

- a) **DOV/20/01542 – Erection of a detached dwelling with creation of a vehicular access and associated parking. Erection of a first-floor extension, garage and roof extension to existing dwelling incorporating 4 dormer windows and alterations to doors and windows (existing garage, side elevation, sheds and greenhouse to be demolished) - 31 Bewsbury Crescent, Whitfield**

Reason for report – Number of contrary views (19 + Whitfield Parish Council)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010)

CP1 – Settlement Hierarchy

DM1 – Settlement Boundaries

DM11 – Location of Development and Managing Travel Demand

DM13 – Parking Provision

National Planning Policy Framework (NPPF) (2019)

Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 identifies the three overarching objectives of the planning system in relation to the aim of achieving sustainable development; an economic, social and environmental objective.

Paragraph 11 states that decision making should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up to date development plan or where there are no relevant development plan policies or the policies are out of date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and landscaping, are sympathetic to local character and history and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

National Planning Practice Guidance

National Design Guide (2021)

Kent Design Guide (2005)

The guide provides criteria and advice on providing well designed development, emphasising that context should form part of the decision making around design.

SPG4 Kent Vehicle Parking Standards

Draft Local Plan

The Consultation Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. At this stage in the plan making process however the policies of the draft Plan have little weight and are not considered to materially affect the assessment of this application and the recommendation as set out.

d) **Relevant Planning History**

CH/6/58/0066	Erection of a bungalow – Granted
DO/83/0032	Garage – Granted
DOV/93/00306	Erection of a garage – Granted
DOV/20/00538	Erection of a detached dwelling to rear and modifications/extensions to existing dwelling comprising erection of a roof extension incorporating 4no. dormer windows, first-floor extension, garage to side elevation, alterations to doors and windows, creation of an additional vehicular access and associated parking (existing garage, side elevation, sheds and greenhouse to be demolished) – Refused

e) **Consultee and Third-Party Responses**

Representations can be found in full in the online planning file. A summary has been provided below:

Whitfield Parish Council – Whitfield Parish Council continue to lodge our objection to this application which is a 'back garden' development, to which we are strongly opposed. Given the recent development of houses at Fitzwarin Place, which has had a big impact on this area, this application would be an additional over intensification and reduce the quality of life to the existing community, as well as the local environment.

KCC Highways and Transportation – this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the

current consultation protocol arrangements (an informative is suggested and would be included on the decision notice should permission be granted).

Southern Water – Requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. Advises that it is possible a sewer now deemed to be public could be crossing the development site and should any sewer be found during construction works, and investigation of the sewer will be required to ascertain its ownership before any further works commence on site (response to be included as an informative should permission be granted).

Public Representations:

19 members of the public have objected to the proposals (as of 18th May 2021) and the material considerations are summarised below. Matters such as impact on an individuals' property value are non-material considerations and are not included below.

- Character – remodelling of existing chalet bungalow becomes more out of character than the original application, roof is overbearing. Out of keeping. Out of scale. Detrimental effect on semi-rural nature of the neighbourhood
- Overbearing
- Noise & disturbance – garage for unit 1 (original property) now gives additional vehicle noise to flank wall of 33. Noise from vehicles accessing the new build. Noise during construction.
- Need for housing – addition of 140+ houses at the end of Bewsbury Crescent (Fitzwarin place) and the continued development plans for Whitfield, there is no need for the Council to support or encourage further rear garden developments in the Crescent. Same kind of home is readily available on the new Fitzwarin Place development. Site has not been identified in the Local Plan
- Loss of local open space
- Loss of wildlife habitat – green space and wildlife habitat is being squeezed by residential development, with the loss of the green field off Singledge Lane removing such habitat further. Need to protect the limited green space (including gardens) that we have. Also wildlife concerns in respect of loss of boundary hedge (used as access to neighbouring garden by hedgehogs)
- Privacy/overlooking – proposal would overlook neighbouring properties (including bedroom windows) and Castle Drive and take away privacy
- Overshadowing/loss of daylight
- Concerns due to proximity to neighbouring properties (including Castle Drive) and bridleway
- This second application does little or nothing to address the reasons given by DDC for the refusal of the original application. Cannot see that this current application mitigates the problems identified
- Driveway – access driveway to the proposed new dwelling (unit 2) still has the same issues for 29 & 31 and would harm the living conditions of both
- Object for same reasons as previous application. Object to the building of any houses in the rear gardens of houses in Bewsbury lane where they back onto Castle Drive
- Precedent – concerns there would be other similar applications which could result in another row of houses, out of keeping with the character of the village. Could result in refused applications being raised again
- Concerns regarding access for emergency vehicles e.g. fire engines, due to small access roads and houses behind houses which could put other houses at risk if a fire could not be engaged efficiently
- Boundary treatments - concerns regarding safety/ security. Neighbour requested existing hedge was retained however this has been disregarded with the

