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Democratic Services
White Cliffs Business Park
Dover
Kent CT16 3PJ

Telephone: (01304) 821199
Fax: (01304) 872452
DX: 6312
Minicom: (01304) 820115
Website: www.dover.gov.uk
e-mail: democraticservices@dover.gov.uk

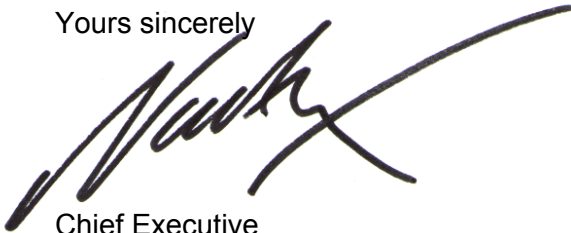
15 November 2016

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber at these Offices on Thursday 24 November 2016 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at kate.batty-smith@dover.gov.uk.

Yours sincerely



Chief Executive

Planning Committee Membership:

F J W Scales (Chairman)
B W Butcher (Vice-Chairman)
J S Back
T J Bartlett
T A Bond
D G Cronk
B Gardner
D P Murphy
A F Richardson
P M Wallace

AGENDA

- 1 **APOLOGIES**
To receive any apologies for absence.
- 2 **APPOINTMENT OF SUBSTITUTE MEMBERS**
To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES**

To confirm the Minutes of the meeting of the Committee held on 20 October 2016 (to follow).

5 **ITEMS DEFERRED** (Page 5)

To consider the attached report of the Head of Regeneration and Development.

ITEMS WHICH ARE SUBJECT TO PUBLIC SPEAKING
(Pages 6-9)

6 **APPLICATION NO DOV/16/00915 - FORELAND, QUEENSDOWN ROAD, KINGSDOWN** (Pages 10-15)

Erection of a front dormer roof extension and insertion of first-floor side window

To consider the attached report of the Head of Regeneration and Development.

7 **APPLICATION NO DOV/16/00821 - THE SALUTATION, KNIGHTRIDER STREET, SANDWICH** (Pages 16-25)

Use of buildings and grounds for hotel (Use Class C1), restaurant and café (Use Class A3), and retail (Use Class A1) uses, including the hosting of weddings and public admittance to gardens, together with ancillary car parking

To consider the attached report of the Head of Regeneration and Development.

8 **APPLICATION NO DOV/16/00931 - 135 MIDDLE STREET, DEAL** (Pages 26-32)

Erection of single-storey rear extension, front and rear dormer roof extensions and installation of two rear roof lights (amended plans)

To consider the attached report of the Head of Regeneration and Development.

9 **APPLICATION NO DOV/16/00594 - 180 LONDON ROAD, DEAL** (Pages 33-40)

Erection of a pair of semi-detached dwellings and one detached dwelling and creation of associated vehicular accesses and parking (existing dwelling to be demolished)

To consider the attached report of the Head of Regeneration and Development.

10 **APPLICATION NO DOV/16/00838 - 22, 24 AND 24A MILL HILL, DEAL** (Pages 41-70)

Conversion of existing building from two flats to two dwelling-houses with a two-storey extension to no 24 (existing extensions to be demolished) and erection of a first-floor conservatory to no 22

To consider the attached report of the Head of Regeneration and Development.

ITEMS WHICH ARE NOT SUBJECT TO PUBLIC SPEAKING

11 **FEES AND CHARGES 2017/18** (Pages 71-88)

To consider the attached report of the Chief Executive.

12 **APPEALS AND INFORMAL HEARINGS**

To receive information relating to Appeals and Informal Hearings, and appoint Members as appropriate.

13 **ACTION TAKEN IN ACCORDANCE WITH THE ORDINARY DECISIONS (COUNCIL BUSINESS) URGENCY PROCEDURE**

To raise any matters of concern in relation to decisions taken under the above procedure and reported on the Official Members' Weekly News.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: (01304) 872303 or email: kate.batty-smith@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

DOVER DISTRICT COUNCIL

REPORT OF THE HEAD OF REGENERATION AND DEVELOPMENT

PLANNING COMMITTEE – 24 NOVEMBER 2016

CONSIDERATION OF THE FOLLOWING ITEMS HAS BEEN DEFERRED AT PREVIOUS MEETINGS

Members of the Planning Committee are asked to note that the following application(s) have been deferred at previous meetings. Unless specified, these applications are not for determination at the meeting since the reasons for their deferral have not yet been resolved.

1. **DOV/16/00442** **Erection of nine dwellings, change of use and conversion of the existing public house into a single residential dwelling, creation of vehicular access, parking area and associated works - The Three Tuns, The Street, Staple (Agenda item 8 of 22 September 2016)**

2. **DOV/16/00576** **Outline application for the erection of two detached dwellings, alterations to the existing access and car parking – Land adjacent and fronting Roseacre, East Langdon Road, Martin (Agenda Item 13 of 21 July 2016)**

Background Papers:

Unless otherwise stated, the appropriate application file, the reference of which is stated.

MIKE EBBS

Head of Regeneration and Development

The Officer to whom reference should be made concerning inspection of the background papers is Alice Fey, Support Team Supervisor, Planning Section, Council Offices, White Cliffs Business Park, Dover (Tel: 01304 872468).

APPLICATIONS WHICH MAY BE SUBJECT TO PUBLIC SPEAKING

The Reports

The file reference number, a description of the proposal and its location are identified under a) of each separate item. The relevant planning policies and guidance and the previous planning history of the site are summarised at c) and d) respectively.

The views of third parties are set out at e); the details of the application and an appraisal of the proposal are set out at f) and each item concludes with a recommendation at g).

Additional information received prior to the meeting will be reported verbally. In some circumstances this may lead to a change in the recommendation.

Details of the abbreviated standard conditions, reasons for refusal and informatives may be obtained from the Planning Support Team Supervisor (Tel: 01304 872468).

It should be noted, in respect of points raised by third parties in support of or objecting to applications, that they are incorporated in this report only if they concern material planning considerations.

Each item is accompanied by a plan (for identification purposes only) showing the location of the site and the Ordnance Survey Map reference.

Site Visits

All requests for site visits will be considered on their merits having regard to the likely usefulness to the Committee in reaching a decision.

The following criteria will be used to determine usefulness:

- The matter can only be safely determined after information has been acquired directly from inspecting this site;
- There is a need to further involve the public in the decision-making process as a result of substantial local interest, based on material planning considerations, in the proposals;
- The comments of the applicant or an objector cannot be adequately expressed in writing because of age, infirmity or illiteracy.

The reasons for holding a Committee site visit must be included in the minutes.

Background Papers

Unless otherwise stated, the background papers will be the appropriate file in respect of each application, save any document which discloses exempt information within the meaning of the Local Government (Access to Information) Act 1985.

The Officer to whom reference should be made concerning inspection of the background papers is Alice Fey, Planning Support Team Supervisor, Planning Department, Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ (Tel: 01304 872468).

IMPORTANT

The Committee should have regard to the following preamble during its consideration of all applications on this agenda

1. Section 70(2) of the Town and Country Planning Act 1990 requires that, in dealing with an application for planning permission, the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
3. Planning applications which are in accordance with the relevant policies in the Development Plan should be allowed and applications which are not in accordance with those policies should not be allowed unless material considerations justify granting of planning permission. In deciding such applications, it should always be taken into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance. In all cases where the Development Plan is relevant, it will be necessary to decide whether the proposal is in accordance with the Plan and then to take into account material considerations.
4. In effect, the following approach should be adopted in determining planning applications:
 - (a) if the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan;
 - (b) where there are other material considerations, the Development Plan should be taken as the starting point and the other material considerations should be weighed in reaching a decision;
 - (c) where there are no relevant policies in the Development Plan, the planning application should be determined on its merits in the light of all material considerations; and
 - (d) exceptionally, a development proposal which departs from the Development Plan may be permitted because the contribution of that proposal to some material, local or national need or objective is so significant that it outweighs what the Development Plan says about it.
5. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering planning applications for development affecting a listed building or its setting, special regard shall be had to the desirability of preserving the building, its setting or any features of special architectural or historical interest which it possesses. Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas when considering any applications affecting land or buildings within them. Section 16 requires that, when considering applications for listed building consent, special regard shall be had to the desirability of preserving the listed building, its setting, or features of special architectural or historic interest which it has.
6. Section 38(6) of the 2004 Act does not apply to the determination of applications for advertisement consent, listed building consent or conservation area consent. Applications for advertisement consent can be controlled only in the interests of amenity and public safety. However, regard must be had to policies in the Development Plan (as material considerations) when making such determinations.

The Development Plan

7. The Development Plan in Dover District is comprised of:

Dover District Core Strategy 2010
Dover District Land Allocations Local Plan 2015
Dover District Local Plan 2002 (saved policies)
Worth Neighbourhood Development Plan (2015)
Kent Minerals and Waste Local Plan 2016

Human Rights Act 1998

During the processing of all applications and other items and the subsequent preparation of reports and recommendations on this agenda, consideration has been given to the implications of the Human Rights Act 1998 in relation to both applicants and other parties and whether there would be any undue interference in the Convention rights of any person affected by the recommended decision.

The key articles are:-

Article 8 - Right to respect for private and family life, home and correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol - Right of the individual to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

Account may also be taken of:-

Article 6 - Right to a fair trial and public trial within a reasonable time.

Article 10 - Right to free expression.

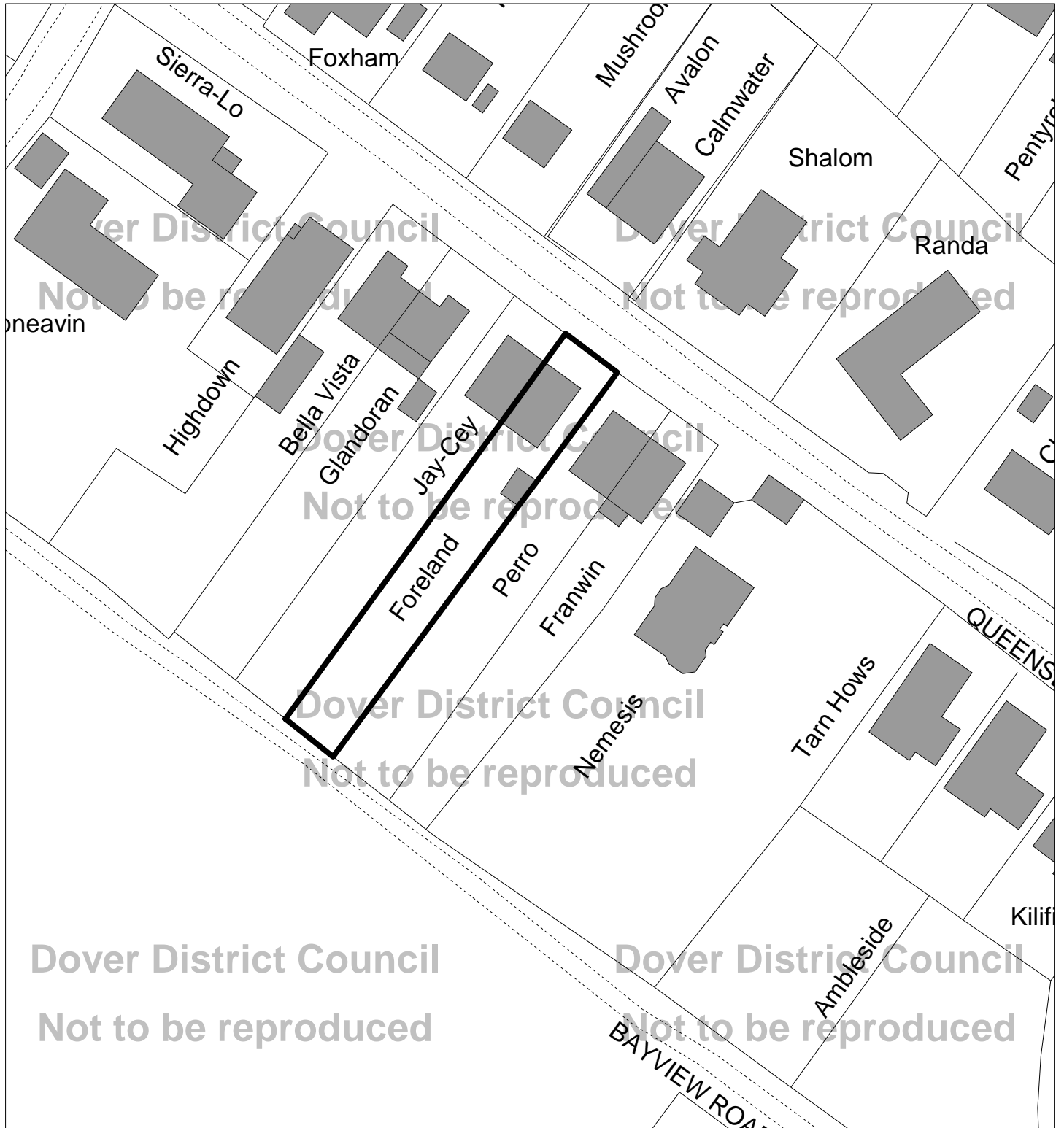
Article 14 - Prohibition of discrimination.

The Committee needs to bear in mind that its decision may interfere with the rights of particular parties, particularly under Article 8 and Article 1 of the First Protocol. The decision should be a balanced one and taken in the wider public interest, as reflected also in planning policies and other material considerations.

(PTS/PLAN/GEN) HUMANRI

PUBLIC SPEAKING AT PLANNING COMMITTEE

1. The scheme for public speaking at Planning Committee only concerns matters relating to the determination of individual applications for planning permission contained in the Planning Committee agenda and not to other matters such as Tree Preservation Orders or Enforcement.
2. The scheme for public speaking will apply at each meeting where an individual application for planning permission is considered by the Planning Committee.
3. Any person wishing to speak at the Planning Committee should submit a written request using this form and indicate clearly whether the speaker is in favour of, or opposed to, the planning application.
4. The form must be returned to Democratic Support no later than two working days prior to the meeting of the Planning Committee.
5. Speaking opportunities will be allocated on a first come, first served basis but with the applicant being given first chance of supporting the scheme. Applicants or agents will be notified of requests to speak. Third parties who have applied to speak will be notified of other requests only when these directly affect their application to speak. The names, addresses and telephone numbers of people who wish to speak may be given to other people who share their views and have expressed a wish to address the Committee. The identified speaker may defer to another at the discretion of the Chairman of the Committee.
6. One person will be allowed to speak in favour of, and one person allowed to speak against, each application. The maximum time limit will be three minutes per speaker. This does not affect a person's right to speak at a site visit if the Committee decides one should be held.
7. Public speakers will not be permitted to distribute photographs or written documents at the Committee meeting.
8. The procedure to be followed when members of the public address the Committee will be as follows:
 - (a) Chairman introduces item.
 - (b) Planning Officer updates as appropriate.
 - (c) Chairman invites the member of the public and Ward Councillor(s) to speak, with the applicant or supporter last.
 - (d) Planning Officer clarifies as appropriate.
 - (e) Committee debates the application.
 - (f) The vote is taken.
9. In addition to the arrangements outlined in paragraph 6 above, District Councillors who are not members of the Committee may be permitted to address the Planning Committee for three minutes in relation to planning applications in their Ward. This is subject to giving formal notice of not less than two working days and advising whether they are for or against the proposals. In the interests of balance, a further three minutes' representation on the contrary point of view will be extended to the identified or an additional speaker. If other District Councillors wish to speak, having given similar notice and with the agreement of the Chairman, this opportunity will be further extended as appropriate.
10. Agenda items will be taken in the order listed.
11. The Chairman may, in exceptional circumstances, alter or amend this procedure as deemed necessary.



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Note: This plan is provided for purposes of site identification only.

