

DOVER DISTRICT COUNCIL

PLANNING COMMITTEE – 10 APRIL 2014

REPORT OF THE HEAD OF REGENERATION AND DEVELOPMENT

a) **DOV/14/00102 – Construction of a hardstanding**

b) **Summary of Recommendation**

Planning permission is granted.

c) **Planning Policies and Guidance**

Core Strategy (CS) Policies

- DM1 - Development will be permitted within the settlement boundaries
- DM13 – parking provision should be design-led, based upon an area's characteristics, the nature of the development and design objectives.

National Planning Policy Framework (NPPF)

- Core principles promote sustainable development; seek to secure high quality design and good standard of amenity for all existing and future occupants.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development, and seeks to ensure that design incorporates the local context.

d) **Relevant Planning History**

DOV/05/0727 – planning permission was granted for a residential estate on which the application property is situated. Condition 14 of the planning permission prevented further development without the written approval of the local planning authority. Ordinarily, additional hard surfacing within the curtilage of a domestic property is development that is unlikely to require planning permission, but in this case permission is required because Condition 14 removed the rights to construct (develop) the hard surface without seeking permission.

e) **Consultee and Third Party Responses**

Eythorne Parish Council: No objections are raised.

Public Representations: Six letters of objection have been received against the application proposal. In summary, the objections concern the impact upon views, precedent, the overall impact upon the visual amenities of the area and the design of the estate, blocking of the driveway/access, harm to pedestrian and highway safety, damage to front gardens, the inaccuracies of the plan submitted, overshadowing/overbearing, increase in drainage problems, and

the proposal is contrary to Guidance on residential parking. Some letters also refer to a restrictive covenant on the land preventing the development from proceeding – this is not a planning matter as it is a private issue.

- f)
1. **The Site and the Proposal**
 - 1.1 The site is located within the village confines of Eythorne, where the principle of new development is acceptable subject to design criteria.
 - 1.2 The property was built following the grant of planning permission of application 05/00727. The property forms part of a residential estate comprising 9 semi detached and detached houses, with access from Green Lane. The first section of the road (Green Meadows) is long and straight (and appears as adopted highway). At the end of this straight road are two pairs of semi detached houses and one half of another pair of semi detached houses. The road bears left onto a private driveway that serves 4 further houses. The application property is the first of these houses on the right hand side.
 - 1.3 The private driveway is hard surfaced with red coloured brick setts laid in a 'herringbone' pattern and a more traditional blockwork pattern.
 - 1.4 The front and side gardens are landscaped and laid to lawn.
 - 1.5 The application property is constructed with yellow stock bricks with red banding bricks, under a profiled pitched roof. To the front and side of the property the garden area is mainly laid to lawn, with a couple of small cherry trees.
 - 1.6 The proposal seeks to remove some of the grass to the front/side garden and replace this with a further hard surfaced area to accommodate the applicant's motorhome. The materials to be used would be a self-binding gravel, coloured golden/amber. The area to be surfaced would be roughly rectangular and cover an area of some 35-40 sq m.
 - 1.7 The applicant has agreed to plant a low level hedge or row of shrubs along the outer (eastern) edge of the new surface.
 2. **Main Issues**
 - 2.1 The main issues in the consideration of this application are the impacts of the development on the character and appearance of the area, the living conditions of the occupiers of nearby residential properties, and highway safety.
 3. **Assessment**
 - Character and Appearance**
 - 3.1 To provide clarity for the context of this application, a motorhome parked on a domestic property by the occupiers of that property does not require planning permission because it is considered a chattel/use of land connected to the occupiers of the dwelling and for their private enjoyment.

- 3.2 The motorhome is already parked on the existing private parking area of the application property. This Council is not being asked to determine the planning merits of parking a motorhome on private property and is not being asked to determine whether the applicant is a safe driver and knows how to manoeuvre the vehicle in and out the drive. The key issue is whether the construction of the hard surface causes harm to the character and appearance of the area.
- 3.3 The application property is located on a small residential estate of 9 other properties. The location of these houses is such that the visibility of the proposed hard surfacing will not affect the wider context, and character and appearance of the area – and would only be visible to those that venture along Green Meadows.
- 3.4 The estate was planned as a tight knit housing layout, with open garden areas, but limited communal landscaping. The additional hard surfaced area does not cover an excessive area which means that some soft landscaping would remain around the property. This soft landscaping will be enhanced by the proposed planting along the outer edge of the new surface.
- 3.5 In context, the additional hardsurfacing would not materially unbalance the current hardsurfacing to soft landscaping ratio that is visible from the communal areas and exists on the estate.
- 3.6 The change in hard surfaced material from brick paving to bonded gravel will be noticeable, and it will differentiate between a private parking area (created within the curtilage of the house) and the communal private driveway serving the other houses. This change is not necessarily harmful although it perhaps would have been better to retain the same material for continuity. The applicant has stated that the cost of repeating the brick/block paving was cost prohibitive.
- 3.7 It is considered that this relatively small area to be hard surfaced, which would not be prominent within the wider area, would not harm the visual amenities of the estate, and the character and appearance of the area.

Living Conditions

- 3.8 The construction of the hard surface is not going to impact in any material way the living conditions of the occupiers of nearby properties because the motorhome, its use and its location within a domestic curtilage are not matters for determination. The fact that the hardsurface will facilitate parking in this location is not material because the space could be used for other purposes as well, if the applicant so chose, including, indeed, the parking of the vehicle on the grass.

Highway Safety

- 3.9 For the above reasons, the parking and manoeuvring of the motorhome is not a matter for determination under this application because the motorhome is already there, and the change in location of

the parking area from one space to the adjoining space does not appear to materially affect how the space would be accessed.

g)

Recommendation

- I SUBJECT TO the submission of details of the bonded-gravel surface for the drive and landscaping/planting, planning permission be given subject to: (i) DP08; (ii) DP04;
- II Powers be delegated to the Regeneration and Delivery Manager 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: Vic Hester