suggestion that it be removed and a 1.8m fence be erected with saplings on the side of 31. Existing wire fence supports an electric cable taking power from neighbouring garage to shed. Request that if planning application goes ahead, the fence at the front (adjacent to neighbouring property) is put up before any work is started. Concerns a solid fence would prevent hedgehogs crossing through site to neighbouring gardens

- Parking/traffic – will cause unnecessary pressure on an already busy Singledge Lane, which seems now a main road instead of the name lane. Amount of additional traffic created by Singledge Lane development has already given local people many problems creating a difficult and dangerous road in what was a quiet country farm road originally. The junction is not fit for purpose. Any additional development would impact local traffic problems. Danger with people parking on pavements and the sheer amount of traffic. Concerns there isn't sufficient space for another dropped kerb. Concerns that bridal way could become a tarmac or concrete drive to reduce traffic and parking problems in Bewsbury Crescent if this and future similar applications are approved
- Pollution – another chimney/flue adds to the pollution. Additional pollution from new dwelling
- Flooding – with the gradient of Bewsbury Crescent a new development might lead to flooding
- Concerns regarding possible subsidence as the properties are built on clay
- Whitfield Parish Council Annual Report 2013/14 stated “We are also concerned about ‘back garden’ developments, which increases housing density and puts pressure on local services” – their views should be taken into account
- References made to other refused applications; 14/00388, 14/00726, 15/01065 and 16/00909

1. The Site and the Proposal

- 1.1 The application site relates to a detached chalet bungalow located on the southeast side of Bewsbury Crescent. The bungalow is finished in red brick with white uPVC windows and a barn-hipped tiled roof. There is a flat roofed dormer window to the front roof slope and to the northeast side of the dwelling is a garage with a pitched roof. The site is flat and to the front (northwest) of the dwelling is a lawned garden and a concrete driveway to the front of the garage provides 2 parking spaces. The site is bounded by No. 29 Bewsbury Crescent to the northeast, No. 33 Bewsbury Crescent to the west and the gardens of No. 35 Bewsbury Crescent and Nos. 74 and 72 Singledge Lane to the southwest. Public bridleway ER74 runs adjacent to the south eastern site boundary and to the south of this are Nos. 1, 3 & 5 Castle Drive, which are chalet bungalows with dormer windows on the rear roof slopes facing towards the site.
- 1.2 Bewsbury Crescent contains a mixture of bungalows, chalet bungalows and two storey dwellings, with the vast majority of properties being detached. The dwellings are generally finished in brick and/or render and there are a range of roof types and orientations. All dwellings are set back from the public highway behind either driveways or front gardens and there is a strong building line. However, a number of dwellings have been constructed in the rear gardens of properties, particularly in the eastern corner, and along the north eastern side of Bewsbury Crescent. Permission has also been sought for similar back garden development at several properties along this southern section of Bewsbury Crescent (bounded by public bridleway ER74 to the southeast), however these have been refused and some decisions have been dismissed at appeal. This, together with the planning history of the site, is discussed at paragraph 2.12 of

this

report.

