

Public Document Pack



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28 May 2019

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** will be held in the Council Chamber at these Offices on Wednesday 5 June 2019 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Jemma Duffield on (01304) 872305 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a white background.

Chief Executive

Scrutiny (Community and Regeneration) Committee Membership:

L A Keen (Chairman)
C D Zosseder (Vice-Chairman)
S H Beer
T A Bond
D P Murphy
O C de R Richardson
J Rose
M Rose
C A Vinson
P Walker

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 5)

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

4 **MINUTES** (Pages 6 - 12)

To confirm the attached Minutes of the meeting of the Committee held on 13 February 2019 and 13 March 2019.

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak only applies to agenda items 11 and 12.

The right of the public to speak does not apply to the following agenda items: Apologies, Appointment of Substitute Members, Declarations of Interest, Minutes, the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report and items that are exempt business.

Members of the public wishing to speak must register to do so by no later than 2.00 pm on the second working day before the meeting.

6 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE**

There were no decisions taken by the Cabinet at its meeting held on 3 June 2019 in respect of recommendations from the Scrutiny (Community and Regeneration) Committee.

7 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE**

There are no items for consideration.

8 **ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION**

(a) Items placed on the agenda by a Member of the Committee or any individual Non-Executive Member

Any individual Councillor may request that a matter is placed on the agenda of one of the Council's Overview and Scrutiny Committees.

There are no items for consideration.

(b) Call-In

Executive Decisions may be called-in by the Chairman or Spokesperson of the Scrutiny (Policy and Performance) Committee or any three non-executive members. Call-Ins are heard by the Scrutiny (Policy and Performance) Committee unless it decides to refer the matter to the Scrutiny (Community and Regeneration) Committee.

There are no items for consideration.

(c) Public Petitions

There are no items for consideration.

9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 13 - 17)

It is intended that Members should use the Notice of Forthcoming Key Decisions to identify topics within the remit of the Committee for future scrutiny.

10 **SCRUTINY WORK PROGRAMME** (Pages 18 - 19)

It is intended that the Committee monitor and prioritise its rolling work programme.

11 **DRAFT DEAL - VICTORIA ROAD AND WELLINGTON ROAD CONSERVATION AREA CHARACTER APPRAISAL** (Pages 20 - 40)

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

12 **DRAFT UPPER DEAL CONSERVATION AREA CHARACTER APPRAISAL** (Pages 41 - 57)

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

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 are normally published within five working days of 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 Jemma Duffield, Democratic Services Officer, telephone: (01304) 872305 or email: democraticservices@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.

Minutes of the meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** held at the Council Offices, Whitfield on Wednesday, 13 February 2019 at 6.00 pm.

Present:

Chairman: Councillor L A Keen

Councillors: T A Bond
P M Brivio
P I Carter
G Cowan
R J Frost
P D Jull
M J Ovenden
P Walker

Officers: Head of Regeneration and Development
Principal Infrastructure and Delivery Officer
Democratic Services Manager
Democratic Services Officer

80 APOLOGIES

An apology for absence was received from Councillor N Dixon.

81 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

82 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

83 MINUTES

The Minutes of the meetings held on 4 July 2018, 5 December and 16 January 2019 were deferred to the next meeting.

84 PUBLIC SPEAKING

The Democratic Services Manager advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

85 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

There were no items of business to consider.

86 ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE

There were no items for consideration.

87 ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION

There were no items for consideration.

88 NOTICE OF FORTHCOMING KEY DECISIONS

The Democratic Services Manager presented the Notice of Forthcoming Key Decisions to the Committee for its consideration. Members identified the following items from the Notice of Forthcoming Key Decisions for inclusion within the work programme:

- Item No. 58 (To approve the use of Building Foundations for Growth funding and to authorise the completion of an appropriate legal agreement).
- Item No. 40 (Authority Monitoring Report).

RESOLVED: That the Notice of Forthcoming Key Decisions be noted subject to the inclusion of items 40 and 58 in the Work Programme.

