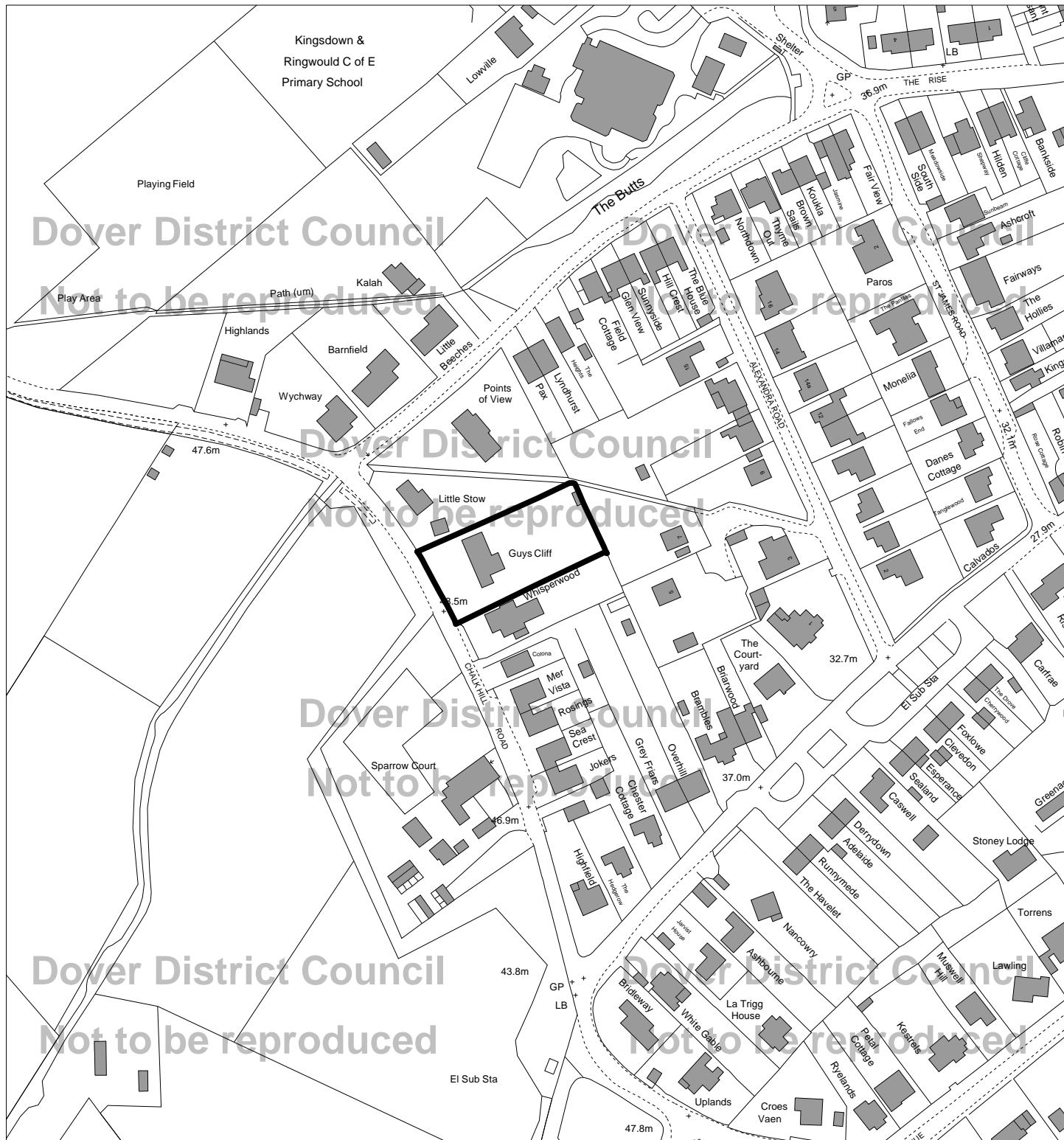


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**Application: DOV/15/00482**

**Guy's Cliff**

**Chalk Hill Road**

**Kingsdown**

**CT14 8DP**

**TR37374825**



a) **DOV/15/00482 – Erection of two detached dwellings (existing dwelling to be demolished) - Guys Cliff, Chalk Hill Road, Kingsdown**

Reason for report – The Local Planning Authority have delegated the determination of planning applications to Officers where there are less than 6 contrary views. In this instance a decision to grant planning permission was made by Officers in error when 6 objections had in fact been received. Although Officers did not therefore have the delegated authority to make the decision the legal position is that the decision stands unless and until set aside by the High Court on Judicial Review.