- 1.3 This application seeks permission for the erection of a detached dwelling with the creation of a vehicular access and associated parking. A first floor extension, roof extension (incorporating 4no. dormer windows and alterations to windows and doors) to the existing dwelling and garage are also proposed. The existing garage, side elevation, sheds and greenhouse would be demolished.
- 1.4 The proposed bungalow would be sited approximately 24m to the rear of the existing dwelling (and approximately 47m from the highway edge). It would contain three bedrooms (one with an en-suite bathroom), family bathroom and an open-plan kitchen/living/dining room to the rear and would have an attached garage to the northeast side. The dwelling would measure approximately 11.6m in width and 8.5m in depth, with an eaves height of 2.9m, and ridge of 5m. There would be a front projection measuring approximately 6.6m in width and 2.8m in depth with the same eaves and ridge heights. There would also be a rear projection measuring approximately 5.2m in width and 1.7m in depth, with eaves and ridge heights of 2.8m and 4.6m respectively. There would be a private garden to the rear, side and front and there would be a turning and parking area to the front of the dwelling. The proposed garage to the northeast side would measure approximately 7.2m in depth and 3.5m in width and would have a flat roof with a height of approximately 2.7m from ground level.
- 1.5 The proposals also include extensions and alterations to the existing chalet bungalow, as well as the erection of a garage and new vehicular access with associated parking to the front of No. 31 Bewsbury Crescent. The proposed garage would be sited directly to the southwest of the dwelling, would be set back approximately 1.3m from the main front elevation and would be finished in multistock red brick with a plain clay tiled roof. It would measure approximately 3.5m in width, 6.6m in depth, would have an eaves height of 2.3m and ridge height of 5.3m. At first floor level of the dwelling, there would be a roof extension, with two flat-roofed dormers installed on the front roof slope and one on the rear roof slope. These would have a roof height of approximately 5.1m from ground level. The main roof of the dwelling would be increased in height by approximately 1.5m (from approximately 6m to 7.5m) and would change from having barn hipped ends on either side to having a pitched roof, finished in plain clay tiles. To the rear of the dwelling would be a first floor extension with a pitched roof. This extension would be finished in white feather edged boarding and would have eaves heights of approximately 4.2m and 5.2m and would have the same ridge height as the main roof. The extension, together with internal alterations, would result in the creation of one additional bedroom within the property (with four bedrooms all being located at first floor level).
- 1.6 The existing rear garden would be sub-divided to form the garden and parking area of the new dwelling, which would be separated by a 1.8m fence. The existing hedge along the northeastern boundary (with No. 29 Bewsbury Crescent) would be replaced with 1.8m close boarded fence with mature green beech hedge planted alongside.

2. Main Issues

- 2.1 The main issues for consideration are:
 - The principle of the development

- Planning history of the site
- The impact on the character and appearance of the area
- The impact on residential amenity

Assessment

Principle of Development

- 2.2 The starting point for decision making, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, is the adopted development plan. Decisions should be taken in accordance with the policies in the plan, unless material considerations indicate otherwise.
- 2.3 Policy DM1 states that development will not be permitted outside of the settlement boundaries, unless it is justified by another development plan policy, functionally requires a rural location or is ancillary to existing development or uses. The site is located within the defined settlement confines and therefore accords with Policy DM1.
- 2.4 DM11 seeks to resist development outside of the settlement confines if it would generate a need to travel, unless it is justified by other development plan policies. Again, as the site is located within the settlement confines, the development accord with Policy DM11. The occupants of the development would be able to access most day to day facilities and services within Whitfield and would be able to reach these facilities by more sustainable forms of transport, including walking and cycling. The site is located relatively close to public transport links.
- 2.5 For the above reasons, it is considered that the development accords with Policies DM1 and DM11. It is therefore concluded that the development accords with the development plan.
- 2.6 The NPPF advises, at paragraph 11, that proposals that accord with an up-to-date development plan should be approved without delay. An assessment of the most important policies for the determination of the application must be undertaken to establish whether the 'basket' of these policies is, as a matter of judgement, out-of-date. Additionally, criteria for assessing whether the development plan is out-of-date are explained at footnote 7. This definition includes: where the council are unable to demonstrate a five-year housing land supply; or, where the council has delivered less than 75% of the housing requirement over the previous three years (as assessed by the Housing Delivery Test).
- 2.7 Having regard for the most recent Housing Topic Paper, dated 19th January 2021, the Council are currently able to demonstrate a five-year supply. The council have delivered 80% of the required housing as measured against the housing delivery target; above the 75% figure which would trigger the tilted balance to be applied. It is, however, necessary to consider whether the 'most important policies for determining the application' are out of date.
- 2.8 Policy DM1 and the settlement confines referred to within the policy were devised with the purpose of delivering 505 dwellings per annum in conjunction with other policies for the supply of housing in the Council's 2010 Adopted Core Strategy. In accordance with the Government's standardised methodology for calculating

the need for housing, the council must now deliver 596 dwellings per annum. As a matter of judgement, it is considered that policy DM1 is in tension with the NPPF, is out-of-date and, as a result, should carry only limited weight.

