will involve the partial demolition of the garage at no.19; the remaining part of the garage will be used for storage.

1.4 The bungalows would have a footprint of 11.3m (maximum) x 10m with a ridge height of 5m. the dwellings would accommodate three bedrooms (2 doubles and 1 single), 1 bathroom and 1 W/C. an open planned kitchen, dining and living room. Both dwellings would be provided with two off-street car parking spaces and a bin store would be provided between the two dwellings.

1.5 *Plans will be on display.*

## 2. **Main Issues**

The main issues in the consideration of this application are;

- The principle,
- Impact on the character of the area
- Impact on residential amenities; and
- Highway safety

## 3. **Assessment**

### Principle

3.1 The NPPF states that housing supply should be significantly boosted and housing should be located where it will enhance or maintain the vitality of communities, to promote sustainable development. The presumption of the NPPF is to build on previously-developed land, which excludes garden land.

3.2 The site is situated within the urban confines, and the principle of residential development in this location accords with CS Policies CP1 and DM1. The presumption of residential development is not focused on garden land such as this site, but on previously-developed sites. However, policy is not against residential development within the confines in principle, provided that it is the most acceptable land use. This includes consideration of whether the building is acceptable in terms of its visual impact on the surrounding area, highways implications and any impact on surrounding occupants.

3.3 The previous applications and appeals did not dispute that the principal of the development was acceptable.

### The character and appearance of the area

3.4 This is a residential road with a mix of bungalows, chalet bungalows and houses that are generally set on fairly regular building lines behind front gardens, grassed verges and footways. Notwithstanding the various fences and hedges around some of the front gardens, the area has a spacious character.

3.5 Page 45 of the Kent Design Guide requires that to ensure a well integrated design, the established character of an area must be understood and respected and the layout and appearance of buildings should be based on an appraisal of the character of the site and the adjoining land and buildings.

3.6 The proposal essentially involves the creation of a tandem development at the rear of Nos. 19 and 21 Bewsbury Crescent. The scheme would make use of an existing access between No.19 and 21 and introduce two bungalows into the rear gardens of two detached bungalows. The street scene in this south-east side of Bewsbury

Crescent consists of predominantly detached bungalows and chalet bungalows, with dormers in the roof, however immediately to the north-east of the site is a house.

- 3.7 There have been schemes previously approved in Bewsbury Crescent and one dwelling has been constructed to the north behind Nos. 6 and 6a. A scheme was also approved in 2013 to the rear of No.15 to the north of the site however this has not yet been implemented. Whilst residential development behind the Bewsbury Crescent frontage has been accepted previously, each application stands to be determined on its own merits. Notwithstanding this, the character of the area has been altered by the provision and approval of development in rear gardens in very close proximity to the application site. It must therefore be considered whether the development proposed to the rear of Nos. 19 and 21 is acceptable in terms of its impact upon the character and appearance of the area.
- 3.8 Where development has been approved in Bewsbury Crescent, it has related to the introduction of a single bungalow with the size of the plot and the layout of the development respecting the context of the surroundings.
- 3.9 The bungalows would have a footprint of 11.3m (maximum) x 10m with a ridge height of 5m. This development is somewhat smaller than the proposals considered by the Planning Inspector, where he advised (para 7) *'The proposals would have little impact on the character of the area. The area is residential and while the density of housing would increase, this would not be especially apparent from the street. At present there are some glimpses from between dwellings in Bewsbury Crescent to the backs of dwellings in Castle Drive that lie to the rear of the frontage properties. Many of these properties are bungalows with large roof extensions giving them a two storey appearance from the rear. These dwellings form part of the established built-up character of the area. The new dwellings would be visible from the bridleway to the rear of the site, but due to the existing two-storey appearance of the properties in Castle Drive, some of which have short rear gardens, the development would not be unacceptably intrusive. Taken together with the other tandem forms of development in the immediate area, the proposed dwellings would be in keeping with the established residential character.'* Based on the Inspectors conclusion, which is a significant material consideration, it would be unreasonable for Members to conclude that this smaller form of development would be out of keeping with the established residential character and to conclude that it would not be harmful to the appearance of the area.
- 3.10 At Paragraph 8 of the Inspectors decision letter he advised that *'In terms of the impact on the appearance of the area the proposals both involve a need for front garden parking, resulting in the loss of a grassed area as well as the loss of part of the grassed verge. In addition, the frontage bin storage area would be out of keeping with the appearance of the area. The hardstanding's for the car parking and for the bins would take up most of the retained frontage of No 21. The plans indicate a 4.1m wide access drive which, as agreed on site and contrary to the application form for Appeal A, would involve the loss of the hedge along the boundary with No 23. All this would have a harsh appearance that would detract from the spacious and landscaped appearance of the area. Both schemes would therefore fail to satisfactorily integrate into the existing built environment, harming the quality of the area'*. This application has amended these details and it is now proposed that the car parking and bin storage area will all be sited to the rear of no.19 and 21, thereby preserving the front garden area of these dwellings. The amount of hard standing to the front of 19 and 21 will slightly increase (from the existing situation but less than originally proposed) but it is being kept to a minimum standard by providing a shared driveway for no.19 and the two new dwellings. The new driveway would be 3.7m

wide and an existing telegraph pole will be relocated. It is considered that this new arrangement will overcome the concerns raised in paragraph 8 of the Inspectors decision and will overcome the other reason for dismissing the appeal.

