

- a) **DOV/22/00495 – Erection of a detached dwelling, associated parking, shed, bin store and landscaping**

Land at 5 Beechwood Close, Whitfield, CT16 3JZ

Reason for report – Number of objections (7No. third party and 1No. Whitfield Parish Council)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010)(CS)

CP1 – Settlement Hierarchy

DM1 – Settlement Boundaries

DM11 – Location of Development and Managing Travel Demand

DM13 – Parking Provision

National Planning Policy Framework (NPPF) (2021)

Paragraphs 2, 7, 8, 11, 110-112, 124, 130, 167, 174, 180

National Planning Practice Guidance

National Design Guide (2021)

National Model Design Code (2021)

Kent Design Guide (2005)

SPG4 Kent Vehicle Parking Standards

Draft Dover District 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**

N/A

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

Southern Water – Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Whitfield Parish Council – This is a back garden development to which we are totally opposed. The additional traffic movement within this small cul-de-sac is also of some concern. Given the increasing number of new builds within the village of Whitfield, there is no necessity for additional dwellings to be erected in back gardens”.

Additional Comments: “Whitfield Parish Council object to this application on the grounds of overdevelopment and intensification of the existing village, which should be restricted, due to the Whitfield Urban Expansion development, resulting in new build on all the greenfield areas surrounding the village. Existing residents should be protected against increasing housing density within Whitfield, the loss of the semi-rural aspect to the village resulting from building over open areas and corresponding loss of vegetation and wildlife.

Although this application is for one new dwelling and a few extra vehicle movements, if all such infill and back garden developments are allowed the cumulative effects are unacceptable.

Back garden developments are contrary to the Parish Council Planning Policy and the Parish Council support neighbours objections on the grounds of it being a loss of their amenity and out of character to the area, overbearing and a loss of privacy.

Public Representations:

7no. members of the public have objected to the proposals and the material considerations are summarised below. Matters such as impact on an individuals' property value, financial intentions of the applicant etc. are non-material considerations and are not included below.

- The dwelling would look out of place in the close as all surrounding properties are bungalows and the dwelling is two storey.
- The proposed development would result in overlooking and a loss of privacy.
- Concern regarding disruption and traffic during construction works.
- Parking can be problematic in the close and the proposed dwelling would add to the problem.
- The proposed dwelling would need to utilise the privately owned driveway. Have access rights been granted? Proposal would be detrimental to the already poor condition of this driveway.
- There are a significant number of houses allocated in Whitfield, there is no need for this single dwelling.
- The proposed wind turbine would result in noise and disturbance.

15no. members of the public support the proposals and the material considerations are summarised below.

- See no reason not to allow the development.

- Proposal will have sufficient parking provision and would not adversely affect the public road.
- There is more than enough room for service/emergency vehicles.
- The proposal would be a discreet and appropriate infill.
- The proposal would constitute sustainable development.
- The proposal would support an existing elderly resident.
- In favour of the eco approach to development.
- The proposal is unobtrusive.
- Village already benefits from various types of properties
- Provide suitable living space without need for more building in the countryside

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

- 1.1 The application site forms part of the existing garden to 5 Beechwood Close and lies within the settlement confines of Whitfield. Existing residential development is located to the south and east, with Sandwich Road beyond to the east. The existing dwelling, 5 Beechwood Close, to the south is a single storey bungalow, forming part of a cul-de-sac of properties constructed at the same time, of regular forms and designs, in a light coloured brick. North End to the north east, in the ownership of the applicant, is a much larger single storey property of an alternative form and design to these regular bungalows, constructed of red brick, and extended over the years. The Whitfield Urban Expansion (WUE) Area (covered by Core Strategy Policy CP11) bounds the remainder of the site to the west, although this is not yet the subject of a detailed planning application and development may not take place on this land for a number of years.
- 1.2 The application proposes the erection of a single detached dwelling to the north of the existing dwelling and involves the subdivision of the existing plot into 2No. moderate plots. The proposed dwelling will be orientated at an angle, facing the access drive to this part of the cul-de-sac, with a large area of hardstanding to provide off-street parking to its frontage, adjoining and accessed via the existing drive to 5 Beechwood Close. The dwelling will be provided with a moderately sized side and rear garden containing a cycle shed, refuse storage and domestic wind turbine, predominantly laid to lawn with some soft landscaping. The existing dwelling will retain its rear garden and generous side/front garden.
- 1.3 The application originally proposed the erection of a 3 bed, 1.5 storey chalet style detached dwelling, set under a barn half hipped roof with rear dormers and rooflights to the front roofslope to serve the first-floor accommodation. Following concerns raised by officers about the scale and massing of the original dwelling and how this would fit within the context of the site, the application has been amended, now proposing the erection of a 2 bed single storey bungalow set under a shallow gabled pitched roof, to address officers concerns regarding the incompatibility of a two-storey dwelling within this cul-de-sac of bungalows. The amended bungalow incorporates a gabled porch canopy and 2No. bay windows to its front elevation, with a single storey lean to projection to its southwest side elevation and chimney to the northeast. Material palette would comprise brick elevations, grey slate roof and anthracite grey upvc windows and doors

- 1.4 In support of the application, the applicant says that the proposed development is necessary for the future. They are a local resident who has lived in the area for over 40 years and would like to continue to do so.