- 2.9 Policy DM11 is consistent with the NPPF which seeks to focus development in locations which are or can be made sustainable, where there is access to a range of modes of transport (including walking and cycling) and where development will support existing facilities and services, and social integration. It is considered that the blanket restriction imposed under (1) of DM11 however is contrary to the NPPF, albeit the remainder of the policy broadly accords with the NPPF. Insofar as this application is concerned, it is considered that DM11 is not out-of-date and should continue to attract significant weight.
- 2.10 The Council is in the Regulation 18 or 'consultation' phase of the draft Dover District Local Plan. This is the start of a process for developing a new local plan for the district, replacing in due course the Core Strategy and Land Allocations Local Plan. At this stage the draft is a material planning consideration for the determination of planning applications, although importantly it has little weight at this stage. As the plan progresses, it will be possible to afford greater weight to policies or otherwise, commensurate with the degree of support/objection raised in relation to them during the consultation process. A final version of the Plan will be submitted to the Planning Inspectorate for examination to determine if the Plan can progress to adoption and, if so, the degree to which final modifications will/will not be required. At the time of preparing this report therefore, policies within in the draft plan are material to the determination of the application, albeit the policies in the draft Plan have little weight at this stage and do not materially affect the assessment and recommendation.
- 2.11 Consequently, it is considered that the development plan policy most important to the determination of the application (Policy DM1) is out of date and as such, the tilted balance approach of Paragraph 11 of the NPPF is engaged.

Planning History of the Site

- 2.12 The most relevant planning history to the site is application DOV/20/00538, for the erection of a detached dwelling to rear and modifications/extensions to existing dwelling comprising erection of a roof extension incorporating 4no. dormer windows, first-floor extension, garage to side elevation, alterations to doors and windows, creation of an additional vehicular access and associated parking (existing garage, side elevation, sheds and greenhouse to be demolished).
- 2.13 The development was refused under delegated powers, with the reasons for refusal being:
1. The development, by reason of the siting of the proposed dwelling, would be out of keeping with and would cause harm to the existing prevailing pattern of development. This would fail to accord with the social role of sustainable development by reducing the quality of the built environment, contrary to Paragraphs 8, 11, 127 of the National Planning Policy Framework (2019) and Policies C1 and I3 of the National Design Guide (2019).
 2. The formation of the access/driveway to the proposed dwelling would by reason of its use, the comings and goings of pedestrians and vehicles and

associated levels of activity along it by the occupiers of and visitors to the proposed dwelling, harm the living conditions of the occupiers of No.29 and No.31 Bewsbury Crescent, contrary to Paragraph 127 of the National Planning Policy Framework (2019).

- 2.14 The design and appearance of the refused dwelling and alterations to the existing dwelling are the same to those proposed under this current application. However, the changes to the scheme, assessed at paragraph 2.25 of this report include: A change to the driveway surfaces to permeable paviour (instead of permeable paver and gravel); and change to the boundary treatments, with the eastern boundary being comprised of 1.8m close board fencing, 1.5m-1.8m mature green beech hedge and field maple trees planted as part of the hedge (as opposed to unspecified hedges and closeboarded fencing). The impact of this amended design is discussed further at paragraph 2.25 in respect of residential amenity impact.
- 2.15 Whilst each application should be assessed on its own merits, other planning permissions in the surrounding area are capable of being material considerations in the assessment of this application. As discussed at paragraph 1.2 of this report, permission for backland development has generally been permitted in the north eastern section and eastern corner of Bewsbury Crescent. Permissions include: outline application for a detached dwelling to the rear of No. 7 Bewsbury Crescent (DOV/20/01394) and erection of a dwelling to the rear of No. 11 Bewsbury Crescent (DOV/20/01063) both applications determined after the refusal of DOV/20/00538 (the previous application at 31 Bewsbury Crescent). Prior to this, permission had also been granted for a number of backland developments including a bungalow to the rear of No. 15 Bewsbury Crescent (references DOV/14/00912 and DOV/13/00510 – now constructed), No. 5 Bewsbury Crescent (references DOV/08/01225 and DOV/08/00416), three dwellings rear of Nos. 5 & 7 Bewsbury Crescent (reference DOV/07/00587), and a bungalow to the rear of No. 6 & 6A Bewsbury Crescent (reference DOV/07/00351), as well as other more historic applications.
- 2.16 However, permission has been refused for development along the southern side of Bewsbury Crescent (backing onto the public bridleway). This includes an outline application for a detached dwelling (bungalow) to the rear of No. 17 Bewsbury Crescent (DOV/18/00105) which was dismissed at appeal. The reasons for refusal related to noise and disturbance of neighbouring occupants (as a result of the proposed driveway) and impact on character and appearance. However, the appeal Inspector considered that the proposal would relate well to the prevailing pattern of development and that no harm would arise to the visual quality of the site and surrounding area. Making reference to proposals at Nos. 19 and 21 Bewsbury Crescent (discussed below) which also related to tandem development, it was noted that that the previous Inspector concluded that in this respect, the proposed dwellings would be in keeping with the established residential character and they saw no reason to dissent from this view.
- 2.17 There have also been 3 refused applications for 2no. single storey dwellings to the rear of 19 and 21 Bewsbury Crescent (DOV/16/00909, DOV/15/01065 and DOV/14/00726). The most recent of these applications (DOV/16/00909) was refused and dismissed at appeal, with the main issue being the effect on the living conditions of Nos. 19 and 21 Bewsbury Crescent (due to the proximity of the driveway to both dwellings and the effect of the vehicle movements and unsatisfactory level of disturbance). Throughout the course of previous applications and appeals at the site, the principle of the backland development