#### Residential amenities

- 3.11 The previous applications were refused due to the impact that the siting of the access would have on the amenities of no.23. The siting of the new access away from no.23 would overcome the concerns expressed in the Inspectors decision letter at paragraph 10.
- 3.12 The bungalows are single storey with no accommodation proposed in the roof space and no windows above ground floor level. Therefore there would be no overlooking on to adjacent properties.
- 3.13 The roof pitch is low, with a ridge height of 5m above ground level, amended plans were sought to increase the separation distance from the site boundaries. These two factors will ensure that the two bungalows will not have an impact on natural light, nor will be over dominant or overbearing on no. 17 and 23 and to a lesser extent those properties in Castle Drive at the rear.
- 3.14 A condition should be imposed to remove permitted development rights, to prevent extension into the roof space and further extensions and out buildings, in order to safeguard residential amenities and the appearance of the area.
- 3.15 Concern has been raised that car headlights within the site would impact on no.23 however this unlikely because the boundary treatment would block light at this level. It is not clear if the boundary treatment as existing is to be retained or new proposed; therefore a condition should be imposed requiring details to be submitted.
- 3.16 The impact of the new access on the residential amenities of no.19 is also a concern due to the close proximity of the existing conservatory. However, the applicant has addressed the concerns by providing a detailed plan to show a new brick wall to be constructed on the side elevation of the conservatory. This would minimise noise and disturbance and provide privacy.

#### Highway Safety

- 3.17 The access into the site is 3.7m wide and approximately 40m in length. It is straight so visibility of oncoming cars is possible, there would be space for a car to reverse and allow another to pass. The visibility splays at the access across no.19 and 21 is adequate to allow safe egress from the site.
- 3.18 Each dwelling has two off-street car parking spaces, which complies with the current car parking standards for a three bedroom dwelling.

#### Other matters

- 3.19 A tree survey plan has been submitted which identifies that several of the larger mature fruit trees and a boundary privet hedge will be relocated within the site. Whilst this proposal is admirable and should be encouraged it would be unreasonable to condition such a proposal as fruit trees and ornamental trees would not be worthy of a Preservation Order. However it is recommended that a condition be imposed requiring a soft landscaping scheme to be submitted.
- 3.20 Third parties have raised concerns relating to existing surface water flooding. The application form and the plans indicate that a Sustainable Urban Drainage system

will be implemented. It is therefore reasonable to impose a condition requiring details of the disposal of surface water treatment to be submitted for approval.

- 3.21 Third parties have also indicated the presence of protected species in the area of the site. Due to ornamental planting; maintenance of the garden; and the lack of large native trees it is unlikely that the garden would actually provide a habitat for species such as bats and newts. In any event after the development has been completed, gardens with similar planting will still exist.

### Conclusion

- 3.22 It is considered that the amended plans overcome the Inspectors reasons for dismissing the appeals, the impact on the residential amenities of no.23 have been omitted by changing the location of the access and the appearance of Bewsbury Crescent has been preserved by locating the car parking and bin storage to the rear of the building line.
- 3.23 It is concluded that no significant harm would arise in respect of the character and appearance of the area and the proposal would therefore comply with the principles of paragraph 17 of the Framework, that require, amongst other things, planning to take account of the different roles and character of different areas. Furthermore, it is concluded that in the absence of a five year supply of housing in the District and given the aim of the Framework to boost significantly the supply of housing, no harm would arise from the proposal that would significantly and demonstrably outweigh the benefits, in the context of paragraph 14 of the Framework.
- 3.24 In the context of paragraph 7 of the Framework, the proposal would provide a social role in terms of housing provision and an economic role, albeit modest, in terms of the provision of short-term construction jobs. In terms of an environmental role, there is no significant harm to the character or appearance of the area. It is therefore considered the proposal would constitute a sustainable form of development.

### g) Recommendation

I PERMISSION BE granted subject to the following conditions:- i) Standard time limit, ii) Approved plans, iii) remove permitted development rights for all extensions and out buildings, iv) details of surface water drainage to be submitted, v) details of hard and soft landscaping, vi) material samples, vii) car parking, bicycle and bin store to be provided and retained, viii) boundary treatment to be submitted.

II That powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

### Case Officer

Rachel Humber  
Principal Planner