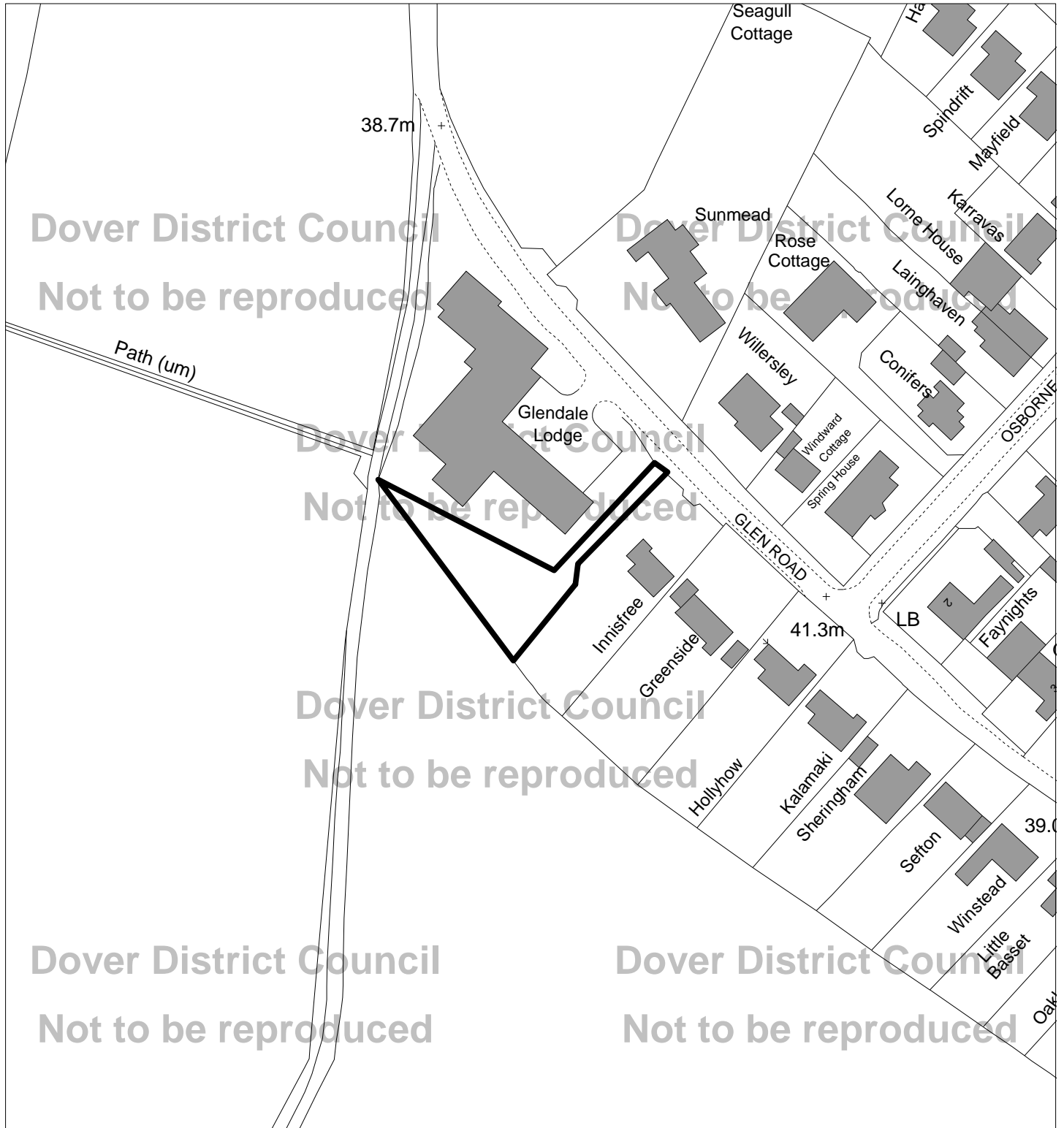


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Application: DOV/15/00982

Innisfree

Glen Road

Kingsdown

CT14 8BS

TR37164863



- a) **DOV/15/00982 – Erection of detached dwelling with integral garage and creation of vehicular access - Innisfree, Glen Road, Kingsdown**

Reason for report – the number of third party contrary representations.

- b) **Summary of Recommendation**

Refuse 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)

CP1 – Settlement hierarchy.

DM1 – Settlement boundaries.

DM13 – Parking provision.

Saved Dover District Local Plan (2002) policies

None applicable.