has been considered not to harm the pattern of development, nor the character and appearance of the area. As such, it did not form a reason for refusal for application DOV/16/00909 or DOV/15/01065. The Inspector's decision for DOV/15/01065 notes that a previous Inspector concluded that the proposed dwellings would be in keeping with the established residential character of the area and on this basis, the Council did not object to the development in principle.

- 2.18 This area has been subject to quite a detailed planning history relating to backland development. The approval of two more recent applications along the northeastern side of Bewsbury Crescent since the determination of the previous scheme on this site (DOV/20/00538) and the approach taken by the Inspectors in the other cases discussed along this southern section of Bewsbury Crescent, has warranted a review of the robustness of ground 1 of the previous refusal. It's recognised that these issues are finally balanced, and not every site context is identical, nevertheless, it's now concluded that should all other matters be acceptable, ground 1 by itself would be unlikely to constitute a sufficiently strong basis for refusing the current application. Further commentary in respect of the impact of the dwelling on the street scene and character of the area is provided below.

Impact on the Character and Appearance of the Street Scene

- 2.19 The site is located within a predominantly residential area and, as discussed at paragraph 1.2, Bewsbury Crescent contains dwellings of a mix of designs, materials and heights. As such, the character of the street scene is considered to be varied. Whilst there is a strong building line along Bewsbury Crescent, as discussed above, there have been a number of applications within the Crescent to erect dwellings in the rear gardens of properties.
- 2.20 In respect of the proposed extensions and alterations to No. 31 Bewsbury Crescent, a garage would be constructed to the southwest side of the dwelling, which would be finished in multi stock red brick and a plain clay tiled roof which would match the materials of the existing dwelling. However, a new pitched roof would be installed, which would be approximately 1.5m taller than the ridge of the existing barn hipped roof. Two flat roofed dormers would be installed on the front roof slope, serving the first floor level bedrooms. Whilst this would result in a noticeable change to the existing scenario, there are several properties in proximity to the site with pitched roofs and flat roofed dormers and as such, this aspect of the development is considered to be sympathetic to local character, and would preserve the character and appearance of the street scene.
- 2.21 In respect of the proposed bungalow to the rear of No. 31 Bewsbury Crescent, the proposed bungalow would be a single storey in height only. It would be set approximately 47m back from the highway and would be accessed via a driveway to the northeast side of the existing dwelling (the existing garage would be demolished). The proposed bungalow would be finished in multi-stock red brick and oak feather edged boarding, with a natural slate roof and timber windows and doors.
- 2.22 The previous refusal, which is a material consideration to the assessment of this application, cited the location of the proposed dwelling being out of keeping with the prevailing pattern of development (as backland housing is not prevalent). However, as discussed at Paragraphs 2.15 to 2.18, several applications for backland houses have since been granted and these approvals are also material. Whilst visible, the proposed bungalow would be largely obscured from view of