89 SCRUTINY WORK PROGRAMME

The Democratic Services Manager presented the Scrutiny Work Programme to the Committee for its consideration.

RESOLVED: That the Work Programme be noted subject to the inclusion of the additional items identified in Minute No. 88.

90 REGENERATION UPDATE

The item was withdrawn from the agenda by reason of the Head of Inward Investment being unavailable due to a diary conflict with another meeting he was attending in London.

91 PRESENTATION ON S106 AGREEMENTS

The Committee welcomed the Head of Regeneration and Principal Infrastructure Officer who had been invited to provide a presentation on Developer Contributions (S106 agreements). Members had asked officers to provide details on the role of parish councils, community groups and individuals in the allocation and dispersal of contributions from the agreements which were secured when required to make an otherwise unacceptable development acceptable or to address issues which could not be addressed through planning conditions. They were most commonly used to secure financial contributions toward provision of off-site infrastructure and the provision of affordable housing.

Through the planning application consultation process community groups, individuals and parish councils could suggest or request S106 contributions. In order for the Council to take such suggestions or requests forward these had to be evidenced and meet three legal tests: be necessary to make the development acceptable in planning terms; be directly related to the development; and be fairly and reasonable related in scale and kind. It must be demonstrated that the project requiring the contribution must meet additional needs generated by the development which could not otherwise be supported by existing infrastructure and

also directly relate to the needs of the local community, where the development takes place.

It was encouraged that community groups and parish councils should prepare in advance for what was required if a development were to come forward. Through the Local Plan parish councils would be aware of the allocated sites in the parish. The pre-application process was an opportunity for developers to approach parish councils and inform of their proposals, which was encouraged by officers. Although pre-application advice was confidential and there was no legal obligation for developers to consult. Parish councils were consulted as part of the application process, providing an opportunity for S106 requests to be submitted to the Council. No retrospective contribution requests could be made for infrastructure that had already been delivered. Furthermore, applicants for major developments (15 or more houses) were strongly encouraged by the Council to prepare a Statement of Community Involvement in advance of submitting their scheme, which involved engaging communities at the earliest opportunity to as much information about a development proposal and its likely impact.

Applicants were required to provide proof by way of a financial viability appraisal to support any claim that the contributions requested were beyond what they could afford. The view of the Developer Contributions Executive Committee may also be sought. Each decision would take account of whether the infrastructure deficit was such that permission should be refused or that there were other reasons why it should be granted.

It was confirmed that S106 contributions were not usually triggered by developments of fewer than 15 houses, particularly in the case of contributions for the provision of affordable homes. In response to queries Members were advised it was not possible to apply a fixed fee against every house built in a development to obtain financial contributions as the land costs and sales values of properties differed from area to area within the district, in addition as the cost of required infrastructure also varied for each development.

Members were provided with a brief update on the development of the new Local Plan. This was likely to include policies setting out infrastructure requirements associated with allocated sites that could be funded by planning obligations, an Infrastructure Delivery Plan and Whole Plan Viability Assessment. Members questioned the viability of the Local Plan and its need to meet the district's affordable housing target. The new Local Plan would make it clearer as to the council's expectations in terms of affordable housing and whilst the current plan followed the government's standard approach there was potential scope for a more localised approach.

- RESOLVED:
- (a) That it be recommended to Cabinet that as part of the Local Plan review, the affordable housing scheme and S106 agreements be examined and inculcated into the formal council policies.
 - (b) That a definition as to what constituted affordable housing in the Dover district be provided to the Committee.
 - (c) That officers provide an explanation to the Committee on the Statement of Community Involvement and the role of it in the planning process and what communities can do in its preparation.

The meeting ended at 7.57 pm.

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Minutes of the meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** held at the Council Offices, Whitfield on Wednesday, 13 March 2019 at 6.00 pm.