It is open to the Council to instigate a Judicial Review of the decision made without authority but before the Council decides on its approach in this respect it is considered that Planning Committee should consider whether a recommendation to grant planning permission would have been agreed by Members

By taking this approach and reporting the application to Planning Committee, speaking rights are made available to interested parties to present their case to Committee. If Planning Committee decide that they would have resolved to grant planning permission, subject to the attached conditions, then the decision will stand. If Planning Committee decide that they would have refused planning permission then the Executive will be requested to consider whether to pursue a Judicial Review of the decision.

b) **Summary of recommendation**

Invite Committee to indicate whether they would have resolved to grant planning permission.

c) **Planning policy and guidance**

Development Plan

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan 2002, and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

In addition to the policies of the development plan there are a number of other policies and standards which are material to the determination of planning applications including the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) together with other local guidance.

A summary of relevant planning policy is set out below:

Dover District Core Strategy (2010)

Policy DM1 – Settlement boundaries.

Policy DM13 – Parking provision.

Saved Dover District Local Plan (2002) policies

None applicable.

Dover District Land Allocations Local Plan (2015)

None applicable.

National Planning Policy Framework (NPPF)(2012)

17. Core planning principles... planning should...

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives...
- 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... recognising the intrinsic character and beauty of the countryside...

56. 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.

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

**Other considerations**

None applicable.

d) **Relevant planning history**

None relevant.

e) **Consultee and third party responses**

**Ringwould with Kingsdown Parish Council** – objects. Current difficulties for traffic using this part of the highway, often forced to reverse. Pavement should be extended along front of property from Whisperwood, for pedestrian safety. Any construction traffic, if approved, should park on site and not in the road.

**Environmental Protection Officer** – no observations.

**KCC Highways** – Formally consulted on original submitted plans, raised no objections in respect of highway matters, subject to conditions. Further informal advice given regarding proposed amendments – raised no further

objections – access points are existing as is road-fronting hedgerow. Advised that hedgerow should be conditioned to be no more than one metre tall.

Public representations – 5 x objections, 7 x support, 2 x neutral.

### **Objections**

- Traffic impacts, does not comply with highways standards.
- Hard standing for plot 1 is inadequate for turning.
- Pedestrian safety.
- Overlooking.
- Overshadowing.

### **Support**

- Site has deteriorated and needs to be improved.
- Proposal is better than what is there now.
- Hedge at front should be removed (as per original submission).

f) **1. The site and the proposal**

#### The site

- 1.1. The site is located on the eastern side of Chalk Hill Road, near the entrance to Kingsdown village. It is within the settlement boundary, opposite the Kent Downs Area of Outstanding Natural Beauty (AONB). The AONB at this location is bounded by a dense/mature hedgerow which slopes up from the highway.
- 1.2. The site is a current residential plot, situated on a west-south-west/east-north-east axis, comprising a large garden with a single storey dwelling, Guys Cliff. Guys Cliff dates from before 1940. The land falls substantially to the rear of the garden (east).
- 1.3. The site has two access points on to Chalk Hill Road, at its north western and south western corners – this currently forms a drive in/drive out arrangement.
- 1.4. Neighbouring the site to the north is a two storey dwelling, Little Stow. On the southern boundary of the Little Stow plot, between Little Stow and the site, is a detached garage. To the south is Whisperwood, a chalet style dwelling with rooms in the roof and a number of rooflights in its site-facing pitch (north-north-west). To the east of the site is 7 Alexandra Road, the plot which contains a two storey dwelling, set at a lower level than the site.
- 1.5. The site is overgrown with a number of bushes. The northern and southern boundaries are delineated by hedges, up to 2.5 metres in some places. The eastern boundary with 7 Alexandra Road is delineated by a mix of hedgerow and mature trees. Two pine trees are

located within the site boundary. A holm oak, which was situated within this boundary, was felled prior to the submission of the planning application. Adjacent to the access, on the front (western) boundary, is a hedge approximately 1.6 metres tall.