the public highway in Bewsbury Crescent by the existing dwelling (No. 31 Bewsbury Crescent). There would be some views of the bungalow and attached garage when stood directly in front of the associated driveway and from the public bridleway to the rear of the site and in these views the development would be of a spatial type which is not readily found in the vicinity. It is therefore understandable why the previous application for this site was refused. However, the approvals of dwellings to the rear of other dwellings will alter the street scene within which the proposed dwelling would be seen. As discussed at paragraph 2.18, the principle of backland development along this southern section of Bewsbury Crescent has been found to be acceptable in principle at appeal (albeit permission has been refused for other reasons). On balance, due to this, together with the limited visual impact of the dwelling, the development is not considered to cause significant harm to the varied character and appearance of the street scene, in accordance with Paragraph 127 of the NPPF. Should permission be granted, a condition is suggested requiring samples of materials to be used on the external surfaces of both the proposed bungalow and extensions/alterations to the existing property (No. 31 Bewsbury Crescent) to be submitted, in the interests of visual amenity.

Impact on Residential Amenity

Impact from Alterations to the Existing Dwelling

- 2.23 The proposals would result in extensions and alterations to the existing dwelling which would be most visible from properties on either side (Nos. 29 and 33 Bewsbury Crescent). However, due to the materials (which would match those of the existing dwelling), the scale and the separation distance from these neighbouring properties, the development to the existing dwelling is considered unlikely to result in undue harm to the residential amenities of surrounding occupants in respect of overshadowing or overbearing. The proposed extensions and alterations introduce no windows on the flank elevations of the development (which would directly face neighbouring properties) and the windows proposed on the front and rear elevations would predominantly overlook the public highway and garden of the application site (and proposed bungalow to the rear). As such, the proposed development to the existing dwelling is considered unlikely to result in undue harm to privacy and would accord with the objectives of Paragraph 127 of the NPPF in respect of amenity.

Impact from the Proposed Dwelling

- 2.24 With regard to the proposed bungalow to the rear of No. 31 Bewsbury Crescent, this would be accessed via a private driveway (utilising the existing vehicular access) which would be adjacent to the existing dwelling. Located to the east of the site, No. 29 Bewsbury Crescent is set back from the site boundary by its own driveway, which leads to a garage to the rear of the property. However, there are two windows on the flank elevation of the dwelling (one of which is believed to be a secondary window to a larger window on the front elevation of the dwelling, likely to serve a living/sitting room, with the other window likely serving a kitchen) and a glazed conservatory to the rear of the dwelling, which directly face the site.
- 2.25 As discussed at paragraph 2.14 of this report, under the previous planning application (DOV/20/00538) the driveway was to be finished in permeable pavers and gravel. This, together with the level of activity from the driveway (and subsequent impact on amenities of Nos. 29 and 31 Bewsbury Crescent) formed

a reason for refusal of the previous application. Under this revised application, the existing driveway would be extended in order to provide access to the new three bedroomed bungalow and would be finished in permeable paviour. Should permission be granted, it is considered appropriate to require further details of this surface as part of a landscaping condition, however subject to this, it is considered the proposed surface would result in less noise and disturbance to the occupiers of both Nos. 29 and 31 Bewsbury Crescent than the previous treatment proposed.