Present:

Chairman: Councillor G Cowan (Vice-Chair in the Chair)

Councillors: P I Carter
N Dixon
M R Eddy (as substitute for Councillor P Walker)
P D Jull
M J Ovenden
P M Wallace (as substitute for Councillor P M Brivio)

Officers: Strategic Director (Operations and Commercial)
Policy and Projects Manager
Senior Planner (Planning Policy)
Democratic Services Manager
Democratic Services Officer

92 APOLOGIES

Apologies for absence were received from Councillors T A Bond, P M Brivio, R J Frost, L A Keen and P Walker.

93 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors P M Wallace and M R Eddy were appointed as substitute members for Councillors P M Brivio and P Walker respectively.

94 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

95 MINUTES

Councillor M R Eddy questioned the rationale for items inclusion in the work programme as he felt that it was not clearly set out in the Minutes. The Democratic Services Manager advised that the items in the Minutes were included in the work programme agreed by Members.

The Minutes of the meeting held on 4 July 2018 and 16 January 2019 were approved as a correct record and signed by the Chairman.

RESOLVED: That items identified for inclusion on the Work Programme by the Committee be provided with the reasons for their inclusion.

96 PUBLIC SPEAKING

The Democratic Services Manager advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

97 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

The Committee's recommendation made on 13 February 2019 (Minute No 91) to Cabinet was rejected by Cabinet on the grounds that since the review of the Local Plan had not yet been completed the recommendation was considered to be premature.

98 ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE

There were no items for consideration.

99 ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION

There were no items for consideration.

100 NOTICE OF FORTHCOMING KEY DECISIONS

The Democratic Services Manager presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

- RESOLVED: (a) That the Notice of Forthcoming Key Decisions be noted.
- (b) That the Policy and Projects Manager provide Councillor M R Eddy with the date Item 13 will be taken to Cabinet for a decision.

101 SCRUTINY WORK PROGRAMME

The Democratic Services Manager presented the Scrutiny Work Programme to the Committee for its consideration. The Regeneration Update was hoped to be provided to the next meeting of the Committee, subject to purdah.

RESOLVED: That the Work Programme be noted.

102 DOVER DISTRICT COUNCIL AUTHORITY MONITORING REPORT 2017/18

The Policy and Projects Manager introduced the Authority Monitoring Report (AMR) 2017/18 to the Committee which had been considered at the meeting of Cabinet on 4 March 2019. The AMR was required to be published annually and identified the Council's progress against the Local Development Scheme (LDS) as well as assessing the performance of the Council's current planning policies and providing support to parishes in the preparation of their Neighbourhood Plans. It was a record of how the district was performing in terms of the rate of development and how that met the Council's targets and, setting objections for future development.

A summary of the key findings from the report was provided. The Council was in the process of producing a new Local Plan and reviewing the evidence base which underpinned the plan. The Local Plan was required to be reviewed every five years and this would be the second plan for the Council; it was acknowledged that other authorities had not yet completed one.

During the monitoring period (1 April 2017 to 31 March 2018) there were a total of 446 new dwellings completed of which 99 units were affordable homes and the Council was now able to demonstrate a 5 year housing land supply. It was clarified that sites with planning permission within the 5 years (not including extant permissions) could be included in the total and the Council was proactive in speaking with developers to assess the developments' progress. The issue of how the Council dealt with its windfall allowance was raised. Members were advised that the approach to the windfall allowance, which referred to those sites not specifically identified in the development, was robust in order to prevent any overestimation in respect of the potential housing supply.

Members discussed the Infrastructure Delivery Table and notably Transport (the potential impact of the BRT in respect of sustainable transport provision), Health (the need to review general practice provision in light of changing health provision requirements) and Utilities (how much influence the council had over the utility providers) and it was agreed that Members would be provided with the omitted comment for Adult Social Services. In respect of Green Infrastructure, Members were advised that further information concerning the statement that the Kingsdown to Walmer Local Wildlife Site lacked local support would be provided.

Members praised the graphical Executive Summary within the report and thanked officers for their attendance and presentation.