Application: DOV/16/00915

**Foreland
Queensdown Road
Kingsdown**

TR57374769



a) **DOV/16/00915 – Erection of a front dormer roof extension and insertion of first floor side window at Foreland, Queensdown Road, Kingsdown**

Reason for Committee: Number of views contrary to officer's recommendation.

b) **Summary of Recommendation**

Planning permission be refused.

c) **Planning Policies and Guidance**

Core Strategy (CS) Policies

- Policy DM1 states that development will not be permitted outside the settlement boundaries unless it is ancillary to existing development
- Policy DM16 restricts development which would harm the character of the landscape

National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles set out in paragraph 17 which amongst other things seek to secure high quality design and a good standard of amenity for all existing and future residents.
- NPPF – is relevant as the proposal should seek to be of a high design quality and take the opportunity to improve the visual quality and character of the area. Paragraphs 56-58, 61 and 64 seek to promote good design and resist poor design.
- NPPF – Chapter 11 seeks the protection and enhancement of valued landscapes, and that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. Paragraph 115 places great weight on conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development and advises that context should form part of the decision making around design.

d) **Relevant Planning History**

None.

e) **Consultee and Third Party Responses**

There have been two public consultations, as the drawings have been amended.

Parish Council: The Parish Council has no objection in principle but has concern over light loss to the adjoining property. With regard to the amended consultation the Parish Council expressed concern over loss of privacy.

Public Representations:

There have been 13 letters received in support of the proposal, indicating that the proposal would not affect the character of the building or area, it would enhance the area and it would create more light and more usable space,

Twenty five letters of objection have been received. The objections can be summarised as follows:

- Loss of privacy and loss of views
- Harm to residential amenity
- The extension is over scale, out of proportion and poorly sited
- The extension is not in keeping with the area
- The extension would overshadow, be over-bearing and result in loss light.

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

Site Description

1.1 The application property is a semi-detached bungalow that forms part of a group of similar designed and scaled properties on this part of Queensdown Road. Queensdown Road forms part of a private residential estate with narrow roads, no dedicated footways, soft landscaped verges and a mix of detached and semi-detached properties. These properties are a mix of single storey bungalows, chalet bungalows and some two storey properties built at separate times. Along this road the buildings are set back to a similar building line, with front garden parking.

1.2 The overall character of the area comprises mostly buildings that are not overly intrusive or prominent in the street scene, which are set back from the road within a landscaped and open setting. The buildings are not over scaled and the street scene has a degree of informality in appearance due partly to the lack of footways and presence of mostly soft verges and front gardens against the road. Some areas are hard surfaced to accommodate front garden parking and access

- 1.3 The application building is one of a pair and one of a few similarly designed and scaled buildings in this section of the road. The building has a pitched roof, gabled ends and with a relatively low eaves height. There is a rear roof dormer extension to the property. The adjoining semi-detached property has roof lights to the front serving a bedroom.
- 1.4 The application property, like other similar properties nearby, has an under-stated impact on the street scene – it is not imposing or intrusive and settles into its wider built and landscaped context.
- 1.5 The AONB is located to the west of the properties beyond the rear garden boundaries. The open setting and landscape is glimpsed through the gaps between buildings along Queensdown Road. The buildings sit appropriately within this wider open setting and landscape.
- 1.6 The proposal has been amended from its original submission. It comprises a front roof dormer extension that is rectangular and extends most of the width of the property. It has a flat roof with a ridgeline that almost matches the existing ridge line of the roof. The depth of the proposed extension allows a section of the lower slope of the roof area (2.6m depth) to be retained. The front dormer extension has two windows at either end and an additional window is proposed in the existing gable end of the roof – to serve existing accommodation. The proposal would accommodate an additional bedroom and the additional window would serve a walk-in wardrobe. The proposed materials would be timber cladding that would be allowed to age/silver.

2. Main Issues

- 2.1 The main issues are:
 - the impact of the proposals on the character and appearance of the area, including whether the use conserves or enhances the AONB
 - the impact upon residential amenity

3. Assessment

- 3.1 The existing building is a modest sized dwelling. It has a simple rectangular form, with a pitched roof. It has an understated impact upon the street by reason of its modest scale and simple design features and appearance. The pair of semis also provide a symmetry and uniformity to the street scene, and remain largely unaltered from the front from their original construction in the 1950s.
- 3.2 There are other single storey buildings along this stretch of the road, which are also modest in scale and not prominent in the street scene. As such, the application building and the buildings along this stretch of the road make a positive contribution to the character and appearance of the street scene.

- 3.3 The proposal seeks to provide a roof dormer that would dominate the roofline through its scale and design. Most of the existing roof slope would be replaced by the dormer extension and it would have a prominence on the building that would appear obtrusive and poorly related to the simple built form of the application building and those adjoining.
- 3.4 The building would appear 'top heavy', through the extension and the roof bulky. The fenestration would fail to align and would be disproportionate - this exacerbates the incongruity of the proposal.
- 3.5 As the proposed roof dormer extension, as amended, is contained within the existing roof slope and set back from the front elevation of the host building, I do not consider that the open views to the AONB would be unduly affected and neither will there be a wider impact upon the landscape beauty of the AONB which lies beyond the rear roof slope and garden of the application property.
- 3.6 With regard to the impact upon residential amenity, I do not consider that the proposed windows in the extension would give rise to undue loss of privacy as the windows are no closer than existing windows in the ground floor of the property and the elevated height of these windows would not allow views into the private garden areas of the rear of the properties opposite.
- 3.7 There is sufficient distance between the extension and those roof lights on the adjoining property not to give rise to undue harm. The reduction in the depth of the extension (through the amended drawings) and the orientation of the extension (to the east of the neighbouring property) would mean some loss of morning sunlight towards these roof lights but this would not be substantial. The reduction in the depth of the extension also retains a reasonable degree of outlook from those windows.
- 3.8 The new window proposed into the gable end would serve a wardrobe and not a habitable room. As such, its location would not give rise to undue overlooking or loss of privacy. In any event, it could be obscure glazed by condition, should the proposal otherwise be acceptable.

Conclusion

- 3.9 Good design is a key aspect of sustainable development and should contribute positively to making better places for people. It is considered that the design and appearance of the extension proposal poorly relates to the host property and fails to integrate with the existing context and harms the character and appearance of the area.

It is not considered that the proposal would give rise to undue harm to the living conditions of the occupiers of surrounding properties.

g)

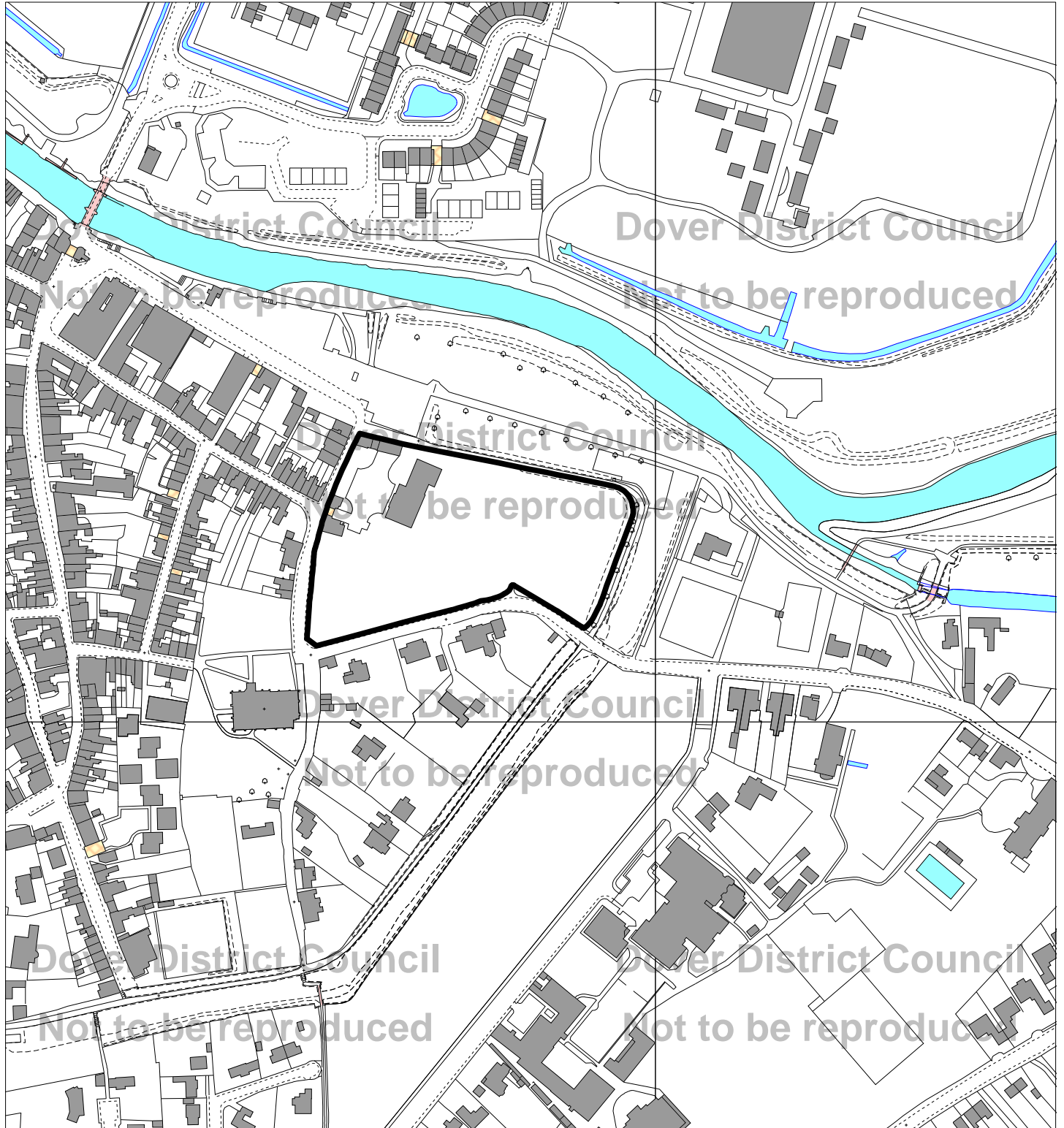
Recommendation

- I PERMISSION BE REFUSED, for the following reason: (i) The proposed extension by reason of its design and appearance would be poorly related to the existing building and would harm the character and appearance of the street scene contrary to Paragraphs 17, 56-59, 61 and 64 of the National Planning Policy Framework

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

Case Officer:

Vic Hester



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Application: DOV/16/00821

The Salutation

Knightrider Street

Sandwich

CT13 9EW

TR33985809



- a) **DOV/16/00821 - Use of buildings and grounds for hotel (Use Class C1), restaurant and café (Use Class A3), and retail (Use Class A1) uses, including the hosting of weddings and public admittance to gardens, together with ancillary car parking - The Salutation, Knightrider Street, Sandwich**

Reason for report: Number of contrary views.

b) **Summary of Recommendation**

Grant Planning Permission.

c) **Statutory Requirements, Planning Policies and Guidance**

Statute

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty upon Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the exercise of planning functions.

Dover District Core Strategy

Policy DM11 considers the location of development and managing travel demand. Development that would generate travel outside of rural settlement confines will not be permitted unless justified by development plan policies.

Policy DM13 sets out parking standards for dwellings and identifies that it should be a design led process.

Policy DM19 states that permission will not be granted for development proposals that would adversely affect the character, fabric, features, setting or views to and from the District's Historic Parks and Garden.

Dover District Council Local Plan 'saved' policies (DDLDP)

There are no saved local plan policies that are relevant to this application.

Land Allocations Local Plan (LALP)

There is no policy within the LALP directly related to this proposal.

Material Considerations

National Planning Policy Framework (NPPF)

The NPPF states that at its heart is a presumption in favour of sustainable development, to be seen as a golden thread running through decision-taking. It sets out three dimensions to achieving sustainable development: economic, social and environmental. These should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development, economic, social and

environmental gains should be sought jointly and simultaneously through the planning system.

Part 7 requires good design, which is a key aspect of sustainable development.

Part 12 refers specifically to the conservation and enhancement of the historic environment. In particular, it states that local planning authorities should take into account:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

In determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

When determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

National Planning Policy Guidance (NPPG)

Provides guidance on matters relating to the main issues associated with development.

Other Documents

The Kent Design Guide sets out design principles of development.

d) Relevant Planning History

There is significant planning history which is relevant to this planning application. this is summarised below:

- 16/00822 – Listed building consent for internal alterations to the property. Current application yet to be determined (see below).
- 07/01385 – Listed building consent for internal alterations to the property. Granted (29/01/2008).
- 07/00626 – Full planning application to allow the change of use of grounds and part of main building to host weddings. Granted (05/08/2008).
- 07/00463 - Erection of 2no. greenhouses and 1no. shed. Granted (08/07/2007).

There is further planning and listed building consents which pre-date these applications, but they are not considered to be relevant to the determination of this planning application.

e) Consultee and Third Party Comments

Conservation Officer: Raises no objections to the proposals for the use of the building, although discussions with regards to the internal flue arrangements remain ongoing and will be resolved through the determination of the listed building application.

Environmental Health (Environmental Protection Officer) was consulted and made the following comments:

'I refer to the above and note the applicant has provided a Design & Access Statement (Statement of Justification). In terms of noise whilst in sections 4.2 it is stated that there have been no complaints I am able to advise that unsubstantiated complaints have been received by this department on 14th May 2012, 20th October 2014 and more recently at 23:31hrs on 29th July 2016. It is alleged that on the last occasion music continued until 00:30hrs from a marquee in the garden of the Salutation.

I note that the existing planning consent (DOV/07/00626) includes conditions limiting the use to weddings only. The application is seeking permission to hold a number of non-wedding events. Whist Environmental Health do not wish to object to any part of the application I recommend that the following conditions are included in any future decision notice:

No amplified music or sound shall be relayed after 6.00 pm on any day and no non-amplified music or sound shall be relayed after 10.00 pm on any day within the curtilage of The Salutation in connection with the use hereby approved.

All functions shall cease by 10.00 pm on the day of the event.

Kent County Council Highways was consulted and made the following comments:

'The proposals do not make any changes to the existing accesses. The existing accesses are currently in use alongside the various land uses already taking place on the site. The current on-site car parking will remain unchanged and no additional car parking spaces have been provided. However, given that there are on-street car parking controls in place and the site is adjacent to a public pay and display car park, I do not wish to oppose this application.

If permission is granted the following should be secured by condition:

- *Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site hereby permitted.*
- *Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.*
- *Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.'*

Kent County Council Public Rights of Way Officer was consulted and whilst noting that there is a public right of way adjacent to the site, did not consider that this proposal would result in any impact upon this right of way, and therefore raises no objections.

Historic England was consulted and referred the application to the Council to be determined in accordance with their internal advice and policies.

The Environment Agency was consulted and raised no objections to this proposal.

Third Party Representations

Neighbouring occupiers were notified of the application and to date 15 letters of objection have been received. The concerns raised within these letters are summarised below:

- Concern raised with regards to noise and disturbance – which has been experienced by neighbouring occupiers recently through events that have taken place;
- The proposal would exacerbate existing parking problems;
- There would be an increase in noise and pollution which would impact upon the conservation area;
- Increase in traffic and congestion;
- Impact upon local wildlife.

Sandwich Town Council were notified of the planning and listed building application and resolved to positively support the application with no objections.

f) The Site and the Proposal

1 The Site

- 1.1 The application site is located within the town of Sandwich, adjacent to the public car park that runs along the Quayside. The site is within a Conservation Area and Article 4(2) Direction Area. The property is Grade I listed and the grounds contain the main house, and two specific outbuildings, which currently contain a gift shop, accommodation (holiday let/tourist) and a café/tea shop. These outbuildings are Grade II listed, as is the garden to the rear of the property.
- 1.2 The main house is currently being used, in part for hotel accommodation, but this is being undertaken without the benefit of planning permission.
- 1.3 The gardens are currently open to the public and there is a small level of nursery sales taking place within the site. Again, this is taking place without the benefit of planning permission.

- 1.4 The site equates to 2.5ha which is enclosed by boundary walls of approximately 2.5metres in height. Sandown Road runs to the south of the site, and Knightrider Street to the west – there is a vehicular access which is served off Knightrider Street, which is under an ‘arch’ which forms part of ‘Knightrider House’. There is also a smaller access served off from The Quay which is only suitable for pedestrian use.
- 1.5 There is approximately 20 car parking spaces provided within the courtyard, although these are not set out formally within the grounds, but rather provided on a more ‘ad hoc’ basis.
- 1.6 To the north of the site lies the Quayside public car park, which provides spaced for approximately 150 cars. Beyond this car park is the river Stour which runs from Canterbury to the North Sea/Dover Straights.
- 1.7 The site lies within an area of predominantly residential properties, although it is within a short walk of the commercial centre of the town – which includes a number of public houses, and retail premises.