- 2.26 The drive provides the opportunity for a level of activity, comings and goings and associated general noise and disturbance, which is not currently experienced by the occupiers of No. 29 Bewsbury Crescent, particularly as the driveway would extend to approximately half the depth of the existing garden and would be directly adjacent to the site boundary. However, as outlined above, a gravel surface is no longer proposed and, subject to a condition requiring further details, a permeable paviour surface would result in less noise and disturbance from both vehicle and pedestrian movements on the driveway. In respect of boundary treatments, the site is currently bounded by tall hedgerow to the east (forming the boundary with No. 29 Bewsbury Crescent) which would be removed and a new 1.8m tall close boarded fence would be installed along the entire length of the boundary. A mature green beech hedge would be planted adjacent to this within the site ranging from 1.5m to 1.8m in height and a number of field maple trees would be planted as part of this hedge.
- 2.27 Under the previous application (DOV/20/00538), few details of this boundary treatment were shown on the proposed block plan and the application form clarified that this would be comprised of hedges and closeboarded fencing. Under this application, further information of the height and design of the boundary treatment has been provided, such that it is considered the boundary would be visually attractive and would (together with the changed driveway surface) reduce the noise and disturbance from the use of the driveway.
- 2.28 Whilst the siting, scale and design of the bungalow has not changed from the previous application (and therefore neither has the number of proposed occupants or their likely number of vehicles and level of use of the driveway) the change to the surface of the driveway and boundary treatment is considered to reduce the level of noise and disturbance the use of the access would generate. This, together with the limited number of vehicle movements that would be generated by the 3 bedroom bungalow is, on balance, considered unlikely to result in significant harm to the residential amenities of the neighbouring occupiers of Nos. 29 and 31 Bewsbury Crescent in respect of noise and disturbance and overcomes the previous reason for refusal.
- 2.29 The proposed dwelling would be a single storey in height and due to its scale and design, is considered unlikely to result in an unduly overbearing impact to the residential amenities of neighbouring occupants of Bewsbury Crescent, Singledge Lane or Castle Drive. Furthermore, due to the scale and siting of the dwelling, the development would be unlikely to result in undue overshadowing to neighbouring properties. In respect of privacy, the proposed landscaping plan and site section indicate that the boundary fencing and planting, 1.8m in height, would partially screen the development from neighbouring properties. The proposed dwelling would feature windows on the front and rear elevations which would overlook the private parking area or private garden of the property, although the rear windows of some properties on Castle Drive (to the southeast) would be visible due to the reduced height of the hedgerow lining the public

bridleway. Nonetheless, details of boundary treatments are suggested to be submitted by condition, which would require the type and height of this southeastern boundary treatment to be submitted in the interests of visual and residential amenity. Furthermore, due to the separation distance between the proposed dwelling and dwellings of Castle Drive, the development is considered unlikely to result in unacceptable harm to privacy. One window is proposed on the southwest flank elevation, which would serve an en-suite bathroom. In order to preserve the privacy of neighbouring occupants, it is considered appropriate to suggest a condition is imposed requiring this window to be fitted with obscured glazing and be non-opening below 1.7m above internal ground level. Subject to this, the development is considered unlikely to result in significant harm to the privacy of surrounding residents.

- 2.30 Conditions are also suggested requiring further details of hard and soft landscaping, including all boundary treatments and driveway surfaces to be submitted. In the interests of privacy, and to prevent the creation of dormer windows within the proposed bungalow under permitted development rights, a condition is also suggested restricting permitted development rights under class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Amenity of the Proposed Occupiers

- 2.31 The proposed dwelling would contain three well-sized bedrooms, with a large open plan living/kitchen/dining room with windows and doors leading out to the private rear garden. No details of secured bicycle storage or refuse/recycling storage have been shown, however conditions have been suggested for these details to be submitted should permission be granted. Subject to this, it is considered the proposals would provide a good standard of amenity which would accord with Paragraph 127 of the NPPF.

Other Material Considerations

The Conservation of Habitats and Species Regulations 2017, Regulation 63: Appropriate Assessment

- 2.32 All impacts of the development have been considered and assessed. It is concluded that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.
- 2.33 Detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 2.34 Following consultation with Natural England, the identified pathway for such a likely significant effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves.

- 2.35 The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites.
- 2.36 Given the limited scale of the development proposed by this application, a contribution towards the Councils Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy will not be required as the costs of administration would negate the benefit of collecting a contribution. However, the development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy.
- 2.37 Having had regard to the proposed mitigation measures, it is considered that the proposal would not have a likely significant adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed following receipt of ecological advice and in consultation with Natural England) will ensure that the harmful effects on the designated site, caused by recreational activities from existing and new residents, will be effectively managed.

Impact on Parking/Highways

- 2.38 The existing garage to the northeast side of No. 31 Bewsbury Crescent would be demolished and a driveway, finished in permeable paviour, would be installed to serve the proposed bungalow. The existing vehicular access would serve this driveway. To the front of the proposed bungalow would be a parking and turning area, with space to park at least two vehicles (with an additional space provided within the proposed garage). This would accord with the parking requirements set out in Policy DM13, which require a minimum of 1.5 spaces to be provided for a three bedroom dwelling in this location.
- 2.39 In respect of the existing dwelling, a new parking and turning area would be created to the front of the dwelling and an access would be installed accordingly. The driveway would also be finished in permeable paviour and would provide at least two parking spaces, with an additional space being provided within the proposed garage to the southwest side of the dwelling. Again, this would accord with the parking provision requirements of Policy DM13.
- 2.40 In line with The Council's emerging policy approach and with the sustainable transport objectives of the NPPF, it is suggested that should permission be granted, a condition be imposed requiring cabling to be installed to serve the spaces, to enable the installation of vehicle charging points. A condition is also suggested requiring the proposed driveways/parking areas to be completed, surfaced and drainage measures installed (to prevent the runoff of water onto the highway) prior to first use (in respect of the existing dwelling) or first occupation (in respect of the new bungalow).