- RESOLVED: (a) That the Infrastructure Delivery Table be completed with the missing comment for 'Adult Social Services – Local Hubs, day activities for older people including dementia care, Telecare services, Adult Changing Places and drop in service for people with learning disabilities, short term breaks/Training for life flats' and an addendum to the report be published.
- (b) That Members be provided with further information concerning the Infrastructure Delivery Table and the required infrastructure to 'Improve condition of Kingsdown to Walmer Local Wildlife Site (Kent Area Agreement 2008) and the reason for it lacking local support.

The meeting ended at 6.47 pm.

Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Head of Service	Portfolio Holder
1	Neighbourhood Plans	June 2013 and ongoing (see entry)	Regeneration & Development	Built Environment
2	Review of Tenancy Strategy and Tenancy Policy	This item has been withdrawn	Strategic Housing	Housing & Homelessness
3	Review of Local Plan	(i) 1 March 2017; (ii) 1 October 2018; and (iii) To be confirmed	Regeneration & Development	Built Environment
4	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance or Strategic Director (Corporate Resources))	Finance & Housing	Corporate Resources & Performance
5	To consider an options appraisal and feasibility study for Tides Leisure & Indoor Tennis Centre and seek approval to progress to the detailed design phase	2 July 2018	Assets & Building Control	Property Management & Environmental Health
6	Dover Waterfront Masterplan Area Action Plan	This decision will now be incorporated into the Local Plan Review	Regeneration & Development	Built Environment
7	Planning Enforcement Plan	10 September 2018	Regulatory Services	Environment, Waste & Health
8	Representations on the Thanet District Council Local Plan	This decision will be taken by the Leader of the Council	Regeneration & Development	Leader of the Council
9	To seek approval for public consultation on the draft Sandwich Walled Town Conservation Area Appraisal	July/September 2019 and date to be confirmed	Regeneration & Development	Built Environment
10	Hackney Carriage and Private Hire vehicles - access for wheelchair users	July/September 2019	Regulatory Services	Access & Licensing
11	Development of a social lettings agency	This item has been withdrawn	Strategic Housing	Housing & Homelessness
12	Approval of project to develop housing to be occupied on an	14 May 2018	Strategic Housing	Housing & Homelessness

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Head of Service	Portfolio Holder
	interim basis by homeless households			
13	To seek Cabinet approval for public consultation on draft Upper Deal Conservation Area Character Appraisal	3 June 2019 and date to be confirmed	Regeneration & Development	Built Environment
14	Letting of the café/restaurant on Deal Pier	Decision taken by the Portfolio Holder for Property Management and Environmental Health	Assets & Building Control	Property Management & Environmental Health
15	Aylesham Village Expansion – Acquisition of third-party land	July/September 2019	Regeneration & Development	Corporate Resources & Performance
16	Statement of Community Involvement	14 May and 10 September 2018	Regeneration & Development	Built Environment
17	Dover District Council Local Development Scheme	14 May 2018	Regeneration & Development	Built Environment
18	Kent Environment Strategy	14 May 2018	Assets & Building Control	Environment, Waste & Health
19	Transfer of Freehold of Sandwich Guildhall	2 July 2018	Assets & Building Control	Property Management & Environmental Health
20	Sandwich Historical Boatyard	Decision taken by the Leader of the Council on 15 June 2018	Assets & Building Control	Leader of the Council
21	To decide on requirements for a new Public Spaces Protection Order following public consultation	2 July 2018	Regulatory Services	Environment, Waste & Health
22	To consider the cessation of cash and cheque transactions at Council Offices	This item has been withdrawn	Finance & Housing	Corporate Resources & Performance
23	Creation of a local property company	5 November 2018	Finance & Housing	Corporate Resources & Performance
24	Contaminated land strategy	2 July 2018	Regulatory Services	Property Management & Environmental Health
25	Consideration of pest control provision	Decision taken by the Director of Governance on 28 November 2018	Regulatory Services	Property Management & Environmental Health
26	Award of contract for Kearsney Abbey café building extension	Decision taken by the Portfolio Holder for Property Management and Environmental Health	Assets & Building Control	Property Management & Environmental Health