Dover District Land Allocations Local Plan (2015)

LA39 – Residential development

“A change to the settlement confines will enable a small scheme to come forward reflective of its surroundings.”

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...”

“49. 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.”

“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...”

“57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...”

“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 integration of new development into the natural (and) built... environment.”

“64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

Other Considerations

Dover District SHLAA site assessment forms – site code KIN03C

Landscape impact

“If development resulted from the change in village confines this would lead to an intensification of the village edge. Development, however, could only take place if part of or all of Innisfree was demolished.”

Proximity to road network

“If development resulted from the change in settlement confines there would be insufficient frontage for access. An access would require third party land.”

Kent Design Guide

- Page 59 – Designing in context.
- Page 66 – Designing streets and spaces.
- Page 92 – Privacy.

Kent Design Guide: Supplementary Guidance – Visibility (Interim Guidance Note 2)

d) **Relevant Planning History**

DOV/05/00279 - Outline application for the erection of two 4no bedroom detached dwellings with detached garages, creation of vehicular access and associated car parking – **REFUSED**.

DOV/07/00922 – Outline application for the erection of a detached bungalow and construction of vehicular access – **REFUSED**.

e) **Consultee and Third Party Responses**

Kingsdown with Ringwoud Parish Council – objects

- Oversized dwelling being squeezed into an irregular shaped plot, does not fit into general surroundings.
- Unfavourable impact on surrounding scene.

- Intrusion of privacy to Glendale Lodge – a residential care home for the elderly.
- Concern regarding speed of Glen Road at this point, which is 60 mph.

DDC Environmental health – no observations

Public representations – support x8

- Housing is needed in this area.
- The development will blend in.
- Off road parking is good to see.
- Good design, provides privacy.
- Good use of a garden.

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

1.1. The site

1.2. The site is located on the south west side of Glen Road in a transitional edge of village location.

1.3. It is an irregular shaped site comprising of a thin access strip located between Innisfree – a residential dwelling to the east , and Glendale Lodge – a residential home for the elderly to the west and north, with a triangular section of land located beyond the access strip. The site presently forms the rear and side garden to Innisfree and is under the same ownership.

1.4. Innisfree is a two storey dwelling, measuring approximately 7.4 metres wide x 6 metres deep, with an adjoining garage on its north western elevation.

1.5. Glendale Lodge is primarily a single storey building, split into component sections. At its south western (rear) elevation, the building contains individual bedrooms.

1.6. The site is within the settlement boundary of Kingsdown, as amended by the adopted Land Allocations Local Plan 2015.

1.7. Neighbouring the site to the south and west is open countryside outside of the settlement boundary. Adjacent at the eastern tip of the site is public bridleway ER21. This passes west of Glendale Lodge, linking with Glen Road to the north, and links with Ringwold Road at two locations to the south.

1.8. Existing boundaries to the site are formed partially of an evergreen hedge on the rear (south west) boundary with the field, and partially of low level, low density planting with a wire fence. The dividing boundary with Glendale Lodge is formed of a 2 metre tall close board fence.

1.9. Glen Road is an unclassified road. At the site location the speed limit is 60 mph.

1.10. Site dimensions are:

- Depth – 50 metres (from access).

- Width – 49.4 metres (at greatest point).
- Access length – 31 metres.
- Access width – 5 metres.

1.11. Proposed development

The proposed development comprises a two storey dwelling with integral garage, located in the triangular section of land at the south west of the site. The dwelling would be located immediately south of Glendale Lodge, with a back to back distance of 10 metres. The distance from the dividing boundary with Glen Lodge would be 1 metre.

1.12. The dwelling dimensions proposed are:

- Depth – 14 metres.
- Width – 22 metres.
- Eaves height – 5 metres.
- Ridge height – 7.5 metres.

1.13. The dwelling would be laid out with four bedrooms and bathrooms on the ground floor, as well as the garage and a patio area. On the first floor, an open plan layout is proposed with a lounge/diner/kitchen room, connecting to a separate study.

1.14. Two balcony areas are proposed adjacent to each other on the south west (rear) facing elevation, one which is covered by the roof form and one where the roof form is cut away. The balcony areas are located above the patio.

1.15. First floor windows are primarily located on the south west facing elevation (towards the countryside), but are also located on the north west facing elevation (toilet/bathroom – towards Glendale Lodge, 2 metres to the boundary, 7-10 metres back to back), north east facing elevation (study – towards the rear elevation of Innisfree, 17 metres to the boundary, 24.6 metres back to back) and south east facing elevation (open plan room and stairwell – towards the rear gardens of Innisfree and Greenside, 6 metres to Innisfree boundary, 18 metres to Greenside boundary).