- 1.6. Site dimensions are:
- Width – 29.5 metres at road frontage, 28 metres at rear.
  - Depth – 60 metres at centre.
  - Existing dwelling set back distance from Chalk Hill Road – 14.5 metres.

#### Proposed development

- 1.7. The proposed development comprises the demolition of Guys Cliff, the subdivision of the site into two plots and the construction of two detached dwellings, each two storeys in height.
- 1.8. The site would be subdivided along its length to form plot 1 (the northern half) and plot 2 (the southern half). Access to each plot would be taken at the existing access points.
- 1.9. Hedges are proposed to be retained on all site boundaries, with the addition of a 1.8 metre tall fence to be sited on the rear boundary, the rear side boundaries (starting adjacent to the front elevation of the dwellings) and the rear internal boundary (also starting adjacent to the front elevation of the dwellings). At the rear of the site (east) existing vegetation, which is within the site, is proposed to be retained for screening purposes on and adjacent to the dividing boundaries between the application site and the garden to 7 Alexandra Road, which is further to the east.

#### **Plot 1**

- 1.10. The dwelling at plot 1 would comprise a two storey double fronted detached house with proposed grey aluminium windows and dormer sections breaking the eaves line in the front elevation. The dwelling would incorporate four bedrooms. The proposed roof is hipped on all sides. At the rear of the dwelling is a single storey extended section incorporating a flat roof and lantern, which leads on to a raised patio area. The master bedroom, which looks towards the east has a full height window comprised of three sections.
- 1.11. Materials would incorporate yellow brick and artificial slate roof tiles.
- 1.12. The drawings submitted also included a detached double garage which would be accessed by a driveway to the south of the new dwelling and would be located approximately 9.4 metres from the rear of the dwelling at plot 1. The garage had not been included in the description of the development and a separate application is likely to

be submitted for the proposed garage (that notwithstanding, appropriate conditions have been attached with regards to provision of parking to serve the dwelling).

1.13. Proposed dimensions at plot 1 are as follows:

- Plot width – 16 metres at proposed dwelling front elevation.
- Dwelling width – 11.5 metres.
- Dwelling depth – 13 metres.
- Dwelling eaves height – 4.6 metres (front elevation), up to 5.5 metres (rear elevation)
- Dwelling ridge height – 7.5 metres (front elevation), 8.6 metres (rear elevation).
- Garage – shown as 6.8 metres wide, 5.4 metres deep, 3.9 metres ridge height.
- Dwelling set back distance from Chalk Hill Road – 16.5 metres.

### **Plot 2**

1.14. The proposed dwelling at plot 2 steps down from the proposed dwelling at plot 1, as part of a decreasing ridge line between Little Stow and Whisperwood. The dwelling takes on a chalet appearance with rooms in the roof both in the front elevation (west) and rear elevation (east). The eaves start above the ground floor, with a partial canopy above the front door and one window.

1.15. The dwelling would incorporate four bedrooms, including the master bedroom in a rear projecting section. The original submitted design of a full height opening window to this room with a restraining balustrade has been altered to a casement design.

1.16. A single storey rear section would be included with a roof lantern.

1.17. On the southern facing elevation in the living room, two high level windows are proposed for natural light illumination.

1.18. Materials would incorporate red brickwork and artificial slate tiles and timber cladding.

1.19. Parking for the proposed dwelling would be on the drive.

1.20. Proposed dimensions at plot 2 are as follows:

- Plot width – 12.5 metres at proposed dwelling front elevation.
- Dwelling width – 10.3 metres.
- Dwelling depth – 10.7 metres.
- Dwelling eaves height – Up to 3.1 metres (front elevation), up to 3.7 metres (rear elevation).