The Proposed Development

- 1.8 This is a full planning application that seeks a mixed use development which would both regularise existing uses as well as allowing for other uses not currently undertaken on site. The application seeks permission for the following:
 - Change of use of the garden from private to public (use class D2);
 - Change of use of the main ‘house’ to a hotel/restaurant (use class C1/A3);
 - Alterations to the listed building to facilitate the installation of a new kitchen;
 - Provision of ancillary car parking;
- 1.9 This permission also seeks to continue the use of the building to host weddings, albeit within the existing permission DOV/07/0026.
- 1.10 There is no external operational development proposed as part of this development.
- 1.11 The internal alterations are also subject to a listed building application which is currently under consideration. These seek to re-open a previously closed doorway within the dwelling, as well as providing an internal flue to the kitchen – which is now proposed to be housed within the existing chimney.

2 Main Issues

- 2.1 The main issues with regards to this planning application are:
 - The principle of development;
 - The impact upon the fabric and setting of the listed building and the character of the conservation area;
 - The impact upon the amenities of the neighbouring occupiers; and
 - The impact upon the highway network.

Assessment

Principle of Development

- 2.2 As set out above, the NPPF is supportive of finding suitable uses for listed buildings to ensure that they are preserved and where possible enhanced. Furthermore, paragraph 23 specifically refers to the need to ensure the continued vitality and viability of town centres and for local planning authorities to address the requirement for town centre uses (as defined in Annex 2 of the NPPF) within suitable locations. Hotel and restaurant uses are defined within the NPPF as being a 'town centre use' and as such, this proposal is considered to comply with the requirements of this government guidance.
- 2.3 The existing and proposed use of the site for tourism purposes is supported, in principle within the Council's Core Strategy. Paragraph 3.24 relates to the demand for hotel accommodation within the District and in particular Sandwich. This states that within Sandwich *'the combination of its historic importance, and international and national golf, offers the opportunity for an increased contribution to the tourist economy of the District.'*
- 2.4 The site is located within a sustainable location, and close to the centre of the town, and its historic core. It is therefore considered in terms of its positioning, this would be a suitable location for a development of this kind, subject to all other material considerations being met.

Impact upon the Listed Building and Conservation Area

- 2.5 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty upon Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the exercise of planning functions.
- 2.6 Likewise, paragraph 134 of the NPPF states where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
- 2.7 In this case, the internal alterations proposed to the building have been subject to a significant level of discussion with the Council's Conservation Officer. Initially, the plans submitted sought to ventilate the kitchen through the existing skylight, but this was thought to have a detrimental impact upon the fabric of the building.

- 2.8 Subsequent discussions have therefore seen the scheme amended in order to address the issue of the flue. This matter will be considered in full within the listed building application.
- 2.9 Discussions on this matter are ongoing, but given that these matters are subject to an accompanying listed building consent, it is not considered appropriate to withhold planning permission on this basis.
- 2.10 The proposal would not have any detrimental impact upon the character or appearance of the Conservation given that the proposal would be solely for a change of use and for internal alterations.
- 2.11 In accordance with paragraph 134 of the NPPF, in heritage terms the proposal would safeguard the future of the Salutation, which is a Grade I listed building, and its outbuildings and grounds which are Grade II listed. Given the very prominent nature of these buildings, within the historic core of the town, the long term viability of the site is considered to be a significant public benefit.

Residential Amenity

- 2.12 Within the concerns raised by neighbouring occupiers, there is little opposition to the provision of a hotel within this building, or indeed any of the other ancillary uses proposed within the outbuildings and grounds – with the exception of the use as a wedding venue.
- 2.13 As set out within the planning history, the site already benefits from planning permission which allows for the use of the property for wedding purposes on a set number of days each year (12). This permission remains extant and the applicant is not seeking for a further extension of this permission.
- 2.14 The previous planning application for wedding use set out a significant number of restrictive conditions upon use. Given that this is a new planning permission, which includes the application for wedding venue, I consider it appropriate to re-apply these conditions upon any permission granted, Environmental Health Officer have commented that a condition should be attached limiting hours and sound relaying, this would sufficiently ensure that there is no adverse impact upon the amenities of the neighbouring occupiers.
- 2.15 In terms of the use of the building as a restaurant, again, subject to the imposition of suitable conditions relating to hours of operation, given the use is purely internal, I do not consider there to be any adverse impact upon the amenities of the neighbouring occupiers.
- 2.16 It is also considered that the use of the property for hotel purposes would be compatible with the predominantly residential area. This use has been ongoing for a number of years, albeit unlawfully, and this has not given rise to any issues of noise and disturbance.
- 2.17 The use of the gardens for public use is also not considered to give rise to any impact upon the residential amenity of the neighbouring occupiers. Whilst there would be likely to be more footfall than that of a private garden, the use would only occur during daylight hours, and is not likely to encourage loud or boisterous behaviour. Again, it is noted that there is no objection raised by neighbouring occupiers to this use.

- 2.18 A Management Plan can be required by condition and would set out how the venue would be managed and controlled.
- 2.19 The regularisation of the car parking within the centre of the site (where parking currently takes place) would not have an adverse impact upon the neighbouring occupiers.

Highways

- 2.20 The application seeks to formalise the car parking arrangement within the complex, which would allow for 20 cars to be parked within the site, allowing for suitable manoeuvring and also to allow for vehicles to enter and leave the site in a forward gear.
- 2.21 Concern has been raised by neighbouring occupiers with regards to the lack of car parking provision for the development. It is noted however that the site lies adjacent to a large public car park, which could accommodate any overspill from events that are taking place within the site, or indeed customers of the restaurant.
- 2.22 It is not unusual for hotels and restaurants within town centres to have a nil parking provision, with patrons often reliant upon public car parking. As set out, Kent County Council Highways do not object to this proposal, and consider the location to be suitable for this use – given the parking that is readily available within the vicinity.

Other Matters

- 2.23 There are no outstanding ecological concerns with this application given the existing and previous use of the site, and the fact that it was wholly developed. No mitigation has therefore been requested in terms of either quantitative or qualitative enhancements.
- 2.24 There are no flooding or drainage concerns with regards to this application.
- 2.25 The Listed building application for what amount to minor internal works is to be determined separately under delegated officer powers

Planning Balance

- 2.26 This proposal would seek to regularise a number of existing uses within the grounds, as well as enable restaurant use within the main house. The uses are considered to be compatible with the listed building itself, and also with regards to the neighbouring occupiers.
- 2.27 The local plan supports the development of tourism opportunities and these would be located within a wholly sustainable location, connected with the historic town of Sandwich and also the nationally and internationally renowned golf courses.
- 2.28 For this reason, it is considered that the application accords with both national and local policy and it is therefore recommended that Members give this application favourable consideration and grant planning permission accordingly, subject to the imposition of the conditions as set out below.

g) Recommendation

- I) PLANNING PERMISSION BE GRANTED subject to the following conditions to include:
- 1) Standard time limit for commencement
 - 2) The development to be carried out in accordance with the approved plans
 - 3) Details of hard surfacing materials
 - 4) Highways conditions
 - 5) Parking of cars as per
 - 6) Condition limiting weddings to only 12 days a year
 - 7) No amplified sound relayed after 6pm and no non-amplified sound relayed after 10pm
 - 8) Limit to use of marques
 - 9) Customer Management Plan.
- II) Powers to 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 Planning Committee.



Not to scale

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Note: This plan is provided for purposes of site identification only.

Application: DOV/16/00931

135 Middle Street

Deal

CT14 6JZ

TR37705310



- a) **DOV/16/00931 – Erection of single storey rear extension, front and rear dormer roof extensions and installation of 2 rear roof lights - 135 Middle Street, Deal (amended plans)**

Reason for report: Number of contrary views.

- b) **Summary of Recommendation**

Planning permission be granted

- c) **Planning Policies and Guidance**

Core Strategy Policies

None relevant.

National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles which amongst other things seek to secure high quality design and a good standard of amenity for all existing and future residents.
- The NPPF paragraphs 17, 56-59 and 64 seek to promote good design and resist poor design. Development should take the opportunity to improve the visual quality and character of the area.
- Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a Conservation Area, great weight should be given to its conservation.
- Paragraph 135 states that where a development will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- Paragraph 138 states that new development in Conservation Areas and within the setting of heritage assets should enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to, or better reveal, the significance of the asset should be treated favourably.
- Chapter 7 requires good design, which is a key aspect of sustainable development.

The Kent Design Guide (KDG)

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

Planning Act (Listed Buildings and Conservation Areas) 1990

- Section 72(1) requires LPAs to have a duty to respect conservation areas in the exercising of planning functions. It states that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.
- Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have *special regard* to the desirability of preserving the building or its setting, or any features of special architectural or historic interest it possesses'. When evaluating proposals, the statutory duties must be applied, and '*considerable importance and weight*' must be given to any predicted harm.

d) **Relevant Planning History**

Pre-application advice given.

e) **Consultee and Third Party Responses to the plans originally submitted**

Deal Town Council – Raises no objections

KCC Archaeologist: No reply.

Public Representations: Relating to the original submission, seven letters of objection have been received raising the following material considerations:

- The two large dormers on the front elevation are harmful to the character and appearance of the property and the Conservation Area, particularly because they obstruct views of the Dutch gables on the adjacent buildings. Even one dormer would blight the view of the Dutch gable from Golden Street and Middle Street.
- Loss of symmetry of nos 135 and 137 as a pair.
- There are plenty of houses with dormer windows. Those without should be preserved as good examples of original Victorian domestic architecture.
- The charm of nos 135 and 137 is that they are a pair of two storey houses set between three storey houses. This feature adds a great deal to the sense of architectural variety, and increases the richness of housing type in the historic area. Were this to be compromised by the addition of another floor, more of the originality of the area would be lost.
- Famous views along key areas of the Conservation Area need to be protected where possible. The view affected is exactly the one on the Dover District Council web page advertising the Conservation Area. This view should be maintained for its historical importance in the Conservation Area.
- The two front dormers are oversized and out of proportion with the host dwelling.
- The dormers would be visible from the top of Golden Street, and would ruin the height proportion of the houses.

Amended plans have been submitted and advertised. No representations have been received in respect of the amended plans at the time of writing this report. The advertisement expires on 18 November, and members will be updated with any further material representations at the meeting.

- f) 1. **The Site and the Proposal**
- 1.1 The site lies within the settlement confines, in the heart of the Middle Street, Deal Conservation Area, which benefits from an Article 4(2) direction.
 - 1.2 The Middle Street, Deal Conservation Area is a highly significant heritage asset, and the listed buildings surrounding the application property are also highly significant heritage assets.
 - 1.3 The application property, which occupies a mid-terrace position along Middle Street, stands directly opposite Golden Street, and is therefore a feature of both the Middle Street and Golden Street street scenes.
 - 1.4 The application property is an attractive two storey cottage forming one of a pair of Victorian cottages sandwiched between two older properties with Dutch gables. It remains in its original form with no additions front or back, and has its original windows. It is not particularly significant within the Conservation Area, and is not a listed building, but nonetheless makes a positive contribution to the special character of the area on account of its simple, historic charm.
 - 1.5 This application, as originally submitted, seeks permission to erect two dormer windows on the front elevation, 3 rooflights on the rear elevation, and a single storey, ground floor rear extension.
 - 1.6 The Council's Principal Heritage Officer responded to the submission with the following comment:

The proposed dormer windows would, in my view, be overbearing due to their size and detail (with heavy cheeks). The proportions of the building are modest, and as found on many other buildings of this stature in the conservation area, the tradition is for a single dormer window following a typical hierarchy (windows tending to reduce in size to each storey). In my view this aspect of the proposal would be contrary to the established character of the Conservation Area, and consequently would not preserve the special interest of the designated heritage asset. In my view the proposal could be reduced to 1no dormer set centrally within the roof slope, removal of the wide cheeks and a slight reduction in size. This would result in a more traditionally detailed feature that would be appropriate for the context. Should amendments be made as per my comments I would be content to support the application subject to a condition for joinery details.
 - 1.7 Amended plans were sought and submitted on 22 September to this effect, and it is these plans that are assessed below.

- 1.8 The amended plans have a single, slim-line dormer centrally positioned on the front elevation, measuring 1.1m wide x 1.2m high x 1.9m deep, and a rear dormer next to two rooflights. The rear dormer measures 1.3m wide x 1.4m high x 2.5m deep. Both dormers are clad in lead with a double glazed sliding sash window constructed of Slimlite glass in a timber frame.
- 1.9 The ground floor rear extension has a modern flat roof design with a roof light, and aluminium bi-fold doors on the rear elevation. The extension measures 2.8m deep x 3.6m wide x 2.5m high to the top of the solid roof.

2 **Main Issues**

2.1 The main issues are:

- The impact on the appearance of the property, and the impact on the significance of local Heritage Assets, such as the special character and appearance of the Conservation Area within which it stands, and nearby listed buildings.
- The impact on the residential amenity of neighbouring properties

Assessment

Character and Appearance

- 2.2 The single dormer on the front elevation sits neatly within the front roof slope. It has traditional design and proportions, which complement the character and appearance of the host property and the general character and appearance of the Conservation Area in which it stands.
- 2.3 Dormers are a regular feature within Middle Street, so the proposal would not be alien to this streetscape.
- 2.4 The dormer would obscure part of the Dutch gable on the adjoining property, when viewed from Middle Street to the north of the site. However, it is the view of your officers that the gable would remain visible to a satisfactory degree, given that a distance of 1.9m separates the two.
- 2.5 Although the letters of objection comment in response to the original submission, a number make comments that are relevant to the assessment of this amended scheme. It is noted that one third party considers that even one dormer would blight the view of the Dutch gable from Golden Street and Middle Street, and that another considers that Victorian properties in the conservation area that do not have any dormers should be retained as such, as a good example of Victorian architecture. Objection is also raised to the loss of symmetry of 135 and 137 as a pair.
- 2.6 These comments are noted. However, it is your officers' view that the amended scheme would not blight the view of the Dutch gable sufficiently to constitute harm to the significance of the Listed Building or the Conservation Area, and that the resultant loss of symmetry of this Victorian

pair would not constitute harm to the significance of the neighbouring Listed Building or the Conservation Area.

- 2.7 Accordingly, the proposed front dormer is considered acceptable in accordance with the policies listed above, and satisfies sections 72(1) and 66(1) of the Planning Act (Listed Buildings and Conservation Areas) 1990.
- 2.8 The rear dormer and rooflights are not visible from any public realm, and would not harm the character and appearance of the Conservation Area. They are therefore considered acceptable.
- 2.9 The ground floor rear extension has a modern design on account of its flat roof. However, it appears as a modest and subservient addition to the property on account of its small scale, and low ground level, as the ground level of the garden rises gently away from it. The extension would not be visible from any public realm, and would not harm the character and appearance of the Conservation Area. It is therefore considered acceptable.

Impact on Residential Amenity

- 2.10 The front and rear dormers and rooflights would not result in unacceptable overlooking, and would not result in a loss of residential amenity.
- 2.11 The ground floor rear extension sits on the boundary walls on both sides. On the south side it adjoins a wall some 2.4m high, which runs alongside a private access way. The roof of the extension remains lower than the top of the wall. The property to the south of the alleyway would not be affected by the extension in terms of any overbearing impact, loss of light or outlook.
- 2.12 On the northern boundary the extension is shown to abut the existing 1.8m high boundary fence. The roof of the extension projects some 0.3m above that fence. At 2.8m deep the extension breaches the 45 degree line of the neighbouring habitable room window by approximately 1m. It is noted that a small degree of both ambient light and direct sun light would be blocked. However, it is considered that the degree of light loss would not be sufficient to harm the residential amenity of the occupants of the neighbouring property to a significant degree.

Conclusion

- 2.13 The front dormer is clearly visible within the Middle Street and Golden Street streetscenes. However, it is considered to have an acceptable impact on account of its sympathetic design, size, scale and central location within the roof slope. The proposed development to the rear would not impact on any public realm, or harm the Conservation Area or the setting of nearby listed buildings. The proposal is therefore considered to accord with the aims of the policies listed above, relating both to heritage conservation and general design principles, and satisfies section 72(i) of the Planning Act (Listed Buildings and Conservation Areas) 1990.