1.16. Three parking spaces are proposed in addition to the integral garage, with room for turning.

1.17. Suggested materials incorporate, yellow brick, concrete roof tiles and white weatherboard cladding adjacent to the open balcony.

1.18. Plans will be on display.

2. Main Issues

2.1. The main issues to consider are:

- Principle of development.
- Design and impact on the countryside.
- Residential amenity.
- Highways and traffic impact.

3. Assessment

- 3.1. Principle of development
The Dover Land Allocations Local Plan, adopted in 2015, amended the Kingsdown settlement boundary to incorporate this site, addressing the irregular boundary shape that had existed previously i.e. excluding this site.
- 3.2. The principle of development is therefore established by the site being within the Kingsdown settlement boundary. However, this is subject to the detail of the proposal.
- 3.3. Notably, the policy (LA39) anticipates that the change to the boundary would enable a small scheme to come forward which is reflective of its surroundings.
- 3.4. Design and impact on the countryside
The design of the proposed dwelling incorporates a linear form, being 22 metres wide. However, this is combined with a 14 metre depth and a 7.5 metre tall ridgeline, at its greatest point. The effect is that the proposed dwelling would have a significant mass, closely bordering the open countryside.
- 3.5. The design character of Kingsdown is eclectic, there are a number of influences and many design styles. In close proximity to the proposed dwelling, the neighbouring buildings are Innisfree – a two storey dwelling, and Glendale Lodge, an extended residential care home for the elderly, formed of component sections. Glendale Lodge is purpose designed for its function.
- 3.6. Dwellings on the south western side of Glen Road tend to be medium sized and set into plots with extended rear gardens. The space between the dwellings and the rear of the gardens does to a noticeable degree relieve the impact of existing dwellings on the appearance of the open countryside.
- 3.7. The proposed dwelling follows no particular architectural style and is not considered to have any individual/special merit. It is unclear what influences have informed its design, beyond fitting it into an irregularly shaped site and attempting to maximise its size.
- 3.8. It is noted that the applicant has attempted to address privacy issues by incorporating a minimal number of first floor windows in the north east facing elevation. The result of this is a bare brick wall, which is not considered to be a good example of residential design in the setting of the countryside, appearing more reminiscent of a hard engineered urban location.
- 3.9. Where windows have been incorporated, in particular on the south west and south eastern facing elevations, there is no consistency of form or proportion, which it is considered results in an unattractive and mixed form of development.
- 3.10. A particular feature of this location, being on the edge of the village, is the sense of space that is strengthened by the spaces between the dwellings and the glimpses through to the open countryside beyond. The development proposed would enclose the gap to the rear of

Innisfree by virtue of its proposed mass and siting. This would be a detriment to the character and appearance of the street scene.

- 3.11. Seen from the countryside and the public bridleway that runs to the west of the site, the dwellings on the south west side of Glen Road are sited approximately 32 metres from the rear of their gardens, including Innisfree. The only place where this differs is at Glendale Lodge.
- 3.12. The proposed dwelling which is 5 metres tall at the eaves and 7.5 metres tall at the ridge, is proposed to be located 1.2 metres from the rear boundary of the site, which would create a hard engineered edge to the countryside, across a 22 metre width. This would be seen from the public bridleway and from Ringwould Road to the south across an open arable field. The applicant proposes to retain the existing rear hedge, but this is not considered sufficient to be able to mitigate the impact of the proposal.
- 3.13. This was recognised in the SHLAA site assessment form, which in terms of potential landscape impact considered that a partial or full demolition of Innisfree would be required to acceptably accommodate what it termed as “an intensification of the village edge”.
- 3.14. Residential amenity
Outlook. There are a number of potential adverse effects that would be caused to local residential amenity by this scheme. The first concern relates to the north east facing elevation of the proposed dwelling. It is considered that a wall at 1 metre distance from the rear fence of Glendale Lodge would create an overbearing effect and would lead to loss of outlook for residents at Glendale Lodge. The wall would rise 3 metres above the rear fence to the eaves, with a 2.5 metre tall roof structure above that, albeit pitched to the ridge.
- 3.15. **Overshadowing.** At this distance, it is likely that beyond mid-morning shadows would be cast into the rear amenity space at Glendale Lodge and towards the individual bedrooms in its south west elevation.
- 3.16. **Overlooking.** The proposed first floor open plan room contains a window, which faces south east. This window would overlook the rear garden of Innisfree (6 metres to the boundary) and potentially to some extent, also Greenside (18 metres to the boundary).
- 3.17. The combination of adverse effects to the amenity of neighbouring residents is considered to be unacceptable.
- 3.18. Highways and traffic impact
The proposed development is for one dwelling accessing an unclassified road. Accordingly, it falls outside of the Kent Highways consultation protocol.
- 3.19. However, informal discussion with the highways officer confirms that for an access formed onto a road with a 60 mph limit, the visibility splay required is 215 metres on both sides of the access. The applicant has not confirmed that these visibility splays are achievable.
- 3.20. There are mitigating factors in that north west of the proposed access Glen Road curves to the north so may to some degree reduce the