2. Main Issues

- 2.1 The main issues for consideration are:
- The principle of the development
 - Impact on the Street Scene, Countryside and Landscape
 - Impact on Residential Amenity
 - Highway Safety

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 The application site falls within the settlement confines of Whitfield and therefore under Policies CP1 and DM1, the erection of a dwelling within the settlement boundaries is acceptable in principle, subject to material considerations.
- 2.4 In March 2017 DDC Cabinet agreed to commence the review of the preparation of a single local plan. The decision to review is an acknowledgement that in some cases the evidence base is out of date. It is also recognised that some of the detailed policies applicable to the assessment of this particular application (including Policies CP1 and DM1) are to various degrees, now considered inconsistent with aspects of the NPPF, which has engaged the titled balance as set out in paragraph 11 of the NPPF. That does not mean however that these policies automatically have no or limited weight. They remain part of the Development Plan and must therefore be the starting point for the determination of the application. Furthermore, whilst the overall objective of a policy might be held out-of-date, greater weight can nevertheless still be applied to it depending on the nature/location of the proposal in question and the degree to which the policy adheres to and is consistent with the policy approach in the NPPF.
- 2.5 With regard to this particular application, the focus of the NPPF is to locate new housing development within suitably sustainable locations. The proposed development is within the defined settlement confines, and the occupants of the dwelling would be able to access most day to day services and facilities in Whitfield, many of which by more sustainable forms of transport, including walking and cycling. The site is also located in relative close proximity to several bus stops. As such, the proposed development is compatible with the

overall principles of the NPPF and accords with Policies CP1 and DM1 of the Core Strategy and would therefore be acceptable in principle, subject to the consideration of all other material planning considerations.

Character and Appearance

- 2.6 The application site is located within the settlement boundary of Whitfield. Paragraph 130 (f) of the NPPF sets out that 'planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development' The NPPF continues at paragraph 130 (c) setting out that 'planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment, whilst not preventing or discouraging appropriate innovation or change'.
- 2.7 Beechwood Close is characterised by street frontage mid 20th century detached bungalows set under shallow gabled pitched roofs with a large degree of regularity to their form and designs, set within moderate, regular sized plots. The application site is located towards the end of the close and is accessed via what appears to be a private drive. To the north of the application site is a larger, detached bungalow, North End, which comprises an alternative design and form to the regular bungalows which make up the remainder of the close. This bungalow is bounded by a relatively high boundary wall and gates, in contrast to the open frontages of the remainder of the close.
- 2.8 The existing dwelling is sited on a larger plot than the majority of bungalows within this close, and the proposed subdivided plots would form 2No. moderate plots of a suitably comparable size and shape to the surrounding regular plots. The proposed dwelling is a comparable footprint to the surrounding regular bungalows and would be orientated to face the access road, which is considered to respond to the arrangement and orientation of the adjacent bungalows in this part of the close, maintaining a street frontage. Both dwellings would be provided with sufficient external amenity space, with the existing dwelling retaining its generous front and side garden, and a modest area of rear garden.
- 2.9 The proposed dwelling will be provided with a large frontage, which will contain small areas of landscaping and hardsurfacing to provide off street parking, and a moderately sized rear and side garden. Whilst a large degree of hardstanding is proposed, hardstanding is a common feature to frontages in the locality, and the proposed dwelling will be sited behind the soft landscaped frontage of 5 Beechwood Close, adjoining the existing driveway and access road which will limit the impact of this element and appear as an extension to the access road to a degree. The dwelling will be provided with an open front boundary, with a relatively low (1m high) boundary fence to the front portion of the eastern side boundary, extending to 1.8m high to the remaining boundaries until it terminates at the open frontage. Given the location of the proposed dwelling to the end of the close and the presence and siting of the boundary treatments to

North End and 5 Beechwood Close, this provision of boundary treatment would be suitably discreet and is not considered to be out of character with the locality. The proposed layout of the proposed and the existing dwelling and their associated plots are therefore considered to be comfortably accommodated within their context.

- 2.10 The proposed dwelling will reflect the general scale and form of the surrounding regular bungalows, comprising a moderate detached single storey bungalow set under a shallow pitched gabled roof. The dwelling has a simple, unassuming design, with sufficient features which provide visual interest, and is considered to suitably respond and relate to the design of the surrounding bungalows, whilst providing its own design, which would not be out of character given its proximity to the alternative dwelling, North End. The proposed material types are generally considered appropriate for the context of the site. However, it is considered necessary that the colour and finish of the brickwork sufficiently relates to the surrounding brickwork, and the roof tiles are light brown or light red to relate well to the surrounding roof tiles which are predominantly plain brown tiles, or of a warm finish. This can be secured through relevant conditions including the requirement for a sample of the proposed bricks and roof tiles to ensure these are appropriate, compatible with the surroundings and of sufficient quality. Overall, the proposal is considered to be suitably compatible with the surrounding built environment and would comply with paragraph 130 of the National Planning Policy Framework.