- Dwelling ridge height – 6.9 metres (front elevation), 7.9 metres (rear elevation).
- Dwelling set back distance from Chalk Hill Road – 15 metres.

1.21. Plans will be on display.

## **2. Main issues**

2.1. The main issues to consider are:

- Principle
- Residential amenity
- Design and visual amenity
- Highways and access

## **3. Assessment**

### Principle

3.1. The site is located within the Kingsdown settlement boundary and is acceptable in principle, subject to its proposed details.

### Residential amenity

3.2. The following considerations in particular, are relevant:

- Overlooking.
- Overshadowing.

### **Overlooking**

3.3. The proposed dwellings are taller than the single storey dwelling that is being demolished and the site falls from west to east. The new dwellings at plot 1 and 2 would be two storey.

3.4. The design and location of the proposed dwellings means that overlooking conflicts have been minimised, however, there are still considerations in relation to the immediate neighbours at Little Stow and Whisperwood. The privacy of the dwelling at the rear (east), 7 Alexandra Road, also needs to be carefully considered.

3.5. The distance from the rear of the proposed dwelling at plot 1 to the dividing boundary with 7 Alexandra Road is 31.2 metres and the distance from the rear of the proposed dwelling at plot 2 to the dividing boundary with 7 Alexandra Road is 34.4 metres. The distance from the rear of the proposed dwellings to the rear of the dwelling at 7 Alexandra Road is between 55 and 56 metres. These distances are considerable and it should be borne in mind that there is existing and proposed vegetation proposed along the dividing boundaries which does to a large extent mitigate the fall in land from west to east.

- 3.6. The existing hedges and vegetation at the rear boundary (east) of the site are proposed to be retained. This will be conditioned as such, with a further condition requiring that the boundary planting is reinforced in order to restrict any views between the site and number 7 Alexandra Road
- 3.7. The design of the dwellings at plots 1 and 2 incorporate first floor windows in the projecting sections of the rear facing elevations. Plot 1, the northernmost plot, comprises a full height window, plot 2 did feature a full height opening window with a restraining balustrade, creating a virtual (Juliet) balcony, however, following discussion and public concerns being raised, this has been amended to a casement style design. Plot 2 also features a rear dormer window, set within the roof plane.
- 3.8. It is considered that due to the distances between the back to backs of the new dwellings and 7 Alexandra Road, the overlooking concern can be further sufficiently alleviated by the use of conditions to retain and reinforce the rear (eastern) boundary with 7 Alexandra Road.
- 3.9. At ground level, the location of the proposed future garage would also serve to interrupt views from plot 1 to 7 Alexandra Road.
- 3.10. Bathroom and ensuite windows are proposed at first floor level in the northern elevation of plot 1 (adjacent to Little Stow). These windows would be obscure glazed with openings above 1700mm. As these are not habitable rooms, it is considered that this is a sufficient approach to maintain privacy.
- 3.11. In the proposed dwelling at plot 2, the projecting section features two roof lights in its south facing pitch i.e. looking towards the roof of Whisperwood, which is located to the south, and its existing roof lights. The proposed roof lights would be set above 1800mm from finished first floor level and are therefore not considered to cause undue harm to the privacy of the existing residents at Whisperwood.
- 3.12. At the ground floor level of the proposed dwelling in plot 2, in the southern facing elevation, two high level (above 1700mm) windows are proposed for the purpose of allowing light into the room. There are openings in the northern elevation of Whisperwood, but the high level aspect of the windows is considered acceptable in protecting the privacy of the occupants. This is combined with a proposed 1.8 metre tall fence along this boundary and retention of hedgerow where existing.

### **Overshadowing**

- 3.13. The residents at Little Stow were concerned about the potential of the



dwelling proposed on plot 1 to overshadow their private amenity space. The side flank of the proposed dwelling would be located around 0.5 metres from the northern boundary of the site and seen from the side (northern) elevation is 8 metres tall at the ridge and 5.5 metres tall at the eaves.