2.14 The impact of the proposal on residential amenity of neighbouring occupants has been considered and found to be acceptable in accordance with the aim of the NPPF in seeking a good standard of amenity for existing and future occupants of land and buildings.

g)

Recommendation

I PERMISSION BE GRANTED subject to conditions set out in summary to include:

(i) commencement within 3 years; (ii) carried out in accordance with approved drawings; (iii) joinery details to be submitted; (iv) no windows to be inserted in the side elevations of the ground floor extension; (v) conservation style rooflights to be installed.

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
Maxine Hall

- a) **DOV/16/00594 - Erection of a pair of semi-detached dwellings and one detached dwelling and creation of associated vehicular accesses and parking (existing dwelling to be demolished) - Land rear of 180 London Road, Deal**

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 Deal is a District Centre, secondary focus for development in the District, suitable for urban scale development.

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**

No relevant history.

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

KCC Highway Services – Raise no objections to the scheme

Principal Ecologist – Extended Phase 1 Ecological Habitat Survey Report does not reveal any ecological restraints to development at 180 London Road

Deal Town Council – Object for the following reasons; Over intensification of site, character is out of keeping with local area, very limited access and highway concerns

Third Party representations:

10 letters of objection have been received and the comments are summarised as follows;

Relevant planning matters

- Overlooking from upper level window into rear gardens/ properties on Church Path resulting in loss of privacy
- Views of the site are gained from adjoining properties (on Church Path) contrary to the statement made by the applicant,
- Proposed landscaping details refer to Leylandii being proposed, (amended plans have been received to remove Leylandii from the planting species)
- Introduction of additional vehicular accesses on the main road and at the point where build out/road width restriction raising highway safety concerns due to the business of London Road,
- Proposed appearance not in keeping,
- Over-development,
- Overshadowing/ loss of light,
- Proposed driveway to Plot 3, due to its width, appears to be an access road to a larger area of land
- Proposed waste storage and collection areas are not defined on submitted plans,
- Development should be restricted to 2 dwellings within the existing curtilage of the bungalow (No. 180),

Other concerns raised

- The ownership of land to the rear was not within the applicant's control. This has been investigated to the Officer's satisfaction.
- Clearing of the land to the rear which was heavily vegetated (akin to woodland) prior to submission of a planning application

One letter of support has been received from 170 London Road (the neighbouring property to the east) and the comments are summarised as follows;

- No objection in principle, but concern raised if the proposed driveway adjacent to the property could give rise to any further development of the allotments.

f) 1. The Site and the Proposal

- 1.1 The application site consists of 180 London Road, a large detached bungalow and its rear garden together with a separate parcel of land, beyond the rear garden, to the north.
- 1.2 The existing bungalow, No. 180 London Road, has an attached garage to the west with a single point of access to London Road. The rear garden to No. 180 is laid to

lawn but overgrown; beyond the garden the remainder of the development site is more unkempt and overgrown. The boundary treatment between the rear garden and separate parcel of land has been removed, so the site appears as one parcel of land. The existing boundaries to the east and west comprise close boarded fencing with mature shrubs. A hedgerow provides the boundary to the road. To the east of the land to the rear lies allotments, a public right of way to the north and a residential garden to the west.

- 1.3 Although the land to the rear of the existing property was cleared prior to the submission of the application, the age of the bungalow, and given that Russian Vine has since proliferated (together with tall ruderals, such as Thistle) following the clearance, the application has been accompanied by an Extended Phase 1 Ecology Survey Report.
- 1.4 Full planning permission is being sought for the erection of a pair of semi-detached two storey dwellings fronting London Road (Plots 1 & 2) and one detached chalet-style dwelling to the rear (Plots 3). An individual access/parking area for each of the semi-detached units, and a separate access to the detached dwelling would be provided as part of the scheme.
- 1.5 Plots 1 and 2 would front London Road, would each be 7.2 metres wide and 14.2 metres deep with a ridge height of 9.3 metres. Three bedrooms would be provided at first floor level, and a fourth bedroom and ensuite on the second floor, with rooflights to the front and rear. The existing access to No.180 would be blocked up and a new shared access providing each dwelling with two off-street car parking spaces. Plot 3 would be at the rear of no. 180. It comprises a chalet bungalow design incorporating first floor accommodation. The dwelling would have a total of 3 bedrooms with the potential fourth bedroom at ground floor. The maximum footprint would be 10.3 metres x 11 metres, with a ridge height of 6.7 metres. Two car parking spaces would be provided and a dedicated turning area.
- 1.6 *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 However, given that the site is situated within the urban confines, the principle of residential development in this location accords with CS Policies CP1 and DM1. Consideration of the acceptability of the proposed development rests on the satisfaction of site specific elements, including whether the buildings are acceptable

in terms of their visual impact on the surrounding area, highways implications and any impact on surrounding occupants.

The character and appearance of the area

- 3.3 The A258, London Road is a busy traffic corridor providing a link between Sandwich, Deal and Dover. This is predominantly a residential road, with varied sizes and designs of dwellings. On the northern side of the road it is characterised by a mix of two storey semi detached dwellings and detached chalet bungalows fronting London Road and, on the southern side of the road, opposite the application site, the properties front Manor Avenue, and close boarded fencing proliferates. There are no parking restrictions on this part of London Road. Beyond the site and the public right of way, to the north, lie existing terraced residential properties which front Church Path.
- 3.4 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.
- 3.5 The proposal involves the creation of a detached dwelling at the rear of no. 180. There appears to be no other examples of this form of development within the immediate vicinity of the site. It must therefore be considered whether the development proposed is acceptable in terms of its impact upon the character and appearance of the area. This section considers the dwelling to the rear and then assesses the pair of semi-detached dwellings fronting London Road.

Plot 3 (chalet-style detached dwelling)

- 3.6 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 London Road to the gardens beyond but the views are mostly screened by vegetation and outbuildings. Only glimpses of the new dwelling, Plot no. 3, albeit over a significant distance, would be visible from London Road.
- 3.7 Due to the size of the application site, with only one dwelling proposed to the rear with sufficient separation distance to existing residential properties (see section on residential amenity), and the design and scale of the dwelling, the development would not be unacceptably intrusive. The proposed dwelling would not be harmful to the established residential character and overall would have little impact on the character of the area.

Plots 1 and 2 (fronting London Road)

- 3.8 The existing property is a single storey bungalow with attached garage, which fills the width of the site. The proposed development replaces the existing bungalow with a pair of two-storey semi-detached dwellings. The plans indicate two 3 metre wide accesses to the semi-detached dwellings (appearing as one wide access) together with a 3 metre wide access drive to Plot 3. Ample space around these access points would enable detailed soft and hard landscaping to be provided and secured via condition.
- 3.9 In terms of the impact on the appearance of the area the proposal will require the removal of the existing front boundary hedge to no. 180. It is acknowledged that this will change the character of the streetscene by opening up views of the proposed

two-storey dwellings (Plots 1 and 2) and the proposed access to Plot 3, however there is no reason to conclude that this would be harmful. There are other dwellings along this stretch of London Road which also have low boundary walls and clear open views of the dwellings beyond. It is concluded that the development should integrate into the existing built environment, and as such would not harm the visual quality of the area.

Impact on residential amenity

Plots 1 and 2 (fronting London Road)

- 3.10 There is only one upper level window proposed in the side elevation to Plot 2, to serve the stairway, and it is therefore not considered that any overlooking/interlooking could occur from Plot 2 to the east, No. 170.
- 3.11 No. 182, located to the west of the existing property, has a single storey attached garage fronting London Road, however the access point to Plot 1 will be some 5.5 metres from the common boundary, and located further east than the existing access point to no. 180. There is only one upper level window proposed in the side (west) elevation to Plot 1, to serve the stairway, and it is therefore not considered that any overlooking/interlooking could occur.
- 3.12 Details of overshadowing have been requested during the course of the application: Whilst there may be some loss of light to the rear gardens of no. 170 (to the east) and no. 182 (to the west) resulting from the erection of Plots 1 and 2, this is limited to the winter months, and would not have an unacceptable impact on residential amenity.

Plot 3 (chalet-style dwelling to rear and associated access road)

Impact on no. 170

- 3.13 The siting of the new access road to serve Plot 3 (to the rear) raises concerns regarding the impact of its use by cars and the creation of noise and disturbance on the existing adjacent dwellings, and no. 170, to the east, in particular.
- 3.14 There is a separation distance of 3.5 metres from access road to the side elevation of no. 170. This access road is for the exclusive use of Plot 3, and as a result the vehicular activity and disturbance will be limited to the future occupants, their deliveries and visitors. The possibility for any future intensification of use can be restricted via condition.
- 3.15 The rear boundary of no. 170 is approximately 17 metres at an oblique angle from Plot 3, with the existing dwelling being approximately 34 metres to the south. It is not considered that there is the potential for overlooking from the proposed chalet-style bungalow.
- 3.16 Details of overshadowing have been provided, however there is no impact from Plot 3 on no. 170 to the south east.

Impact on no. 182

- 3.17 The siting of the proposed access road to Plot 3 is approximately 17 metres to the east of no. 182 and it is not considered to impact on their residential amenity.

- 3.18 The windows at first floor level on Plot 3 face the front garden and access road (South East) with three dormers facing the main (side) garden (South West). There is the potential for oblique views into the rear garden of no. 182, which at the nearest point from the dormer window is approx. 6 metres from the rear boundary of no. 182 and approximately 28 metres from the rear wall of no. 182. The main outlook from the chalet-style dwelling is not to the south west but to the south east: Due to the nature of the boundary screening (close boarded fencing and vegetation) and given that there is some distance to the land to the immediate rear of no. 182 it is not considered that any overlooking which may occur would be harmful.
- 3.19 Details of overshadowing have been provided, however there is no impact from Plot 3 on no. 182 to the south west.

Impact on Church Path

- 3.20 It is acknowledged that Plot 3 would be within 4.3m of the common boundary with properties 143 and 141 Church Path separated by an existing public right of way. The distance from the rear elevations of these properties would be approximately 17 metres. The originally submitted scheme included an upper level window in the proposed NW elevation, to a bedroom served by another window. Amended plans have been sought to remove this upper window, which has removed any potential over looking onto the rear gardens of properties on Church Path. A condition should be imposed to remove permitted development rights to prevent alterations to the roof form.
- 3.21 Details of overshadowing have been requested during the course of the application: Whilst there may be some loss of light to the rear gardens this is limited to the winter months, and would not have an unacceptable impact on residential amenity of those properties on Church Path.
- 3.22 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.

Highway Safety

- 3.23 The access onto Plot 3 (to the rear) is 3 metres wide and approximately 46 metres in length to the turning point. It is straight, so visibility of oncoming cars is possible. KCC Highways have been consulted and raise no objection. Clarification has been sought regarding the position and purpose of the bulge in the kerb (a kerb build out with associated signage) at the proposed point of access and KCC Highways have advised that this is not considered to serve any purpose.
- 3.24 In accordance with policy DM13 of the CS, each dwelling has two off-street car parking spaces. Additional visitor car parking is required at a level of 0.2 spaces per unit which in this instance equals 0.6 which is less than one additional space. London Road is unrestricted at this point, and visitors could park on street given the very limited impact associated with the proposed development. The provision of car parking complies with the current car parking standards.

Other matters

- 3.25 It is recommended that a condition be imposed requiring a soft and hard landscaping scheme to be submitted to ensure that details of the parking layout at the front (to Plots 1 and 2) are provided and the type and species of planting can be controlled.

3.26 Third parties have also indicated the potential presence of wildlife given the recent clearance of the overgrown parcel of land. An Extended Phase 1 Ecology Survey Report has been carried out and is considered satisfactory.

4. **Conclusion**

4.1 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.

4.2 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.

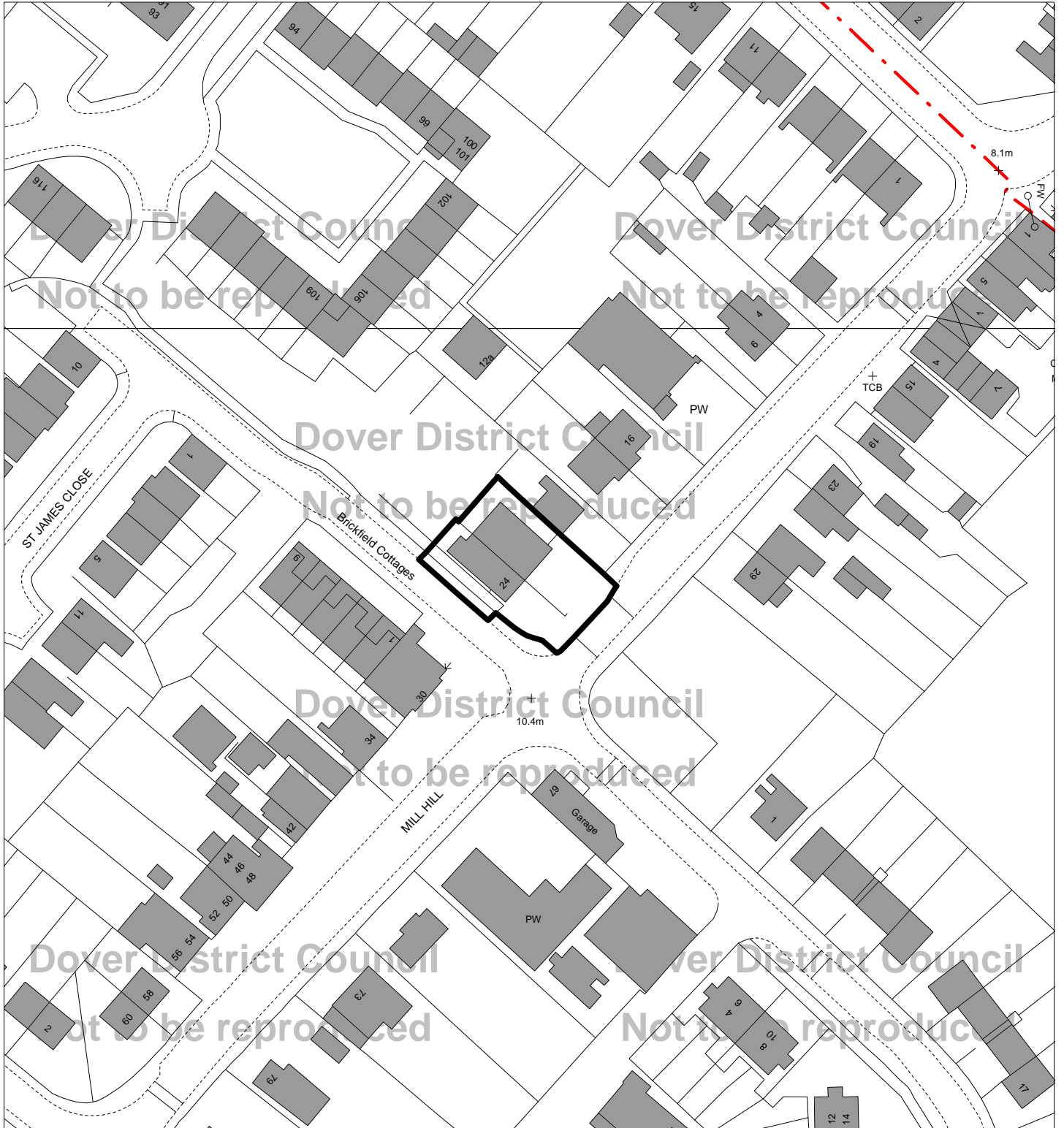
g) **Recommendation**

I PERMISSION BE granted subject to the following conditions:- i) Standard time limit, ii) Approved plans, iii) material samples iv) details of hard and soft landscaping including boundary treatment to be submitted, v) Construction Management Plan, vi) bicycle storage provision vii) bin store to be provided and retained, viii) car parking and manoeuvring areas to be provided and retained ix) prevention of surface water discharge onto highway x) bound surface to be provided for first 5 metres xi) closure of existing access prior to use commencing xii) access road solely for Plot 3, xiii) remove permitted development rights for all extensions, roof alterations, windows and out buildings.