Impact on Flood Risk

- 2.41 The application site is located in Flood Zone 1 which has the lowest risk from flooding. Due to the size of the site (less than 1 hectare), a flood risk assessment is not required. Furthermore, as the proposed dwelling would be located within Flood Zone 1, a sequential test is not required. Nonetheless, a condition for details of surface water disposal to be submitted is suggested. Subject to this, the development is considered acceptable in this regard.

Drainage

- 2.42 Southern Water was consulted on the application and advise that a formal application for a connection to the public foul sewer would need to be made by the applicant or developer. Should permission be granted, their consultation comments will be included on the decision notice as an informative. The application form states the disposal method for foul sewage is via the mains sewer. Nonetheless, it is considered appropriate to suggest a condition is imposed requiring further details to be submitted and subject to this, the proposal is considered acceptable in this regard.

Wildlife/Ecology

- 2.43 The site relates to garden land which appears reasonably well maintained, is bounded by fences and, having regard to Natural England advice, is considered unlikely to provide a suitable habitat for European Protected Species.

Safety

- 2.44 Concerns have been raised in public representations regarding access for emergency vehicles such as fire engines. As such, it is suggested a condition is imposed requiring a sprinkler system to be installed within the new bungalow to the rear of No. 31 Bewsbury Crescent.

3. Conclusion

- 3.1 The application site is located within the settlement confines and the proposed erection of a dwelling and detached garage with associated access, and alterations and extensions to the existing dwelling is considered acceptable in principle in this location. In respect of the works to the existing dwelling, due to the design and appearance of the proposals, the development is considered to preserve the varied character and appearance of the street scene and would be unlikely to result in undue harm to the amenities of neighbouring residents. In respect of the proposed bungalow, there would be limited views of the dwelling from the public highway. Having regard to the recently approved backland development to the north east section of Bewsbury Crescent (granted since the refusal of the previous application at this site), and to the appeal decisions for backland development along this southern section of Bewsbury Crescent, it is considered the principle of tandem development can be considered acceptable. Due to the design, siting and scale of the development, and subject to the conditions suggested, on balance, the development is not considered to cause significant harm to the varied character and appearance of the street scene. Whilst the proposed driveway would result in some noise and disturbance, for the reasons discussed in this report and subject to the suggested conditions, on balance, this is considered unlikely to result in unacceptable harm to residential amenity. Furthermore, the development is considered unlikely to result in unacceptable harm in respect of overbearing, overshadowing or harm to the privacy of nearby residents. Having regard to the tilted balance engaged by Paragraph 11 of the NPPF, for the reasons outlined above, it is considered that the disbenefits of the application do not significantly and demonstrably outweigh the benefits of the development. Subject to the conditions suggested below, it is considered that, on balance, the proposed development would accord with the aims and objectives of the NPPF.

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Recommendation

I PERMISSION BE GRANTED subject to conditions:

(1) Standard time condition, (2) list of approved plans (3) samples of materials (4) details of soft and hard landscaping (including boundary treatments and driveway/hardstanding surfaces) and schedule of planting (5) provision and retention of the parking area with drainage measures installed and completion of the dropped kerb for the new access before first use (6) details of surface water disposal (7) details of foul sewage disposal (8) cables for EV charging points (9) details of secured cycle storage (10) details of refuse and recycling storage (11) bathroom window on west elevation of new bungalow to be fitted with obscured glazing and be non-opening below 1.7m above internal ground level (12) removal of permitted development rights for Class B of Part 1, Schedule 2 of the GPDO in respect of proposed bungalow (13) details to be submitted of a sprinkler system to be installed in the new bungalow

II Powers to be delegated to the Head of Planning, 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 Morgan