- 3.14. The applicants have provided a study which considers the shadow cast on 21 January, 21 March and 21 June, at 12pm and at 3pm, in order to give a broad understanding of the potential impact at different times of the year.. In January the shadow cast does extend across the garden to a greater degree than at any other time of the year, due in part to the sun being lower in the sky. At 21 March the shadow is shorter, and the effect is considerably reduced in the summer due to the overhead position of the sun throughout much of the day (these plans will be on display).
- 3.15. The proposed dwelling at plot 1 would cast shadow into the garden at Little Stow in January, but this effect diminishes accordingly in March and June. It is considered that this effect will not be to such a degree to warrant a refusal. The proposed dwelling at plot 1 would incorporate a hipped roof, which would limit the size of the shadow cast and the study provided indicates that as the day goes on, the shadow would move away from the dwelling at Little Stow towards the rear of the garden.
- 3.16. The southern facing elevation of Little Stow incorporates openings at ground level including a conservatory extension, however, it should be noted that the conservatory is not considered to be a "room" in respect of daylight/sunlight matters. The conservatory is in any case around 15 metres away from the nearest point of the proposed dwelling.

#### Design and visual amenity

- 3.17. The applicant has amended the proposal following a lengthy revision process in order to provide a design which is sympathetic to the surrounding properties. The proposed dwellings have been scaled to fit into a rising ridge line from Whisperwood to Little Stow and have been located within their respective plots to sit behind the indicative building line, as well as the front elevation of the existing dwelling. The result of this approach is that the development of this site would maintain the open character of development at this transitional edge of village location and that further development would not be located close to the highway, which could have otherwise created an over-engineered sense of enclosure in a location which provides a setting to the Kent Downs AONB.
- 3.18. The dwellings themselves have a contemporary style but do not follow any particular architectural design. The applicants were advised that to minimise the scale and impact from developing two dwellings on a

site previously occupied by one dwelling, they should take design cues from the adjacent dwelling Whisperwood e.g. a one and half storey approach with rooms in the roof and eaves starting above the ground floor rather than first floor. The aim was to retain space between the proposed dwellings and not create that sense of enclosure. It is considered that the amended design does achieve this aim with partially or fully hipped roofs. Between the proposed dwellings is a driveway, the necessary spacing of which also achieves this effect.

- 3.19. The applicant has been advised that the artificial slate proposed for the roof should not be reflective and if necessary natural slate will be required. This would be addressed through the discharge of conditions.
- 3.20. Kingsdown as a village has a history of self-built dwellings, which has led to an eclectic design mix. These dwellings it is considered, would continue that history and maintain the visual interest in the settlement, while respecting that the site location is part of the transition between the countryside and the built confines.

#### Highways

- 3.21. Some concerns were raised during the consultation about the impact of the two dwellings on the safe functioning of Chalk Hill Road. Informal discussion with KCC Highways confirmed that as there are two existing access points and that no further access points are proposed to be created, the proposed development would make little difference over the existing situation. It was also considered that any extra trips generated by the proposed development would be minimal and not be noticeably different from the existing situation.
- 3.22. The Highways officer is satisfied with the retention of a hedgerow along the road frontage. The advice given by the highways officer was that the hedgerow should be maintained at no taller than one metre.
- 3.23. The parish council comments regarding the provision of a pavement are acknowledged. Such proposals can result in the loss of roadside features – such as the existing hedgerow at this location and can also appear as very engineered – something that would not in this case have been appropriate due to the sensitive setting of the site. Accordingly this matter was not pursued. Other requirements such as parking for construction vehicles and parking and turning provision within the site are either provided for or would be secured by condition.
- 3.24. Policy DM13 requires that for four bedroom dwellings in villages, two independently accessible parking spaces are provided. This proposal provides those spaces for each dwelling.