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Head of Service	Portfolio Holder
27	Catering provision at Kearsney Abbey and Russell Gardens	July/September 2019	Operational Services	Property Management & Environmental Health
28	Award of contract for landscape and listed structure repairs at Kearsney Abbey	4 February 2019	Parks & Open Spaces	Property Management & Environmental Health
29	To consider the delimitation of Hackney Carriage vehicles	1 October 2018	Regulatory Services	Access & Licensing
30	Award of contract for the refurbishment of Norman Tailyour House	Decision taken by Director of Finance, Housing and Community on 23 November 2018	Assets & Building Control	Property Management & Environmental Health
31	Deed of Variation to the Aylesham Development Agreement	July/September 2019	Regeneration & Development	Built Environment
32	To approve arrangements for the implementation and delivery of infrastructure for a Bus Rapid Transit System connecting Whitfield to Dover town centre	July/September 2019	Inward Investment	Access & Licensing
33	Redevelopment of William Muge and Snelgrove Houses site, Dover	1 October 2018	Assets & Building Control	Property Management & Environmental Health
34	Grant scheme for commercial property renovations in Dover, Deal and Sandwich high streets	10 September 2018	Finance	Corporate Resources & Performance
35	Approval of Kearsney Abbey café 'Changing Places' facility and contingency fund for café/landscape improvements	10 September 2018	Operational Services	Property Management & Environmental Health
36	Lease of Historic Boatyard, The Quay, Sandwich	5 November 2018	Assets & Building Control	Leader of the Council
37	Acceptance of grant and allocation of funding for restoration of Maison Dieu (Dover Town Hall)	10 September 2018	Assets & Building Control	Property Management & Environmental Health
38	Purchase of affordable housing in Aylesham	July/September 2019	Finance & Housing	Corporate Resources & Performance
39	Demolition of Dover Leisure Centre	July/September 2019	Assets & Building Control	Property Management & Environmental Health
40	Authority Monitoring Report	4 March 2019	Regeneration & Development	Built Environment
41	East Kent Waste Project 2021	5 November 2018	Director of Environment & Corporate Assets	Environment, Waste & Health
42	Grant of easement at Matthews Close, Deal	3 December 2018	Assets & Building Control	Property Management & Environmental Health
43	Redevelopment and regeneration of the site of the former Co-op store in Stembrook and surrounding area	Decision taken by Director of Environment and Corporate Assets on 12 December 2018	Inward Investment	Leader of the Council

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Head of Service	Portfolio Holder
44	Approval of Street-Lighting Works	3 December 2018	Assets & Building Control	Property Management & Environmental Health
45	Charges for Parking during the Christmas Period	Decision taken by the Portfolio Holder for Access and Licensing	Operational Services	Access & Licensing
46	Fees and Charges – agreement on levels for 2019/20	14 January 2019	Finance & Housing	Corporate Resources & Performance
47	Approval to carry-out further repairs (phase 2) to Deal Pier to include new lighting, and a new CCTV system as well as further general repairs and improvements	4 February 2019	Assets & Building Control	Property Management & Environmental Health
48	Recommendation to Council of the draft 2019/20 Budget and Medium-Term Financial Plan 2019/20-2022/23 and approval by Cabinet of various delegations within the Budget	(i) 4 February 2019 (ii) 4 March 2019	Finance & Housing	Corporate Resources & Performance
49	Review of Parking Charges	14 January 2019	Operational Services	Access & Licensing
50	Restoration of Maison Dieu (Dover Town Hall), Dover	14 January 2019	Assets & Building Control	Property Management & Environmental Health
51	Provision of community facility at Maison Dieu, Dover	14 January 2019	Assets & Building Control	Property Management & Environmental Health
52	Award of contract for upgrade of CCTV infrastructure	4 February 2019	Community Services	Community Services
53	Approval of Victoria Road and Wellington Road (Deal) Conservation Area Appraisal	July/September 2019 and date to be confirmed	Regeneration & Development	Built Environment
54	Approval to release corporate contingency funds for repairs to corporate assets	4 February 2019	Assets & Building Control	Property Management & Environmental Health
55	Variation of Public Spaces Protection Order relating to dogs	July/September 2019	Regulatory Services	Property Management & Environmental Health
56	Approval to enter into a partnership with Kent County Council for provision of highway services	4 February 2019	Inward Investment	Leader of the Council
57	To seek agreement for the disposal of the Council's leasehold interest in flat 35 and garage 74, The Gateway, Marine Parade, Dover	Decision taken by Portfolio Holder for Property Management and Environmental Health on 1 March 2019	Assets & Building Control	Property Management & Environmental Health
58	To approve the use of Building Foundations for Growth	July/September 2019	Inward Investment	Leader of the Council