Impact on Residential Amenity

- 2.11 Section (f) of Paragraph 130 of the NPPF identifies that development should ensure a high standard of amenity for existing and future users. The proposed single storey detached dwelling is of a moderate scale and volume which is comparable to the surrounding bungalows and is set under a shallow pitched roof. The dwelling will be orientated at an angle to each of its adjacent neighbours and will be provided with meaningful separation distance to each adjacent neighbour. Given this scale, layout and relationship, the proposed development is not considered to result in harm to residential amenity deriving from the built form of the dwelling.
- 2.12 In terms of overlooking, no windows are proposed to the northeast side elevation facing the adjacent neighbour, North End. 1No. window serving a bathroom is proposed to the southwest side elevation. Given the ground floor location of this window, the provision of 1.8m high side boundary treatment and the use of the room this window serves, this window is not considered to result in harmful overlooking. The remaining windows are located to the front and rear elevation and face the access road and farmland beyond respectively and will not result in overlooking.
- 2.13 Concerns have been raised regarding disruption and noise and disturbance associated with the construction period. The proposal is for a moderate development of a single dwelling, and construction is temporary in nature. As

such, the impacts associated with construction of this development are not considered to be unacceptably harmful to the residential amenity of adjacent neighbours. Concerns have been raised regarding noise and disturbance associated with the domestic wind turbine. It is understood that the noise associated with the domestic wind turbine proposed is limited. Domestic wind turbines, provided they meet certain criteria, can be installed under permitted development rights. Whilst this is not applicable in this instance, given the nature of the proposed wind turbine, it is not considered to result in significant harm to residential amenity.

- 2.14 In terms of the living conditions of the future occupants, the proposed dwelling will exceed the applicable Nationally Described Space Standards for a 2 bedroom single storey dwelling. All primary habitable rooms will be served by front or rear facing windows which will provide sufficient light, outlook and ventilation. The application property includes a moderate rear garden which contains sufficient provision of cycle and refuse storage and provides suitable external amenity space. The proposed cycle and refuse storage provision will be secured by condition.
- 2.15 The proposed development is therefore considered to be acceptable in terms of the residential amenity of adjacent neighbours and the future occupants, in accordance with paragraph 130 of the NPPF.

Highways

- 2.16 The proposed dwelling is provided with a large area of hardstanding to the frontage which provides parking provision for at least 3No. vehicles, which is adequate to serve the proposed dwelling, in accordance with the relevant standards outlined in Policy DM13. The driveway is accessed via the adjacent driveway to 5 Beechwood Close, which in turn is accessed via the access road and is provided with a large open vehicular access which will provide sufficient visibility splays for the vehicular movements associated with the dwelling. The access road to this part of the close falls outside the red line plan for the application site, but falls within the blue line plan, indicating it is under the ownership of the applicant. It is therefore understood that there are sufficient access rights over this access to road to access the proposed dwelling. The dwelling is provided with a cycle storage shed which will provide sufficient provision of cycle storage to serve the dwelling.
- 2.17 The vehicular movements and parking demand associated with the provision of an additional single dwelling are not considered to materially increase those to the existing road and result in harm in this regard, and the dwelling is provided with sufficient parking provision to absorb the parking demand associated with the dwelling. The proposed development is therefore considered to be acceptable with regards to highway amenity and highway safety.

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

2.18 It is necessary to have regard to the likely significant effect of the proposed development on the SPA and the implications of The Conservation of Habitats and Species Regulations 2017, Regulation 63. Given the limited scale of the development proposed by this application, a contribution towards the Council's Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy is not required as the costs of administration would negate the benefit of collecting a contribution. However, this proposed 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. Having had regard to the proposed mitigation measures, it is considered that the proposal would not have an adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed 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.

Drainage

2.19 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 and it is not considered necessary to request further details by way of condition.

3. Conclusion

3.1 The proposed dwelling is acceptable in principle and is considered to be suitably compatible with the surrounding built environment and will be comfortably accommodated within its context. The dwelling will not result in harm to the residential amenity of adjacent neighbours, or highway safety and highway amenity and will provide adequate living conditions for the future occupants. 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. Overall, it is considered that the proposed development would comply with the aims and objectives of the NPPF and the CS.

g) Recommendation

I PERMISSION BE GRANTED subject to the following conditions:

1) 3-year commencement; 2) In accordance with the approved plans, notwithstanding the material annotation in relation to the roof tiles; 3) Secure proposed external materials with the exception of the bricks and roof tiles; 4) Samples of bricks and roof tiles to be used; 5) Secure provision of proposed

refuse and cycle storage; 6) Secure provision of hard and soft landscaping as proposed; 7) provision and retention of the parking area with drainage measures installed; 8) cables for EV charging points

- II Powers be delegated to the Head of Planning and Development to settle any necessary wording in line with the recommendations and as resolved by the Planning Committee.