speed of traffic; and that approximately 40 metres south east of the proposed access the speed limit is reduced to 30 mph.

- 3.21. The SHLAA site assessment form, which was completed when considering the proposed change to the settlement boundary recognised that to incorporate access at this location, third party land would be required i.e. it would need to take land from Innisfree (which was actually under the same ownership). This was due to the shape of the boundary at that time forming a narrow point onto Glen Road.
- 3.22. The proposed development site has been formed as a subdivision of Innisfree and the proposed access has a 5 metre frontage on to Glen Road. However, as noted above, the applicant has not confirmed visibility details in accordance with highway requirements. Informally, the highways officer has commented that the possibility of creating an additional safe access at this location is questionable.
- 3.23. On the balance of considerations, the proposed formation of a separate access without details (such as sight lines) to demonstrate how this could be achieved safely and in a manner that is environmentally appropriate is not considered acceptable.
- 3.24. **Parking provision.** The dwelling proposes three car parking spaces, which is above the minimum requirement (two) for parking provision as set by policy DM13 of the Core Strategy. The proposed parking provision is therefore considered acceptable.
- 3.25. Conclusion
The proposed development is considered unacceptable by virtue of its design details. The settlement boundary was amended by policy LA39 of the Land Allocations Local Plan. The policy envisages a small development that is reflective of its surroundings. This is because the site is constrained by surrounding residential uses and it borders the open countryside in a transitional edge of village location.
- 3.26. The proposed scheme in its current form does not appear to have been sensitively informed by any surrounding developments and as proposed is considered to have a harmful impact on the character and appearance of the street scene and the surrounding countryside. It is considered that there are no mitigating factors in assessing the design. Its mass and form as proposed would not fit acceptably into the site available. Paragraph 64 of the NPPF directs that where poor design “fails to take the opportunities available for improving the character and quality of an area and the way it functions” permission should be refused.
- 3.27. It is also considered that the development would unacceptably harm the amenity of surrounding residents, both existing and potentially in future years.
- 3.28. The proposal to create an additional access on to a 60 mph road is not supported by details to demonstrate how this would function safely or indeed what the impact of suitable sight splays would be on the visual quality of the street scene. It was not considered expedient to explore this further with the applicant due to the fundamental objections to the scheme design.

3.29. The applicant has not used the pre-application service in this case and did not agree to changes in the design to address the concerns raised. Accordingly having taken into account all comments submitted, the recommendation is to refuse permission.

g) **Recommendation**

- i. Planning permission be REFUSED, for the following reason: (1) The development proposed, by virtue of its siting, scale and design details, would result in a form of backland development unrelated to and out of keeping with the existing visual and spatial character of the area and would be harmful to the character and appearance of the street scene and the countryside, contrary to the aims and objectives of the NPPF paragraphs 17, 56, 57, 61 and 64. The proposal also fails to appropriately consider the context of neighbouring development, contrary to pages 59 and 66 of the Kent Design Guide. (2) The development proposed, by virtue of its siting, scale and fenestration arrangements, would result in an unacceptable degree of overlooking and subsequent loss of privacy; loss of outlook and sense of enclosure to adjacent property occupiers; and unacceptable overshadowing of the rear private amenity area of residents in the adjacent Glendale Residential Home, contrary to the aims and objectives of the NPPF paragraphs 17, 56, 61 and 64 in particular and page 92 of the Kent Design Guide. (3) In the absence of sufficient information to demonstrate otherwise, it is not possible to determine, in the interests of highway safety, that the proposed access can achieve acceptable highway visibility standards in a manner that ensures the safe operation/use of the access on to Glen Road. Accordingly the proposal is contrary to the aims and objectives of the NPPF paragraphs 17 and 56 and contrary to the Kent Design Guide: Supplementary Guidance – Visibility (Interim Guidance Note 2).

Case Officer

Darren Bridgett