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

Elizabeth Welch



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Application: DOV/16/00838

24 & 24 A Mill Hill

Deal

CT14 9EN

TR36605145



a) DOV/16/00838 – Conversion of existing building from two flats to two dwelling-houses with a two-storey extension to 24 (existing extensions to be demolished) and erection of a first-floor conservatory to no. 22 - 22, 24 and 24A, Mill Hill, Deal

Update on Reasons for withdrawing this item from the Planning Committee meeting agenda of 20 October 2016

1.1 This application was due to be considered at the October 2016 Planning Committee. In the days leading up to the Committee meeting, the applicant submitted a letter and accompanying information to some Members. These were not circulated to Officers and therefore there was no opportunity to review the documentation in advance. This new information only came to light on the afternoon of the Committee meeting and a decision was taken to withdraw the report from that meeting's agenda.

1.2 The documentation consisted of two undated letters, a synopsis of the proposed works with brief comments, photographs/drawings, an email from the Planning Delivery Manager to the applicant, an email from the applicant to his agent and some handwritten comments on the Case Officer's Committee report.

For information the documentation is attached.

It is not considered that any new information has been provided, but taking the points made, Officer comments are:-

1.3 Overshadowing (and the overbearing effects/loss of outlook)

The Officer report at 4.2 covers this point and the email between the Planning Delivery Manager and the Applicant advises that the overshadowing would not be a strong enough reason on which to base a refusal on its own. The point being, as the committee report sets out at para 4.3, that the cumulative effect of the proximity of the development to the properties to the rear (which causes the overshadowing) would also result in a sense of enclosure and loss of outlook – the effects of which (including the overshadowing) would be harmful to their residential amenity. Essentially, if the two storey extension was reduced in depth at first floor (to a suitable design) then this could overcome the combined harm

1.4 Garden Area

The proposed garden area is small and if left without any means of enclosure would mean there would be no private amenity space to serve the needs of occupants. Even if enclosed, the amount of amenity space available would be considered insufficient to meet the needs of the occupants of two houses. The loss of land to garden land, whether enclosed or otherwise would clearly erode an element of amenity provided by this albeit small area of grass verge in a built up street scene. Such areas of grassed verge do contribute to the street scene quality of an area – and it is only too easy to lose such spaces.

The applicant argues that amenity space to properties opposite is less than that proposed for this development. The private rear gardens referred to are approximately 12 square metres per dwelling.

1.5 The improvements that will be made by the development

The conclusion to the Officer report at 6.2 accepts that the development proposed would result in an improvement to the appearance of the building and provide two new dwelling-houses.

Conclusion

The development remains unacceptable for the reasons set out in the original committee report and the original recommendation remains unchanged

Dave Robinson

Planning Delivery Manager



Registered house builder

EASTON

BUILDERS LTD



Foxborough House
8b Granville Road
Walmer
Near Deal
Kent
CT14 7LU

Tel & Fax 01304 364884
eastonbuildersltd@btinternet.com
V.A.T. Reg. 241 9152 21

TO ALL COUNCILLORS ON THE DDC PLANNING COMMITTEE

Dear Councillors,

RE: Planning Application DOV/16/00838 Conversion of 2 Flats into 2 Houses
24 & 24a Mill Hill Deal Kent. CT14 9EN

Please find enclosed documents including letters, photos, summing up as sent to Ward Councillors, agenda report with highlighted sections indicating our aims and basically that which we believe with your help will be the outcome and lastly the letter as received from Mr Dave Robinson (team leader of the planners) indicating strength of argument in regards to the overshadowing after 2 contradicting (to the planning assumptions) expert reports.

As you can see later in the letter Mr Robinson states that the planners are not happy with the garden area being enclosed so the fencing and gates were removed, the current objection though has completely changed as it states that the residents will now not have any privacy with open planned gardens. We have no objection one way or another to fence or not to fence.

I am sorry about the length of all of this reading but this proposal has been going on for 8 months generating so very much paperwork, time and expence.

I would like to state here that the aim of this application and indeed our first priority is to improve the basic accommodation for the tenants of these properties

Thank you for your time, I am very much looking forward to your decision

Regards

Tony Easton

NOTE: Please scroll down where necessary when viewing attachments

Company Number 9423762

Easton Builders Ltd

From: Easton Builders <eastonbuilders@btinternet.com>
Sent: 13 October 2016 10:49
To: 'Easton Builders Ltd'
Subject: RE: Mill Hill Enquiries

-----Original Message-----

From: Dave Robinson [mailto:Dave.Robinson@DOVER.GOV.UK]
Sent: 04 July 2016 00:04
To: Anthony Easton <eastonbuilders@btinternet.com>
Subject: Mill Hill

Hi Tony,

I was in London on Friday longer than I expected, so I didn't get time to ring you back.

The application has been discussed. There is a degree of overshadowing but we wouldn't base our refusal on this issue. It would however form part of the discussion so we would consider it to be an issue be it minimal.

As we discussed, the cumulative impact of the loss of outlook, the lack of amenity space, the impact on the street scene by adding the additional means of enclosure would result in harm and it is unlikely we would be able to support the application.

You were expecting this, but it does show that the overshadowing is not a reason strong enough on its own. My recommendation now is to submit your application and try and cover all the issues raised above. Also, as many letters of support to trigger a referral to Committee.

Good luck

Regards

Dave

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EASTON BUILDERS LTD



Foxborough House
8b Granville Road
Walmer
Near Deal
Kent
CT14 7LU

Tel & Fax 01304 364884
eastonbuildersltd@btinternet.com
V.A.T. Reg. 241 9152 21

Dear Sirs,

RE: Conversion of 2 Flats into 2 Houses. 24/24a Mill Hill Deal Kent CT14 9EN App No 16/00838

I refer to the above and would like to introduce myself as the applicant for this scheme and would very much like your views on the proposal.

I have built several hundred houses in Deal and other areas of Kent and am in fact the builder of the recently constructed houses in St James Close, currently seeking to demolish the erratic existing rear extensions to the property on the corner of both 22 Mill Hill and St James Close and rebuild with a consistent in-keeping single extension which will then allow for the total conversion of 2 rather ugly flats into 2 new modern homes thus finishing off this recent remarkable transformation of what was a rather run down part of Mill Hill, no disrespect intended here, (I am a Deal boy).

I myself or indeed Dover District Council themselves have yet to receive a single letter or comment opposing this application despite it twice being advertised in both the immediate vicinity and the East Kent Mercury and once being published in the EKM as a lead story, indeed I have had 100% support from all of the neighbours who have tired of this rather ugly outlook, but, and this is the big but, the planning officer has mysteriously stated she is going to oppose the scheme, she has though, due to the amount of support been forced to refer to committee (October) which is why I am keen to hopefully get your professional opinion/support.

You will see that at present the neighbours (22 Mill Hill) to the rear have an existing roof area to sit out on but because of the window situation with neighbours (windows directly facing each other) rarely use because of the privacy issues, this scheme though alleviates that problem by the removal of the opposite window (22a) and the fitting of a conservatory for the benefit of 24 Mill Hill.

I have included the facts, pictures, plans and statements which shows absolutely that this is a vast improvement for firstly the occupants, then the area and also a planning gain and have even purchased the grass verge from DDC in order to form garden/utility areas for the new proposed houses so hope you can agree with my firmly held belief in its success, as of course your approval would hold considerable weight in the outcome of the planning committees decision.

Whatever you decide look forward to hearing from you, thanks very much for taking the time to read this letter

Yours Sincerely,

Tony Easton

Company Number 9423762

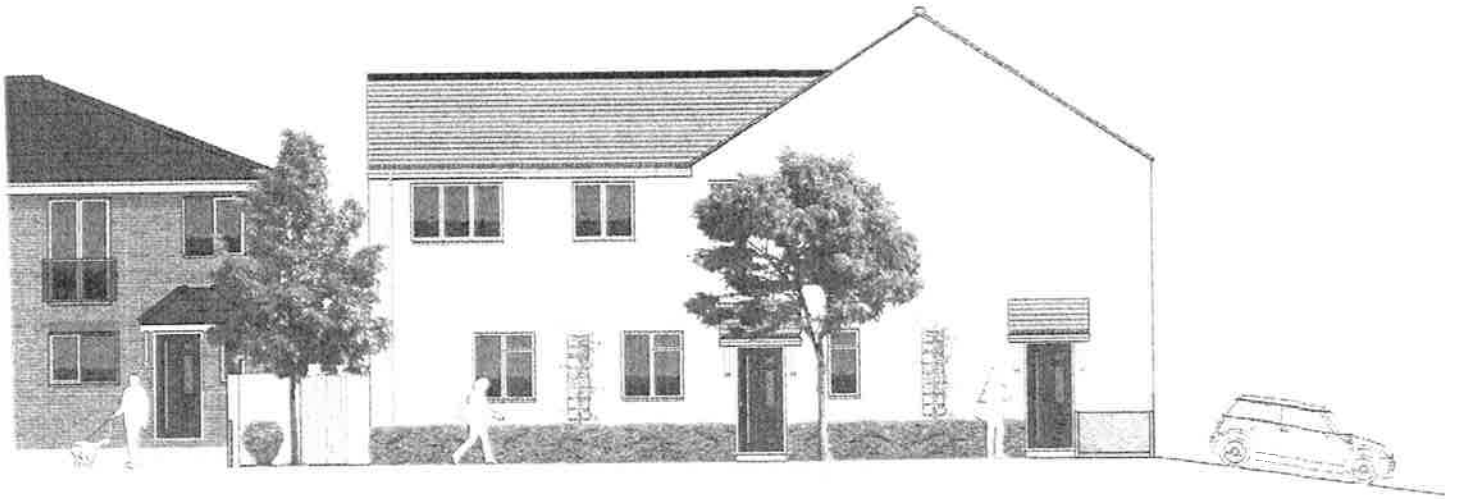
22 & 22A Mill Hill, Deal. CT14 9EN

Conversion Facts of 2No Flats into 2No Houses. Bedroom numbers unchanged

| | EXISTING | PROPOSED | COMMENTS |
|-----------------|-----------------|-----------------|---|
| BEDS | 5 | 5 | UNCHANGED |
| SHADOWING | MINOR | MINOR | DDC ACCEPTED |
| GARDEN | 259sq feet | 641sq feet | OCCUPANT/ST SCENE GAIN |
| BIN STORES | 2 | 4 | OCCUPANT/PLANNING/ ST SCENE GAIN |
| CYCLE STORE | 0 | 4 | OCCUPANT/PLANNING/ ST SCENE GAIN |
| ROOF | POOR | RENEWED | OCCUPANT/ST SCENE GAIN |
| SOFFITS/FASCIAS | POOR | RENEWED | PLANNING/ST SCENE GAIN |
| SVP PIPES | SEEN | HIDDEN | PLANNING/ST SCENE GAIN |
| WINDOWS/DOORS | POOR | RENEWED | OCCUPANT/ST SCENE GAIN |
| RENDER | POOR | RENEWED | OCCUPANT/ST SCENE GAIN |
| SOUNDPROOFING | POOR | INSTALLED | OCCUPANT/BUILDING CONTROL GAIN |
| FIREPROOFING | DATED | RENEWED | OCCUPANT SAFETY/ BUILDING CONTROL GAIN |
| ACCOMODATION | DATED | RENEWED | OCCUPANT/HOUSING GAIN |
| STREET SCENE | POOR | ELEGANT | OCCUPANT/ PLANNING/ NEIGHBOURHOOD/ GAIN |
| BATHROOMS | POOR | RENEWED | OCCUPANT/HOUSING GAIN |
| WC'S | POOR | RENEWED | OCCUPANT/HOUSING GAIN |
| KITCHENS | POOR | RENEWED | OCCUPANT/HOUSING GAIN |
| DETRIMENTS | NONE | NONE | NONE |



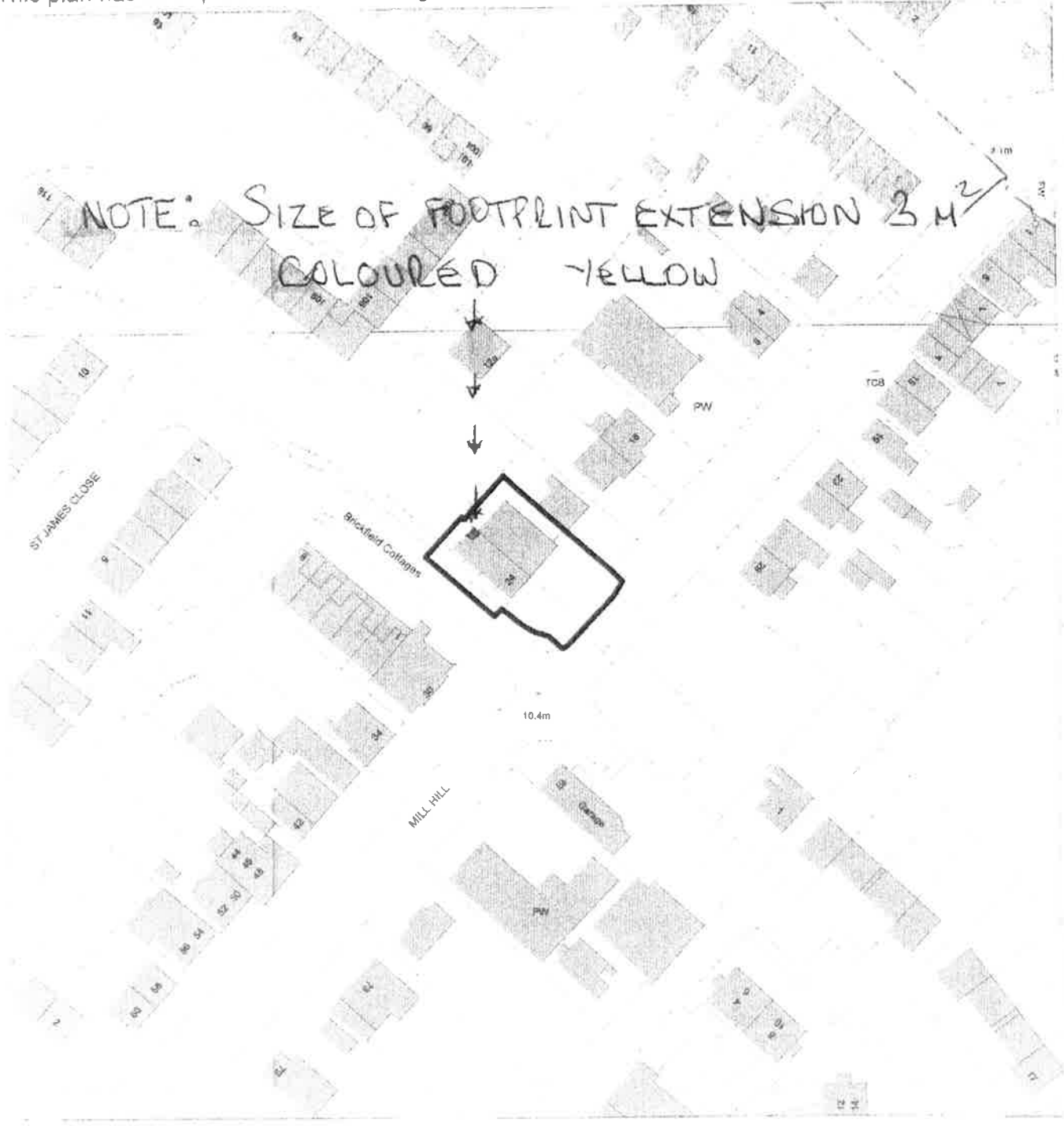
EXISTING



St James Close

PROPOSED

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Application: DOV/16/00838

24 & 24 A Mill Hill

Deal

CT14 9EN

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published 2016

TR36605145

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- a) **DOV/16/00838 - Conversion of existing building from two flats to two dwelling houses with a two-storey extension to 24 (existing extensions to be demolished) and erection of a first-floor conservatory to no. 22 - 22, 24 and 24A, Mill Hill, Deal**

Reason for report: level of public support.

- b) **Summary of Recommendation**

Planning permission should be refused

- c) **Planning Policy and Guidance**

Dover District Council Core Strategy

- Policy CP1 states the location and scale of development in the District must comply with the settlement Hierarchy. The Hierarchy should also be used by infrastructure providers to inform decisions about the provision of their services.
- Policy DM1 states that development will not be permitted outside the confines unless specifically justified by other plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

National Planning Policy Framework (NPPF) 2012

- Paragraph 7 sets out 3 dimensions to sustainable development – the economic, social and environmental role which should not be undertaken in isolation.
- Paragraph 14 states 'that at its heart there is a presumption in favour of sustainable development. Where the development plan is absent, silent or out of date this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole'.
- Paragraph 17 sets out the core planning principles... Planning should... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings... "take account of the different roles and character of different areas, promoting the viability of our main urban areas, protecting the Green Belts, around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it..."
- Paragraph 49 states 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites'.
- Paragraph 56 states 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.
- Paragraph 57 states 'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'.
- Paragraph 58 sets out amongst other things that comprehensive policies that set planning decisions should aim to ensure the development;
 1. Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of development.
 2. Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

3. Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as parts of developments) and support local facilities and transport networks.
 4. Respond well to local character and history, and reflect the identity of local surroundings and material, while not preventing or discouraging appropriate innovation.
 5. Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 6. Are visually attractive as a good result of good architecture and appropriate landscaping'.
- Paragraph 60, Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation. It is, however, proper to seek to promote or reinforce local distinctiveness".
 - Paragraph 61, Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
 - Paragraph 63 'states determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'.
 - Paragraph 64, 'permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions'.
 - Paragraph 111 states 'planning policies and decisions should encourage the effective use of land by re-using that has been previously development (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield site'.

Other Guidance/Relevant Matters
Kent Design Guidance.

d) Relevant Planning History

DOV/16/00327 – Conversion of existing building to two dwellings together with a two storey extension to 24 (existing extensions to be demolished) and erection of a first floor conservatory to no.22. – Withdrawn.

e) Consultee and Third Party Responses

Deal Town Council; Raises no objections.

Third Party Responses:

Local residents: 7 letter of support have been received and are summarised below;

- The properties need to be renovated;
- It would be a vast improvement, which will improve the area, especially in view of recent completion of nine new homes;
- The properties are run down and would benefit from improvement;
- Would improve the outlook from the house,
- Will greatly improve the entrance into St James Close.

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

1.1 The existing property is within a prominent location on the corner of Mill Hill and St James Close directly opposite Freemans Way. The application site comprises 24, 24a and 22 Mill Hill. 22 Mill Hill has a commercial use at ground floor level with living accommodation over; this property has dormers within the front and rear roof slopes and a balcony to the rear at first floor level and a two storey gable extension to the rear.

1.2 Number 24 and 24a has been subdivided into two horizontal flats and has a two storey gable extension and single storey extensions to the rear. There are a number of parking spaces to the front of the building.

1.3 The local area comprises mixed uses with a parade of shops to the west and further commercial premises to the east. On the opposite corner of the street is a prominent two storey building being used as a gym with a relatively new row of terraced dwellings directly to the rear of the gym. Directly to the rear of the site, are a row of 4 terraced houses with off street parking to the front of the properties.

Proposed Development

1.4 Planning permission is sought for the conversion of the existing building (24 and 24a) to 2 dwellings together with a two storey rear extension (existing extensions to be demolished). It is proposed to create 1x 2 bed and 1 x 3 bed dwellings within the extended building.

1.5 At first floor, alterations to no 22 would involve a first floor conservatory which would effectively infill the rear balcony area.

1.6 The existing grass verge area to the side of no 24/24a would be used to provide a garden area for the two dwellings. The applicant has stated 'it is not intended to add fencing along this line'. Parking for both dwellings, with a visitors parking space, (excluding the flat), would be on the existing off road parking area.

1.7 The materials would match those of the existing building.

2. Main Issues

2.1 The main issues in the consideration of this application are;

- Principle of the conversion of the existing building from two flats into two dwellinghouses.
- Design/Appearance and street scene.
- The impact on residential amenity
- Highway safety.

2.2 Assessment

Principle of Development

- 2.3 The site is located within the Deal settlement boundary and the use of the existing building is for residential purposes and therefore the principle of the development has been established and complies with the aims of policy DM1 of the Dover District Council subject to the detail of the proposal.

3. Design/Appearance and Street Scene

- 3.1 The building is within a prominent location on the corner of Mill Hill and St James Close and has a narrow grass verge, running alongside. Green spaces such as the grass verge in question provide visual quality to the street scene.
- 3.2 Paragraph 61 of the NPPF sets out that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. The existing building consists of a number of different extensions and an unattractive balcony to the rear of number 22 Mill Hill. The applicant is proposing to demolish the extensions to the rear of 24 and 24a. The balcony to the rear of number 22 Mill Hill is to be infilled and would be replaced with a glazed room described as a conservatory. The extensions and alterations would consolidate the building in design terms and it is considered in terms of visual appearance would visually enhance the existing building.
- 3.3 The applicant has shown the private amenity space to serve the 2 and 3 bed dwellinghouses, which abuts the back edge of the road. This space would normally provide enough space for occupants to sit out, dry washing and other domestic paraphernalia. This application now proposes to leave this area open and unenclosed. The application site is located within a prominent location within Mill Hill and is visible from public vantage points. By leaving the amenity space open, this would result in a harm to the street scene as the domestic paraphernalia such as bins, tables and chairs would be readily visible and would result in the loss the street scene amenity space. It should be noted however that if planning permission were granted, the future occupants would benefit from permitted development rights and could erect a wall or fence one metre high, unless these permitted developments rights were removed. ~~INCORRECT~~
- 3.4 In order to achieve sustainable development, the NPPF states that a good standard of amenity should be secured for all existing and future occupants of development. It also states that ways should be found to enhance and improve places where people live their lives. Development is expected to contribute to making places better for people, to achieve high quality public and private spaces to function well and add to the overall quality of an area. Any means of enclosure of the grass verge and the loss of the amenity space, which is considered to have value in the street scene, would likely to lead to harm, albeit limited – but none-the less, would not make the place better for people who live in the area. However, as the site is proposed to be left open, this would mean that the new occupants would have an amenity area. By not enclosing this area the space would not provide the future occupants of the dwellings with a private amenity space. This in itself is not considered to be acceptable in respect of their expectations for privacy. ~~INCORRECT~~

4. Impact on Residential Amenity

Overshadowing

4.1 Paragraph 17 of the National Planning Policy Framework states that development should 'always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and building'. Concerns were raised with the applicant over the proposed extension to the rear of 24/24a Mill Hill, potentially casting a shadow over the properties to the rear of the site. These properties to the rear in St James Close are within 2 metres of the proposed development. *SEE SHADOW MAPPING*

4.2 The applicant has submitted shadow maps. This demonstrates there would be some overshadowing of kitchen/living room windows to the new properties to the north west at limited times during the year and to the adjacent property 20 and number 22 (the application site) in September. The occupants of these properties would expect to enjoy a certain level of sunlight. The proposal is therefore considered to be in direct conflict with the aims and objectives of the NPPF and would result in harm to residential amenity. *AS ABOVE*

Close Proximity/Loss of Outlook

4.3 The properties to the rear of the site are within close proximity to the proposed development, as discussed above. The existing arrangement (to 22/24/24a) has a single storey element which provides an open aspect within the street scene and an outlook for the future occupants of the new terraced properties to the rear of the site. The proposed development would close this gap. The two storey element of the extension to the rear of 24/24a would be within 2m of the nearest living room windows to the houses to the rear. It is likely that this would result in a sense of enclosure and a loss of outlook, the effects of which would be cumulatively harmful to the living conditions enjoyed by the occupants of these properties, contrary to the aims and objectives set out in the National Planning Policy Framework.

Overlooking

4.4 Whilst the applicant has designed the proposed development to include an additional four windows within the south west flank elevation, given the orientation of the property in respect of the gym, directly opposite on the other side of the road, it is not considered that this would give rise to any additional overlooking.

4.5 Within the existing rear elevation of number 22 Mill Hill is an existing balcony. This is to be enclosed by a first floor extension (glazed wall and roof). This element would not create any additional overlooking over any private amenity space enjoyed by the future occupants of the properties within St James Close. In addition to this the flank elevation of the properties to the rear of 22, 24 and 24a Mill Hill are built within close proximity and therefore the proposed changes to the fenestration are considered acceptable in respect of the living conditions to be enjoyed by the occupants of these properties, as there would be no direct overlooking into their private amenity space.

Private amenity space

- 4.6 Paragraph 57 of the National Planning Policy Framework sets out that it is important to plan positively for the achievement of high quality and inclusive design for all the development, including individual buildings, public and private spaces and wider area development schemes'. A typical feature of dwellinghouses in this area is that they have private amenity space. Accordingly such an expectation prevails here. *MORE AMENITY SPACE THAN OPPOSITE*
- 4.7 Two and Three bedroomed dwelling houses (rather than 2 bedroomed flats) would normally be occupied by families who would expect a require level of private amenity space. *1 X 3 BED FLAT*
- 4.8 The proposed amenity space associated with the development is approximately 17 metres x 2.5 metres. This is considered to be inadequate to meet the needs of a single dwelling house let alone two, bearing in mind the likely occupants of the dwellings and their needs. The lack of private amenity space is considered to reduce the quality and the residential value of the development. The development in this respect is therefore considered to be in direct conflict with the aims and objectives of the NPPF. *NO'S 1-5 BRKILFIELD COTTAGES OPPOSITE HAVE LESS AMENITY SPACE SEE ABOVE*
Living conditions
- 4.9 Paragraph 56 of the National Planning Policy Framework states "The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The development is proposing 2 and 3 bedroomed houses.
- 4.10 The Government has published technical guidance (Technical Housing Standards – nationally described space standards March 2015), which set out standards for room sizes. Whilst DDC has not adopted this guidance it is a useful reference document as such.
- 4.11 The room sizes proposed do meet these standards. In view of this, the development is likely to provide suitable internal accommodation which would meet the needs of occupants.
5. Highway Safety
- 5.1 The existing parking arrangements will remain unchanged and therefore the proposal complies with the aims and objectives of the National Planning Policy Framework and policy DM13 of the Core Strategy.
6. Conclusion
- 6.1 In the absence of a five-year land supply of housing sites, the Councils policies relating to housing land supply are not considered to be up to date. However, that is not to say that the absence of a five year housing land supply should be conclusive in favour of a grant of planning permission, as there are other material factors to take into consideration here.
- 6.2 The National Planning policy Framework (paragraph 14) states that there should be a presumption in favour of sustainable development, meaning that, in the circumstances of this case, permission should be granted unless adverse impacts arising would demonstrably outweigh the benefits when assessed against the policies in the framework as a whole. In this instance whilst the

development would effectively result in an improvement in the appearance of the building and provide two new dwellinghouses, the living conditions of future occupants of the properties to the rear would be harmed through a loss of outlook and an unacceptable level of overlooking. Together with the insufficient private amenity space serving the future occupants of the proposed dwellings and the loss of street scene amenity space with domestic paraphernalia also likely to be readily visible from the street, it is considered that these matters amount to a level of harm sufficient to outweigh the benefits of the scheme. Overall it is considered that the adverse impacts of the development, due to the potential for harm would outweigh the benefits as a whole.

g) NO OVERLOOKING WILL PROVIDE FENCE IF REQUIRED
Recommendation

PERMISSION BE REFUSED for the following reasons:

- I. The proposed development if permitted, due to its close proximity with the properties directly to the rear of the site would result in an unacceptable level of overshadowing and loss of outlook to the living conditions that can be reasonably expected by the occupants of those properties contrary to the aims and objectives of paragraphs of 14, 17 and 56 in particular, of the National Planning Policy Framework.
- II. The proposed development would result in a loss of street scene amenity space and would not provide sufficient private amenity space for the occupants of the new dwellings, and would be harmful to the quality of the built environment and lead to a poor quality form of development contrary to the aims and objectives of paragraphs of 14, 17, 56, 57 and 58 in particular, of the National Planning Policy Framework.

Case Officer

Karen Evans

Peter Wallace

From: Easton Builders <eastonbuilders@btinternet.com>
Sent: 14 October 2016 13:17
To: 'Anthony Easton'
Subject: FW: Mill Hill Deal DDC Council Report of Committee DOV/16/00838
Attachments: 20161013_102026.pdf

From: Easton Builders [<mailto:eastonbuilders@btinternet.com>]
Sent: 13 October 2016 10:32
To: Red House Design, Nigel <enquiries@redhousedes.co.uk>
Subject: Mill Hill Deal DDC Council Report of Committee DOV/16/00838

Hi Nige, please find enclosed, self-evident. Have highlighted relevant points as I see them but some statements are incorrect as we were asked to take out boundary fence as the planner wanted an open view, perhaps you could find this instruction also Dave stated that Shadowing was not a reason for refusal after your submitted drawings, again message please, other points I have written. Perhaps once you have the time you could read and let me know your thoughts. I am merely trying here to modernise tenants housing, you would think I am committing a crime. Best regards Tony

- a) **DOV/16/00838 - Conversion of existing building from two flats to two dwelling houses with a two-storey extension to 24 (existing extensions to be demolished) and erection of a first-floor conservatory to no. 22 - 22, 24 and 24A, Mill Hill, Deal**

Reason for report: level of public support.

- b) **Summary of Recommendation**

Planning permission should be refused

- c) **Planning Policy and Guidance**

Dover District Council Core Strategy

- Policy CP1 states the location and scale of development in the District must comply with the settlement Hierarchy. The Hierarchy should also be used by infrastructure providers to inform decisions about the provision of their services.
- Policy DM1 states that development will not be permitted outside the confines unless specifically justified by other plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

National Planning Policy Framework (NPPF) 2012

- Paragraph 7 sets out 3 dimensions to sustainable development – the economic, social and environmental role which should not be undertaken in isolation.
- Paragraph 14 states ‘that at its heart there is a presumption in favour of sustainable development. Where the development plan is absent, silent or out of date this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole’.
- Paragraph 17 sets out the core planning principles... Planning should... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings...“take account of the different roles and character of different areas, promoting the viability of our main urban areas, protecting the Green Belts, around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it....”
- Paragraph 49 states ‘housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites’.
- Paragraph 56 states ‘the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’.
- Paragraph 57 states ‘It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes’.
- Paragraph 58 sets out amongst other things that comprehensive policies that set planning decisions should aim to ensure the development;
 1. Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of development.
 2. Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

3. Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as parts of developments) and support local facilities and transport networks.
 4. Respond well to local character and history, and reflect the identity of local surroundings and material, while not preventing or discouraging appropriate innovation.
 5. Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 6. Are visually attractive as a good result of good architecture and appropriate landscaping’.
- Paragraph 60, Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation. It is, however, proper to seek to promote or reinforce local distinctiveness".
 - Paragraph 61, Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
 - Paragraph 63 ‘states determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area’.
 - Paragraph 64, ‘permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions’.
 - Paragraph 111 states ‘planning policies and decisions should encourage the effective use of land by re-using that has been previously development (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield site’.

Other Guidance/Relevant Matters

Kent Design Guidance.

d) **Relevant Planning History**

DOV/16/00327 – Conversion of existing building to two dwellings together with a two storey extension to 24 (existing extensions to be demolished) and erection of a first floor conservatory to no.22. – Withdrawn.

e) **Consultee and Third Party Responses**

Deal Town Council; Raises no objections.

Third Party Responses:

Local residents; 7 letter of support have been received and are summarised below;

- The properties need to be renovated;
- It would be a vast improvement, which will improve the area, especially in view of recent completion of nine new homes;
- The properties are run down and would benefit from improvement;
- Would improve the outlook from the house;
- Will greatly improve the entrance into St James Close.

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

- 1.1 The existing property is within a prominent location on the corner of Mill Hill and St James Close directly opposite Freemans Way. The application site comprises 24, 24a and 22 Mill Hill. 22 Mill Hill has a commercial use at ground floor level with living accommodation over; this property has dormers within the front and rear roof slopes and a balcony to the rear at first floor level and a two storey gable extension to the rear.
- 1.2 Number 24 and 24a has been subdivided into two horizontal flats and has a two storey gable extension and single storey extensions to the rear. There are a number of parking spaces to the front of the building.
- 1.3 The local area comprises mixed uses with a parade of shops to the west and further commercial premises to the east. On the opposite corner of the street is a prominent two storey building being used as a gym with a relatively new row of terraced dwellings directly to the rear of the gym. Directly to the rear of the site, are a row of 4 terraced houses with off street parking to the front of the properties.

Proposed Development

- 1.4 Planning permission is sought for the conversion of the existing building (24 and 24a) to 2 dwellings together with a two storey rear extension (existing extensions to be demolished). It is proposed to create 1x 2 bed and 1 x 3 bed dwellings within the extended building.
- 1.5 At first floor, alterations to no 22 would involve a first floor conservatory which would effectively infill the rear balcony area.
- 1.6 The existing grass verge area to the side of no 24/24a would be used to provide a garden area for the two dwellings. The applicant has stated 'it is not intended to add fencing along this line'. Parking for both dwellings, with a visitors parking space, (excluding the flat), would be on the existing off road parking area.
- 1.7 The materials would match those of the existing building.

2. Main Issues

- 2.1 The main issues in the consideration of this application are;
- Principle of the conversion of the existing building from two flats into two dwellinghouses.
 - Design/Appearance and street scene.
 - The impact on residential amenity
 - Highway safety.

2.2 Assessment

Principle of Development

2.3 The site is located within the Deal settlement boundary and the use of the existing building is for residential purposes and therefore the principle of the development has been established and complies with the aims of policy DM1 of the Dover District Council subject to the detail of the proposal.

3. Design/Appearance and Street Scene

3.1 The building is within a prominent location on the corner of Mill Hill and St James Close and has a narrow grass verge, running alongside. Green spaces such as the grass verge in question provide visual quality to the street scene.

3.2 Paragraph 61 of the NPPF sets out that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. The existing building consists of a number of different extensions and an unattractive balcony to the rear of number 22 Mill Hill. The applicant is proposing to demolish the extensions to the rear of 24 and 24a. The balcony to the rear of number 22 Mill Hill is to be infilled and would be replaced with a glazed room described as a conservatory. The extensions and alterations would consolidate the building in design terms and it is considered in terms of visual appearance would visually enhance the existing building.

3.3 The applicant has shown the private amenity space to serve the 2 and 3 bed dwellinghouses, which abuts the back edge of the road. This space would normally provide enough space for occupants to sit out, dry washing and other domestic paraphernalia. This application now proposes to leave this area open and unenclosed. The application site is located within a prominent location within Mill Hill and is visible from public vantage points. By leaving the amenity space open, this would result in a harm to the street scene as the domestic paraphernalia such as bins, tables and chairs would be readily visible and would result in the loss the street scene amenity space. It should be noted however that if planning permission were granted, the future occupants would benefit from permitted development rights and could erect a wall or fence one metre high, unless these permitted developments rights were removed.

3.4 In order to achieve sustainable development, the NPPF states that a good standard of amenity should be secured for all existing and future occupants of development. It also states that ways should be found to enhance and improve places where people live their lives. Development is expected to contribute to making places better for people, to achieve high quality public and private spaces to function well and add to the overall quality of an area. Any means of enclosure of the grass verge and the loss of the amenity space, which is considered to have value in the street scene, would likely to lead to harm, albeit limited – but none-the less, would not make the place better for people who live in the area. However, as the site is proposed to be left open, this would mean that the new occupants would have an amenity area. By not enclosing this area the space would not provide the future occupants of the dwellings with a private amenity space. This in itself is not considered to be acceptable in respect of their expectations for privacy.

4. Impact on Residential Amenity

Overshadowing

- 4.1 Paragraph 17 of the National Planning Policy Framework states that development should 'always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and building'. Concerns were raised with the applicant over the proposed extension to the rear of 24/24a Mill Hill, potentially casting a shadow over the properties to the rear of the site. These properties to the rear in St James Close are within 2 metres of the proposed development.
- 4.2 The applicant has submitted shadow maps. This demonstrates there would be some overshadowing of kitchen/living room windows to the new properties to the north west at limited times during the year and to the adjacent property 20 and number 22 (the application site) in September. The occupants of these properties would expect to enjoy a certain level of sunlight. The proposal is therefore considered to be in direct conflict with the aims and objectives of the NPPF and would result in harm to residential amenity.

Close Proximity/Loss of Outlook

- 4.3 The properties to the rear of the site are within close proximity to the proposed development, as discussed above. The existing arrangement (to 22/24/24a) has a single storey element which provides an open aspect within the street scene and an outlook for the future occupants of the new terraced properties to the rear of the site. The proposed development would close this gap. The two storey element of the extension to the rear of 24/24a would be within 2m of the nearest living room windows to the houses to the rear. It is likely that this would result in a sense of enclosure and a loss of outlook, the effects of which would be cumulatively harmful to the living conditions enjoyed by the occupants of these properties, contrary to the aims and objectives set out in the National Planning Policy Framework.

Overlooking

- 4.4 Whilst the applicant has designed the proposed development to include an additional four windows within the south west flank elevation, given the orientation of the property in respect of the gym, directly opposite on the other side of the road, it is not considered that this would give rise to any additional overlooking.
- 4.5 Within the existing rear elevation of number 22 Mill Hill is an existing balcony. This is to be enclosed by a first floor extension (glazed wall and roof). This element would not create any additional overlooking over any private amenity space enjoyed by the future occupants of the properties within St James Close. In addition to this the flank elevation of the properties to the rear of 22, 24 and 24a Mill Hill are built within close proximity and therefore the proposed changes to the fenestration are considered acceptable in respect of the living conditions to be enjoyed by the occupants of these properties, as there would be no direct overlooking into their private amenity space.

Private amenity space

- 4.6 Paragraph 57 of the National Planning Policy Framework sets out that it is important to plan positively for the achievement of high quality and inclusive design for all the development, including individual buildings, public and private spaces and wider area development schemes'. A typical feature of dwellinghouses in this area is that they have private amenity space. Accordingly such an expectation prevails here.
- 4.7 Two and Three bedroomed dwelling houses (rather than 2 bedroomed flats) would normally be occupied by families who would expect a require level of private amenity space.
- 4.8 The proposed amenity space associated with the development is approximately 17 metres x 2.5 metres. This is considered to be inadequate to meet the needs of asingle dwelling house let alone two, bearing in mind the likely occupants of the dwellings and their needs. The lack of private amenity space is considered to reduce the quality and the residential value of the development. The development in this respect is therefore considered to be in direct conflict with the aims and objectives of the NPPF.

Living conditions

- 4.9 Paragraph 56 of the National Planning Policy Framework states "The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The development is proposing 2 and 3 bedroomed houses.
- 4.10The Government has published technical guidance (Technical Housing Standards – nationally described space standards March 2015), which set out standards for room sizes. Whilst DDC has not adopted this guidance it is a useful reference document as such.
- 4.11The room sizes proposed do meet these standards. In view of this, the development is likely to provide suitable internal accommodation which would meet the needs of occupants.

5. Highway Safety

- 5.1 The existing parking arrangements will remain unchanged and therefore the proposal complies with the aims and objectives of the National Planning Policy Framework and policy DM13 of the Core Strategy.

6. Conclusion

- 6.1 In the absence of a five-year land supply of housing sites, the Councils policies relating to housing land supply are not considered to be up to date. However, that is not to say that the absence of a five year housing land supply should be conclusive in favour of a grant of planning permission, as there are other material factors to take into consideration here.
- 6.2 The National Planning policy Framework (paragraph 14) states that there should be a presumption in favour of sustainable development, meaning that, in the circumstances of this case, permission should be granted unless adverse impacts arising would demonstrably outweigh the benefits, when assessed against the policies in the framework as a whole. In this instance whilst the

development would effectively result in an improvement in the appearance of the building and provide two new dwellinghouses, the living conditions of future occupants of the properties to the rear would be harmed through a loss of outlook and an unacceptable level of overlooking. Together with the insufficient private amenity space serving the future occupants of the proposed dwellings and the loss of street scene amenity space with domestic paraphernalia also likely to be readily visible from the street, it is considered that these matters amount to a level of harm sufficient to outweigh the benefits of the scheme. Overall it is considered that the adverse impacts of the development, due to the potential for harm would outweigh the benefits as a whole.

g) Recommendation

PERMISSION BE REFUSED for the following reasons:

- I. The proposed development if permitted, due to its close proximity with the properties directly to the rear of the site would result in an unacceptable level of overshadowing and loss of outlook to the living conditions that can be reasonably expected by the occupants of those properties contrary to the aims and objectives of paragraphs of 14, 17 and 56 in particular, of the National Planning Policy Framework.
- II. The proposed development would result in a loss of street scene amenity space and would not provide sufficient private amenity space for the occupants of the new dwellings, and would be harmful to the quality of the built environment and lead to a poor quality form of development contrary to the aims and objectives of paragraphs of 14, 17, 56, 57 and 58 in particular, of the National Planning Policy Framework.

Case Officer

Karen Evans

| | |
|--------------------------|---|
| Subject: | FEES AND CHARGES 2017/18 |
| Meeting and Date: | Planning Committee (for information) – 24 November 2016 Cabinet – 9 January 2017 (part of larger report) |
| Report of: | Nadeem Aziz, Chief Executive |
| Portfolio Holder: | Councillor Nicholas Kenton, Portfolio Holder for Environment, Waste and Planning |
| Decision Type: | Key |
| Classification: | Unrestricted |

Purpose of the report: This report has been prepared in order to bring the levels of fees and charges (F&Cs) for the financial year 2017/18 to Members attention. These revised F&Cs will be included in the budget estimates for 2017/18.

Recommendation: Planning Committee

That Members note the Council's fees and charges set out in Appendices 5.1 and 5.3 and note the national planning fees set out in Appendix 5.2

Cabinet

That Members approve the Council's fees and charges set out in Appendices 5.1 and 5.3 and note the national planning fees set out in Appendix 5.2

Minor adjustments to the local fees and charges to be delegated to the Head of Regeneration and Development in consultation with the Director of Finance, Housing and Community.

1. Summary

The constitution specifies that the Council's F&Cs shall be reviewed annually. In order to meet this requirement all Directors have been asked to review the F&Cs within their areas of responsibility and to produce recommended levels for 2017/18. The fees and charges for planning are included in Appendices 5.1 and 5.3 for members to note. Members will also note the national fees for planning included in Appendix 5.2. These were introduced in November 2012 and include a 15% increase on fees prior to this date.

2. Introduction and Background

2.1 The Council's constitution specifies that F&Cs shall be reviewed annually.

2.2 The level of Member approval required is dependent upon the types of F&Cs raised and therefore reports have to be submitted to:

- Licensing Committee
- Regulatory Committee
- Planning Committee
- Cabinet

- 2.3 In order to meet this requirement the following reports are produced for setting the Planning fees:
- Planning Committee – Report to the meeting on 24 November 2016 of all F&Cs relevant to the Planning Committee.
 - Cabinet – Report to the meeting on 9 January 2017 of all F&Cs, but seeking specific approval of those F&Cs set by Cabinet.
- 2.4 Members are reminded that a framework of broad guidelines to be considered in formulating proposals for F&Cs is in place. This includes a checklist which has been circulated to all Service Directors and to all officers considering F&Cs so that a rigorous and consistent approach is taken. A copy is attached at Appendix 1.
- 2.5 As in previous years, in order to assist Members, the data on F&Cs has been tabulated into a standard format that has been used for Appendix 5.1

Detail and Narrative

These give a brief summary of the type of service being provided.

Set by Government

This indicates whether a charge is statutory or not. If a charge is statutory then it is effectively set by Government and although formal Member approval is still sought, there is little or no scope to make changes.

2016/17 Charge Inc VAT

The charge has been provided inclusive of VAT for two reasons. First, it shows what the customer will actually pay and is therefore more meaningful.

Second, charges for some services, especially those such as car parking, which are not simply a direct recovery of costs, are set at a level, inclusive of VAT, based on the appropriate market level. The VAT is therefore a deduction from the amount of charge retained by DDC and is not a key factor in determining the appropriate charge. Members are asked to approve this approach.

2017/18 Proposed Charge Inc VAT

This is the recommended charge for 2017/18 and will, subject to Members' approval, be included in the 2017/18 budget.

2017/18 Total Expected Income ex VAT

This gives a broad indication as to how much income DDC is expected to receive and has been included to provide Members with a sense of the relative importance of individual charges or group of similar charges. The more significant income streams (generating over £3k) have been highlighted in **bold** type.

In some cases, the level of use is very low, or infrequent, or the service has only recently been introduced and so no level of income has been included.

Comments (inc Reason for the Change in Charges)

This provides Members with a brief explanation for the change. This will often be due to inflation or “catch up” inflation if the increase has been previously deferred until it can be made to a sensible rounded figure.

In some instances guidance is still awaited from Government as to the basis upon which F&Cs should be set. In these cases it has not always been possible to set a fee level, Member’s approval is sought to enable officers to adopt such fees at or close to government directed levels without a further report.

3. Basis for Setting of Fees

3.1 Members should take into account the following matters referred when noting the fees and charges included in Appendices 5.1-5.3:

- The statutory basis for levying the charges.
- All relevant legal requirements and government guidance.
- The cost of providing the service.
- The need to maximise income at a time of grant cuts and council tax capping so as to ensure that in so far as possible, and taken year on year, the fees and charges are sufficient to meet the costs of providing the services.
- Comparable charges at neighbouring authorities.
- What the market can bear.
- The matters referred to in the checklist of issues to consider (at Appendix 1)

4. Resource Implications

See Appendices.

5. Corporate Implications

5.1 Comment from the Director of Finance, Housing and Community (linked to the MTFP): Finance have been involved in the production of this report and have no further comment to make (VB).

5.2 Comment from the Solicitor to the Council: The Head of Legal Services has been consulted during the preparation of this report and has no further comment to make.

5.3 Comment from the Equalities Officer: The report does not specifically highlight any equalities implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

6. Appendices

- 6.1 Appendix 1 – Fees and Charges checklist
Appendix 5.1 – Schedule of recommended F&Cs
Appendix 5.2 - A Guide to National Fees for Planning Applications in England
Appendix 5.3 – Pre-application Planning Fees

Contact Officer: Mike Ebbs, Head of Regeneration and Development

Fees and Charges Checklist

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|---|
| <p>Corporate and Service Objectives Are links made between charges and our corporate and service objectives and are we able to use charges to help deliver these objectives?</p> |
| <p>Users of the Service Is there sufficient understanding of our service users and their needs and wishes? Have we considered different pricing to specific target groups and has the potential impact of charges or the changes to existing charges been assessed? Ensure that you consider the potential diversity and equality issues and where necessary consider and document any issues and mitigation.</p> |
| <p>Comparison with other providers Is there a complete picture of competition and providers of similar services – including other Local Authorities?</p> |
| <p>Consultation Has the relevant Portfolio holder been consulted and do charges meet with their aspirations and requirements? Is wider community consultation appropriate for any of your charges? Has it been undertaken?</p> |
| <p>Performance Management Are the principles for charges clearly defined and are clear targets set and monitored. Do we have a clear picture of what is a success?</p> |
| <p>Financial Considerations Is the charge at a level to fully recover all costs or if is subsidised - why? Have we considered all services for which we can / should charge a fee? Are there any fees that we charge, that have not been included in the schedule? Are we being radical in our approach to charging and are our charges cost effective?</p> |
| <p>Corporate Income Policy Please ensure you adhere to the main principals of the Corporate Income Policy when setting your fees and charges.</p> |
| <p>Legal Considerations and Other Guidance Does the Council have the power to levy the charges. Is there any ministerial or other guidance that should be taken into account?</p> |
| <p>Customer Access Review Consider whether the CAR for your service includes any issues for specific fees.</p> |

Fees and Charges 2017/18

| | | | | 2016/17 | 2017/18 | 2017/18 | | |
|---|---------|--|------------------------|--------------------------|--------------------------|------------------------------|--------------|--|
| | Detail | Narrative | Set by Government? Y/N | Approved Charges inc VAT | Proposed Charges inc VAT | Total Expected Income ex VAT | Fee % change | Reasons for Change in Charges and/or income |
| Planning - N. Aziz - M. Ebbs - Cllr Kenton | | | | | | | | |
| 1 | General | Section 52 Agreements, Section 106 Agreements, Tree Preservation Orders and Article 4 Directions and Enforcement Notices | Y | £5.00 | £5.00 | £750.00 | | |
| 2 | General | Plans submitted with planning applications or accompanying other planning documents and other miscellaneous photocopying | N | £0.10 | £0.10 | | A4 | |
| 3 | General | Plans submitted with planning applications or accompanying other planning documents and other miscellaneous photocopying | N | £0.20 | £0.20 | | A3 | |
| 4 | General | Plans submitted with planning applications or accompanying other planning documents and other miscellaneous photocopying | N | £5.00 | £5.00 | | Over A3 | |
| 5 | General | Research on Planning Histories, Permitted Development Rights and Use classes | N | £35.00 | £35.00 | | Per request | |
| 6 | General | Planning Application Fees (see Appendix 5.2 - A Guide to the Fees for Planning Applications in England) | Y | | | £600,000 | 9% | Increase projected based on i) the current fees received to date this financial year and ii) possible fee increases proposed by the Govt |
| 7 | General | Pre-application advice (see Appendix 5.3) | N | | | £55,000 | 0% | |

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Fees and Charges 2017/18

| | | | | 2016/17 | 2017/18 | 2017/18 | | |
|---|---------|--|------------------------|--------------------------|--------------------------|------------------------------|--------------|---|
| | Detail | Narrative | Set by Government? Y/N | Approved Charges inc VAT | Proposed Charges inc VAT | Total Expected Income ex VAT | Fee % change | Reasons for Change in Charges and/or income |
| Planning - N. Aziz - M. Ebbs - Cllr Kenton | | | | | | | | |
| 8 | General | Details pursuant to conditions | Y | | | £15,000 | 0% | |
| 9 | General | Details pursuant to conditions | Y | | | | 0% | |
| 10 | General | Advice on compliance of conditions information | Y | | | | 0% | |
| 11 | General | Advice on compliance of conditions information | Y | | | | 0% | |

A Guide to the Fees for Planning Applications in England

These fees apply from 15 April 2015 onwards.

This document is based upon '[The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) Regulations 2012](#)'

The fee should be paid at the time the application is submitted. If you are unsure of the fee applicable, please [contact your Local Planning Authority](#).

| All Outline Applications | | |
|---|----------------------------|-------------------------------|
| £385 per 0.1 hectare for sites up to and including 2.5 hectares | Not more than 2.5 hectares | £385 per 0.1 hectare |
| £9,527 + £115 for each 0.1 in excess of 2.5 hectares to a maximum of £125,000 | More than 2.5 hectares | £9,527 + £115 per 0.1 hectare |

| Householder Applications | | |
|--|-----------------|------|
| Alterations/extensions to a single dwelling , including works within boundary | Single dwelling | £172 |

| Full Applications (and First Submissions of Reserved Matters) | | |
|---|--|--|
| Alterations/extensions to two or more dwellings , including works within boundaries | Two or more dwellings (or two or more flats) | £339 |
| New dwellings (up to and including 50) | New dwellings (not more than 50) | £385 per dwelling |
| New dwellings (for <i>more</i> than 50) £19,049 + £115 per additional dwelling in excess of 50 up to a maximum fee of £250,000 | New dwellings (more than 50) | £19,049 + £115 per additional dwelling |

Continued on next page...

| Full Applications (and First Submissions of Reserved Matters) continued... | | |
|---|--|---|
| Erection of buildings (not dwellings, agricultural, glasshouses, plant nor machinery): | | |
| Gross floor space to be created by the development | No increase in gross floor space or no more than 40 sq m | £195 |
| Gross floor space to be created by the development | More than 40 sq m but no more than 75 sq m | £385 |
| Gross floor space to be created by the development | More than 75 sq m but no more than 3,750 sq m | £385 for each 75sq m or part thereof |
| Gross floor space to be created by the development | More than 3,750 sq m | £19,049 + £115 for each additional 75 sq m in excess of 3750 sq m to a maximum of £250,000 |
| The erection of buildings (on land used for agriculture for agricultural purposes) | | |
| Gross floor space to be created by the development | Not more than 465 sq m | £80 |
| Gross floor space to be created by the development | More than 465 sq m but not more than 540 sq m | £385 |
| Gross floor space to be created by the development | More than 540 sq m but not more than 4,215 sq m | £385 for first 540 sq m + £385 for each 75 sq m (or part thereof) in excess of 540 sq m |
| Gross floor space to be created by the development | More than 4,215 sq m | £19,049 + £115 for each 75 sq m (or part thereof) in excess of 4,215 sq m up to a maximum of £250,000 |

Continued on next page...

| | | |
|---|--------------------------|---|
| Full Applications (and First Submissions of Reserved Matters) continued... | | |
| Erection of glasshouses (on land used for the purposes of agriculture) | | |
| Gross floor space to be created by the development | Not more than 465 sq m | £80 |
| Gross floor space to be created by the development | More than 465 sq m | £2,150 |
| Erection/alterations/replacement of plant and machinery | | |
| Site area | Not more than 5 hectares | £385 for each 0.1 hectare (or part thereof) |
| Site area | More than 5 hectares | £19,049 + additional £115 for each 0.1 hectare (or part thereof) in excess of 5 hectares to a maximum of £250,000 |

| | | |
|---|----------------------------|--|
| Applications other than Building Works | | |
| Car parks, service roads or other accesses | For existing uses | £195 |
| Waste (Use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals) | | |
| Site area | Not more than 15 hectares | £195 for each 0.1 hectare (or part thereof) |
| Site area | More than 15 hectares | £29,112 + £115 for each 0.1 hectare (or part thereof) in excess of 15 hectares up to a maximum of £65,000 |
| Operations connected with exploratory drilling for oil or natural gas | | |
| Site area | Not more than 7.5 hectares | £423 for each 0.1 hectare (or part thereof) |
| Site area | More than 7.5 hectares | £31,725 + additional £126 for each 0.1 hectare (or part thereof) in excess of 7.5 hectares up to a maximum of £250,000 |

Continued on next page...

| Operations (other than exploratory drilling) for the winning and working of oil or natural gas | | |
|---|---------------------------|---|
| Site area | Not more than 15 hectares | £214 for each 0.1 hectare (or part thereof) |
| Site area | More than 15 hectares | £32,100 + additional £126 for each 0.1 in excess of 15 hectare up to a maximum of £65,000 |
| Other operations (winning and working of minerals) excluding oil and natural gas | | |
| Site area | Not more than 15 hectares | £195 for each 0.1 hectare (or part thereof) |
| Site area | More than 15 hectares | £29,112 + additional £115 for each 0.1 in excess of 15 hectare up to a maximum of £65,000 |
| Other operations (not coming within any of the above categories) | | |
| Site area | Any site area | £195 for each 0.1 hectare (or part thereof) up to a maximum of £1,690 |

| Lawful Development Certificate | |
|---|-------------------------------|
| Existing use or operation | Same as Full |
| Existing use or operation - lawful not to comply with any condition or limitation | £195 |
| Proposed use or operation | Half the normal planning fee. |

Continued on next page...

| Prior Approval | |
|--|------|
| Agricultural and Forestry buildings & operations or demolition of buildings | £80 |
| Telecommunications Code Systems Operators | £385 |
| Proposed Change of Use to State Funded School or Registered Nursery | £80 |
| Proposed Change of Use of Agricultural Building to a State-Funded School or Registered Nursery | £80 |
| Proposed Change of Use of Agricultural Building to a flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hotels, or Assembly or Leisure | £80 |
| Proposed Change of Use of a building from Office (Use Class B1) Use to a use falling within Use Class C3 (Dwellinghouse) | £80 |
| Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3), where there are no Associated Building Operations | £80 |
| Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3), and Associated Building Operations | £172 |
| Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), where there are <u>no</u> Associated Building Operations | £80 |
| Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), and Associated Building Operations | £172 |
| Notification for Prior Approval for a Change Of Use from Storage or Distribution Buildings (Class B8) and any land within its curtilage to Dwellinghouses (Class C3) | £80 |
| Notification for Prior Approval for a Change of Use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwellinghouses (Class C3) | £80 |
| Notification for Prior Approval for a Change of Use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwellinghouses (Class C3), and Associated Building Operations | £172 |

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| | |
|---|------|
| Prior Approval continued... | |
| Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurants and Cafés (Class A3) | £80 |
| Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurants and Cafés (Class A3), and Associated Building Operations | £172 |
| Notification for Prior Approval for a Change of Use from Shops (Class A1) and Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops (Sui Generis Uses) to Assembly and Leisure Uses (Class D2) | £80 |

| | |
|---|--|
| Reserved Matters | |
| Application for approval of reserved matters following outline approval | Full fee due or if full fee already paid then £385 due |

| | |
|--|---|
| Approval/Variation/discharge of condition | |
| Application for removal or variation of a condition following grant of planning permission | £195 |
| Request for confirmation that one or more planning conditions have been complied with | £28 per request for Householder otherwise £97 per request |

| | | |
|--|----------------------------|---|
| Change of Use of a building to use as one or more separate dwellinghouses, or other cases | | |
| Number of dwellings | Not more than 50 dwellings | £385 for each |
| Number of dwellings | More than 50 dwellings | £19,049 + £115 for each in excess of 50 up to a maximum of £250,000 |
| Other Changes of Use of a building or land | | £385 |

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| Advertising | |
|--|------|
| Relating to the business on the premises | £110 |
| Advance signs which are not situated on or visible from the site, directing the public to a business | £110 |
| Other advertisements | £385 |

| Application for a New Planning Permission to replace an Extant Planning Permission | |
|---|------|
| Applications in respect of major developments | £575 |
| Applications in respect of householder developments | £57 |
| Applications in respect of other developments | £195 |

| Application for a Non-material Amendment Following a Grant of Planning Permission | |
|--|------|
| Applications in respect of householder developments | £28 |
| Applications in respect of other developments | £195 |

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| CONCESSIONS |
| EXEMPTIONS FROM PAYMENT |
| For alterations, extensions, etc. to a dwelling house for the benefit of a registered disabled person |
| An application solely for the carrying out of the operations for the purpose of providing a means of access for disabled persons to or within a building or premises to which members of the public are admitted |
| Listed Building Consent |
| Planning permission for relevant demolition in a Conservation Area |
| Works to Trees covered by a Tree Preservation Order or in a Conservation Area Hedgerow Removal |
| If the proposal is the first revision of an application for development of the same character or description on the same site by the same applicant within 12 months of making the earlier application if withdrawn or the date of decision if granted or refused (including signs only if withdrawn or refused) and NOT a duplicate application made by the same applicant within 28 days |
| If the proposal relates to works that require planning permission only by virtue of an Article 4 Direction of the Town & Country Planning (General Permitted Development) Order 1995. I.e. where the application is required only because of a direction or planning condition removing permitted development rights. |
| If the application is for a lawful development certificate, for existing use, where an application for planning permission for the same development would be exempt from the need to pay a planning fee under any other planning fee regulation |
| If the application is for consent to display an advertisement following either a withdrawal of an earlier application (before notice of decision was issued) or where the application is made following refusal of consent for display of an advertisement, and where the application is made by or on behalf of the same person |
| If the application is for consent to display an advertisement which results from a direction under Regulation 7 of the 2007 Regulations, dis-applying deemed consent under Regulation 6 to the advertisement in question |
| If the application is for alternate proposals for the same site by the same applicant, in order to benefit from the permitted development right in Schedule 2 Part 3 Class E of the Town and Country Planning (General Permitted Development) Order 1995 |
| If the application relates to a condition or conditions on an application for Listed Building Consent or planning permission for relevant demolition in a Conservation Area |
| If the application is for a Certificate of Lawfulness of Proposed Works to a listed building |
| Prior Approval for a Proposed Larger Home Extension |

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| CONCESSIONS continued... |
| EXEMPTIONS FROM PAYMENTS continued... |
| Notification for Prior Approval for a Development Consisting of the Erection or Construction of a Collection Facility within the Curtilage of a Shop |
| Notification for Prior Approval for the Temporary Use of Buildings or Land for the Purpose of Commercial Film-Making and the Associated Temporary Structures, Works, Plant or Machinery required in Connection with that Use |
| Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt |

| |
|---|
| CONCESSIONS |
| REDUCTIONS TO PAYMENTS |
| If the application is being made on behalf of a non-profit making sports club for works for playing fields not involving buildings then the fee is £385 |
| If the application is being made on behalf of a parish or community council then the fee is 50% |
| If the application is an alternative proposal being submitted on the same site by the same applicant on the same day, where this application is of lesser cost then the fee is 50% |
| In respect of reserved matters you must pay a sum equal to or greater than what would be payable at current rates for approval of all the reserved matters. If this amount has already been paid then the fee is £385 |
| If the application is for a Lawful Development Certificate for a Proposed use or development, then the fee is 50% |
| If two or more applications are submitted for different proposals on the same day and relating to the same site then you must pay the fee for the highest fee plus half sum of the others |
| Where an application relates to development which is within more than one fee category, the correct fee is simply the highest of the fees payable (if not including residential) |
| Where an application consists of the erection of dwellings and the erection of other types of buildings (categories 1-4) the fees are added together and maximum can be exceeded |
| Where an application crosses one or more local or district planning authorities then the fee is 150% and goes to the authority that contains the larger part of the application site or a sum of the fees if it is less than 150% |

ENDS

Pre-application Advice

Why Seek Advice?

Whether you are a developer of a large scheme or a householder wishing to improve your home, it is advisable to seek advice before submitting your planning application. We can let you know whether your proposals are supported by planning policy and whether there are any issues that may prevent you from obtaining planning permission.

Basic administrative advice on the planning process is available by visiting a local office or over the telephone and our website contains a wealth of information on planning matters. All of this is available free of charge.

If you would prefer a specific review of your proposals and detailed guidance on the application process, we would recommend you obtain formal pre-application advice. This is a charged-for service and is available to meet any scheme.

We are happy to provide advice at any time, whether it is just a discussion on some initial ideas or a review of more detailed plans. You can use the service just once or it is often beneficial to obtain advice throughout the evolution of your scheme.

There are considerable benefits in seeking our advice such as

- It gives you an opportunity to understand how our policies will be applied to your development
- It can identify at an early stage where there is a need for specialist input, for example about listed buildings, trees, landscape, noise, transport, contaminated land, ecology or archaeology
- It will assist you in preparing proposals for formal submission which, providing you have taken our advice fully into account, will be handled more smoothly
- It may lead to a reduction in time spent by your professional advisors in working up proposals
- If a proposal is unlikely to be acceptable we can advise you in advance to enable you to suggest amendments or consider alternative proposals

Our charges

All householder enquiries, small scale developments of up to 5 dwellings, general advice on land-use and small commercial developments of up to 500sq metres of commercial space.

We charge £60 per hour with a minimum charge of 1 hour and then at £30 per 30 minutes or part thereof. This includes travel time to site visits if required. The Officer allocated to deal with your pre-application enquiry will be dependant on the nature and scale of the proposals and resources available.

The Planning Officer will advise you at the outset of the estimated cost and will not exceed this without your agreement. Advice will only be provided once the fee, in line with the estimation, has been received.

You can minimise costs by providing as much information about your scheme as possible in advance, but there is no requirement to do this.

Listed Buildings

Proposals which involve Listed Buildings, or affect their setting, will have a minimum charge of £180 to enable specialist advice to be obtained. This charge will be higher if the proposal also requires the involvement of a Planning Officer.

All other applications

Fee

- £500 or 1.5% of the appropriate fee under the Application Fees Regulations, whichever is the greater, for up to an hour long meeting and written response
- If the Planning Officer recommends further time is spent on your proposal we will provide you with an estimate and obtain your agreement.

We also need the following information

- Written details of the address and proposal
- Description of the nature and scale of the development proposed and the uses to which land and buildings are to be put
- Site location plan with the site clearly marked (to a recognised scale, north point etc)
- Sketch drawings providing details of the proposal (to a recognised scale)
- Photographs of the site and surrounding area, with particular regard to any nearby houses or other development which might be affected by your proposal
- Contact details including phone number and email address
- An initial design and access statement
- Access and parking arrangements
- This may also need to be accompanied by ecological, landscape, contamination, flood and transport assessments depending upon the location, nature and complexity of the development.

What the costs cover

These fees cover administration costs and the time spent in research, assessment, a meeting as necessary, and in making a written response.