### Other matters

- 3.25. All matters raised in the public consultation have been considered and taken into account in reaching the decision where appropriate. The conditions restrict permitted development rights with regard to additional openings in the north-north-west elevation of the dwelling proposed at plot 1 and in the south-south-east elevation of the dwelling proposed at plot 2. The conditions also address highways issues regarding the discharge of surface water onto the highway, the height of the highway-fronting hedgerow, parking and turning and construction related activities. The submission of details of hard and soft landscaping has been conditioned, along with the submission of details of boundary treatment and the submission of details for bin and cycle storage.

### Conclusion

- 3.26. Following comments from neighbours and the parish council, the applicant has worked with the planning department to amend the scheme. Its appearance and impact on the character of a transitional edge of village location, which forms part of the setting of the Kent Downs AONB is now considered to be of an acceptable scale and form in this sensitive setting. The retention of the front boundary hedge is welcomed and is seen as an off-setting benefit to the provision of a paved footway
- 3.27. There are issues of residential amenity that have needed to be addressed, which is to be expected when re-developing an existing residential plot, however, the applicant has taken these into consideration and resolved them with the design amendments.
- 3.28. Some representations are concerned about the impact of the proposed development on the traffic situation, which is understandable. However there are two existing accesses and with careful visibility management additional vehicle movements associated with one extra dwelling is not expected to result in highway safety issues. The KCC Highways officer is satisfied with the proposal.
- 3.29. It is for these reasons that it is considered that the proposed development would not cause undue harm to neighbouring residents or to existing traffic using Chalk Hill Road.
- 3.30. The decision to grant planning permission originally was made in the light of planning and government policy and all material considerations were taken into account in reaching the decision.

g) **Recommendation**

- I. Invite Planning Committee to indicate whether they would have resolved to grant planning permission, subject to the following conditions:

**(1)** The development hereby permitted shall be carried out in accordance with the submitted application drawing numbers DCD\_0111/A1/02B, DCD\_0111/A2/03B received on 19 October 2015, DCD\_0111/A1/04C received on 4 December 2015, DCD\_0111/A2/52A received on 8 December 2015 and DCD\_0111/A2/05C received on 11 December 2015 unless otherwise approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

**(2)** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended) and to enable the matter to be considered in the light of any material change in planning circumstances.

**(3)** No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: These details are required prior to the commencement of the development as they form an intrinsic part of the proposal, ensuring a high quality of design.

**(4)** Prior to the first occupation of the dwellings hereby permitted, a plan indicating the positions, design, materials and type of all boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment for each unit shall be completed in accordance with the approved details before the first occupation of the unit to which it relates and retained as such thereafter.

Reason: As no such details have been submitted and in the interests of enhancing the quality and enjoyment of the environment within which the site is located.

**(5)** The occupation of the development hereby permitted shall not take place until full details of both soft and hard landscape works and a programme for their implementation have been submitted to and approved in writing by the local planning authority. These works shall be carried out in accordance with the approved details and agreed programme.

Reason: To ensure a high quality of design and in the interests of enhancing the quality and enjoyment of the environment.

**(6)** Prior to the commencement of development a detailed plan recording the location, species, size and condition of existing trees and hedgerows on site, including those to be retained and those to be removed, shall be submitted to and approved in writing by the local planning authority. The approved details shall form the basis of retained trees and hedgerows referenced in condition 7.

Reason: As no such details have been submitted, this is required prior to the commencement of the development as it forms an intrinsic part of the proposal, which cannot be separated from the carrying out of the rest of the development, and to ensure that adequate protection is made for the protection of existing trees and hedgerows during development works and their subsequent retention, and in the interests of enhancing the quality and enjoyment of the environment and protecting residential amenity.

**(7)** In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained as part of the existing site boundary in accordance with the approved plans and particulars, including those approved under condition 6; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of commencement of the permitted use.

(a) No retained tree or hedgerow shall be trimmed, topped, lopped, cut down, uprooted or destroyed without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (tree work).

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing or any other approved measure for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars before any vehicles, equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained in situ until all vehicles, equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced or otherwise defined in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure that adequate provision is made for protection of existing trees and hedgerows during development works and their

subsequent retention and in the interests of enhancing the quality and enjoyment of the environment.

