
Appeal Decision

Site visit made on 2 March 2021

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 11 March 2021

Appeal Ref: APP/T2215/W/20/3246975

Woodlawn, New Barn Road, Longfield DA3 7JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Birchfield Homes against the decision of Dartford Borough Council.
 - The application Ref DA/19/00737/FUL, dated 21 May 2019, was refused by notice dated 2 October 2019.
 - The development proposed is demolition of existing bungalow and garage and the erection of two x 5 bedroom houses with associated amenity and parking.
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Decision

1. I dismiss the appeal.

Main Issues

2. These are;
 - The effect of the proposal on the character and appearance of the New Barn Area of Special Residential Character.
 - The effect of the proposal on the provision of infrastructure, amenities and services, together with pressure on the environment.

Reasons

Policy

3. Core Strategy Policy CS10 concerns housing provision with part 4 on windfall sites stating that proposals will be assessed in the same way as planned development by consideration of criteria a) to d) which will be considered in detail later in this Decision. Part 5 concerns the impact on infrastructure capacity. The Dartford Development Policies Plan contains Policy DP2 on good design, Policy DP6 on sustainable residential locations, Policy DP7 on housing stock and residential amenity, Policy DP8 on residential space and design in new development, and Policy DP12 on the historic environment strategy.
4. The Council has adopted the Housing Windfall Supplementary Planning Document which refers to Policy CS10 and sets out the Council's approach. The guidance is intended to provide information to help with the interpretation of existing policy, ensuring transparency and consistency in the application of the policy; and assisting applicants to understand how policy criteria will be applied in the assessment of proposals. It will help to confirm whether windfall site proposals are consistent with policy CS10(4) and suitable for housing.

5. The appellant considers that limited weight should be applied to this Document, since the publication of the 2019 National Planning Policy Framework with paragraph 68 emphasising the importance of small and medium sized sites to meeting an area's housing requirements. Those housing requirements do appear to be well catered-for through allocated sites and their delivery appears good. Nevertheless, paragraph 59 states the Government's objective of significantly boosting the supply of housing and the 5-year supply should not be seen as a maximum. Paragraph 124 states that 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. As a result, acceptable proposals should be permitted where in excess of the 5-year figure.

Character and Appearance

6. The site is a large plot of land with protected trees, open lawns to front and back, and a curving driveway that all but hides the existing bungalow from public view. The wider area is residential in character and appearance and although the appeal site is one of a number of large plots with single detached dwellings along this part of the road, there is higher density development to the rear and opposite.
7. The existing bungalow is large and sprawling in design with significant amounts of unattractive flat roofed elements, together with detached garaging and outbuildings. As claimed by the appellant, the coverage of built form proposed would be less than that removed, and whilst the proposal is for 2 dwellings, they would be placed relatively close together around the footprint of the existing buildings; this would limit the effect on the trees on the site.
8. The design of each of the 2 dwellings is similar, both having deep plan forms and widths that have apparently dictated the use of a flat central section of roof that imparts a blocky and poorly proportioned appearance. The close spacing of the 2 buildings and their similarities in elevational treatment results in a solid block of development, the deep plan form eroding a sense of space around the buildings.
9. The differences are slight, mainly confined to the entrance feature on Plot 1 being wider than that on Plot 2, while the flat roofed rear projection on that plot is narrower than on Plot 1. These differences are insufficient to reduce the solidity of the development when seen together and the stepping-back of Plot 2 does not go far enough to reduce the effect.
10. Were the entrance driveway to be as that which serves the existing bungalow, these shortcomings would be unseen from the public domain due to intervening vegetation, although the policy requirements for good design should be carried through to new development in any event; there is no guarantee that vegetation would remain in place to the present extent, and poor design is not made acceptable by hiding it.
11. The appeal proposal is clear that the driveways to serve the 2 dwellings would split just beyond the location of an existing informal turning head immediately inside the gate onto New Barn Road, that to Plot 1 following the present line while that to Plot 2 would follow a parallel line through what is at present a bank of vegetation. The Tree Removal Plan makes clear that this would result in an opening-up of the site and the possibility of views from the road, as well as a greater amount of hard landscaping in place of the soft natural vegetation.

12. The extensive 1.5m timber fence and gates shown on the Proposed Site Plan would appear intrusive in views from the road and would introduce a hard, unnatural barrier along the length of the front gardens. Whilst something similar might be acceptable and necessary to the rear, where there would be a significant depth and size of more truly private amenity space, to subdivide the front lawn area in such a way would cause visual harm and fail to integrate the new development successfully with its surroundings.
13. To conclude, the removal of the unattractive and sprawling bungalow is an opportunity for enhancement of the site, but the size, proportions, design and layout of the proposed replacements fail to take advantage of that opportunity, and do not reach the standard of design sought by national and local policy, causing harm to the character and appearance of the site and the New Barn Area of Special Residential Character.

Infrastructure, Amenities and Services

14. Consideration a) of Policy CS10(4) on windfall development concerns the sustainability of the site whilst b) concerns the balance of benefits and disbenefits. Considerations c) and d) together with the third and fourth steps in Figure 1 of the Supplementary Planning Document concern the capacity of infrastructure and services to provide for the additional occupiers. The proposal is for only a single additional dwelling, and Dartford does have a five-year supply, together with a high level of supply in numerical terms, as stated in the Document, and of delivery set out in the latest Housing Delivery Test results.
15. The Council has provided details of the location of, and distances to, various shops and facilities, and the nature of the route to Longfield in particular would militate against being a pleasant walk or cycle, although it does appear to be the case that similar locations have been found acceptable in previous decisions. The Appeal Decisions put forward are of limited comparison, 2 are in the Green Belt where there is a different test to be met, while the third is heavily influenced by commercial development.
16. There is a bus service along New Barn Road and a stop very close to the site, and whilst the Council consider the frequency and destinations served to be limited, this does provide a sustainable alternative to the car, and an additional dwelling would assist in the viability of the service; the proposal represents an overall increase of a single dwelling, but each of the proposed layouts indicate accommodation for up to 10 occupiers.
17. Having mind to the built-up nature of the area, the limited additional housing provided and the more recent version of the Framework, it is concluded that were all else acceptable, the considerations in Policy CS10(4) a) and c) should be considered favourably, while d) is only an option to c). The remaining item b) will be weighed in the planning balance which follows.

Planning Balance and Conclusions

18. The proposal would make better use of land in a built-up area, notwithstanding the Glossary definition of previously developed land in the Framework. Protected trees can be safeguarded and there would not be a significant reduction in garden area, with the combined footprint being less than the existing one. However, there would be a duplication of hardstanding and

access tracks, and the removal of some vegetation would risk opening-up the front of the site. The size, proportions, design and layout of the proposed dwellings would not reach the standard of design sought in Policy DP2 and the Framework, and that is a serious failing that leads to the conclusion that the benefits do not outweigh the disbenefits; such that consideration b) in Policy CS10(4) is not met. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR