

- 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

Deferred (24/11/16 Committee Meeting) for Members' site visit.

- b) **Summary of Recommendation**

Planning Permission be granted

- c) **Planning Policies 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- Paragraph 14 of the Framework requires that where the development plan is silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against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.
- 3.27 Members' resolved to defer the application on 24th November 2016 to enable a site visit to consider the impact of Plots 1 and 2 on the streetscene, the configuration of access points to the proposed development, and the parking arrangement to the front of Plots 1 and 2.
- 3.28 Further clarification has been sought, on the originally submitted plans, from KCC Highways who advise that the turning areas shown provide the ability to turn. The applicant intends to submit a plan, for clarification, to show how soft landscaping can be incorporated at the frontage whilst still maintaining space to turn.
- 3.29 The applicant has advised that amended plans are to be submitted showing the removal of the rooflights on the proposed front elevation of Plots 1 and 2.
- 3.30 It is anticipated that the amended plans will be available at the Members' site visit and the Committee meeting.

Conclusion

- 3.31 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.
- 3.32 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, to include:- 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 to Plot 3 for all extensions, roof alterations, windows and remove permitted development rights for first floor side windows in Plots 1 and 2.
- 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