**(8)** No dwelling shall be occupied until the parking spaces allocated in connection with its use, including visitor spaces, have been laid out and surfaced for the parking or garaging of cars in accordance with the details hereby approved. Those spaces and the vehicular access to them thereafter shall not be used for any purpose other than the parking of vehicles.

Reason: In order to ensure that adequate parking or garaging is provided and maintained and in the interests of road safety and visual amenity.

**(9)** The use shall not commence until the vehicular access has been constructed in accordance with the approved details.

Reason: In the interests of road safety and convenience.

**(10)** The development hereby permitted shall use a bound surface for the first five metres of the access from the edge of the highway.

Reason: In the interests of highway safety and to prevent loose material from entering the public highway.

**(11)** There shall be no discharge of surface water onto the highway from the development hereby permitted.

Reason: In the interests of highway safety and to prevent flooding.

**(12)** Prior to first occupation of the development hereby approved, full details of the space to be laid out for the provision of secure, cycle parking facilities and bin storage areas shall be submitted to and approved in writing by the local planning authority.

The cycle storage requirements for each dwelling are:

- Dwelling, plot 1 - 4 cycles.
- Dwelling, plot 2 - 4 cycles.

Cycle parking spaces and bin storage shall be provided in accordance with the approved details prior to first occupation of the unit to which they relate and retained for such purposes thereafter.

Reason: In the interest of visual amenity in a conservation area and sustainable travel in a rural location.

**(13)** Prior to commencement of development, a construction management plan shall be submitted to and approved in writing by the local planning authority. As a minimum, the plan shall include measures for the following:

- Construction vehicle loading/unloading and turning facilities for the duration of construction.

- Provision of parking facilities for site personnel and visitors, to be provided prior to and for the duration of construction.
- Provision of wheel washing facilities, to be provided prior to and for the duration of construction.

Works shall be carried out in accordance with the approved details.

Reason: As no such information has been submitted and this is required prior to the commencement of the development as it forms an intrinsic part of the development proposal, which cannot be separated from the carrying out of the rest of the development and in the interests of preserving residential amenity and highway safety.

**(14)** The replanted hedgerow on the front (western) boundary, adjacent to Chalk Hill Road, shall be maintained at a height of no more than 1 metre.

Reason: In the interest of highway safety.

**(15)** The first 1.5 metres of the access from the highway boundary shall be at a gradient not exceeding 1 in 10 and no steeper than 1 in 8 thereafter.

Reason: In the interests of road safety and convenience.

**(16)** All first floor windows in the north-north-west facing elevation of the dwelling approved at plot 1 (as per the drawings) shall be fitted with obscure glass, equal at least to the Pilkington Glass scale level 4 or its equivalent prior to first occupation or use of the development hereby permitted, and thereafter shall be so maintained. All first floor openings in the north north west facing elevation of the dwelling approved at plot 1 shall be at 1700mm or greater above finished first floor level and maintained as such thereafter.

Reason: In order to avoid unacceptable overlooking.

**(17)** All first floor windows in the south-south-east facing elevation of the dwelling approved at plot 2 (as per the drawings) shall be fitted with obscure glass, equal at least to the Pilkington Glass scale level 4 or its equivalent prior to first occupation or use of the development hereby permitted, and thereafter shall be so maintained. All first floor openings in the south south east facing elevation of the dwelling approved at plot 2 shall be at 1700mm or greater above finished first floor level and maintained as such thereafter. The high level living room windows shall be at 1700mm or greater above finished ground floor level and be permanently fixed shut, they shall be maintained as such thereafter.

Reason: In order to avoid unacceptable overlooking.

**(18)** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or other openings shall be formed in the north north west

facing elevation of the dwelling approved at plot 1, or in the south south east facing elevation of the dwelling approved at plot 2, other than those hereby permitted. No alterations shall be made to the first floor windows or openings in either of the dwellings hereby permitted.  
Reason: To avoid unacceptable overlooking.

Case Officer

Darren Bridgett