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Head of Service	Portfolio Holder
	Funding and to authorise the completion of an appropriate legal agreement			
59	Award of contract for fire precaution works to properties within the Council's housing stock	1 April 2019	Head of Finance & Housing	Housing & Homelessness
60	Award of contract for asbestos surveys, testing and removal works to properties within the Council's housing stock	1 April 2019	Head of Finance & Housing	Housing & Homelessness
61	Approval of purchase of new financial management system and budget monitoring system	Decision taken by Portfolio Holder for Corporate Resources and Performance on 28 March 2019	Head of Finance & Housing	Corporate Resources & Performance
62	Approval of project to purchase new-build properties at Folkestone Road, Dover for use as affordable housing	3 June 2019	Head of Strategic Housing	Housing & Homelessness
63	Procurement of Street Cleansing Contract	3 June 2019	Head of Commercial Services	Environment, Waste & Health
64	To approve consultation on revised Gambling Policy 2019-22	3 June and 2 September 2019	Head of Regulatory Services	Access & Licensing
65	To consider proposed increase in Hackney Carriage fares	3 June and 2 September 2019	Head of Regulatory Services	Access & Licensing
66	Upgrade of Office 2010 to MS365, procurement of licences and hardware refresh	3 June 2019	Head of Community and Digital Services	Corporate Resources & Performance
67	Approval of project to purchase land adjacent to The Ark, Noah's Ark Road, Dover for affordable interim housing	3 June 2019	Head of Strategic Housing	Housing & Homelessness

- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website (www.dover.gov.uk).

OVERVIEW AND SCRUTINY WORK PROGRAMME 2019/20

SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
June 2019	Draft Deal - Victoria Road And Wellington Road Conservation Area Character Appraisal	Single Item	Head of Planning, Regeneration & Development	£0	£0	Added by Chairman to the agenda as part of the agenda setting process.
	Draft Upper Deal Conservation Area Character Appraisal	Single Item	Head of Planning, Regeneration & Development	£0	£0	Added by Chairman to the agenda as part of the agenda setting process.
July 2019						
August 2019	No Scheduled Meeting					
September 2019						
October 2019						
November 2019						

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
December 2019						
January 2020						
February 2020						
March 2020						
April 2020						

Please note items beyond the current month are subject to change depending on Forward Plan, etc.

Municipal Year 2019/20

Agreed for Inclusion?	Subject	Resource Implications	Action	Reason for Inclusion
Yes	Local Plan	None	To receive updates at milestones in the process. Key dates are October 2018 and July 2019.	The Local Plan process is a key regeneration and development matter.
Yes	Manston Airport	None	Update on the situation in respect of Manston Airport [at appropriate milestones]	The impact of plans for Manston Airport on the Dover District.

Subject:	DRAFT DEAL - VICTORIA ROAD AND WELLINGTON ROAD CONSERVATION AREA CHARACTER APPRAISAL
Meeting and Date:	Cabinet – 3 June 2019
Report of:	Lois Jarrett - Head of Planning, Regeneration and Development
Portfolio Holder:	Councillor Nicholas Kenton, Portfolio Holder for Planning and Regulatory Services
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: To seek Cabinet approval to carry out a 6-week public consultation on the draft Deal - Victoria Road and Wellington Road Conservation Area Character Appraisal.

Recommendation: Cabinet agrees to:

1. a public consultation for a period of 6 weeks of the draft Deal - Victoria Road and Wellington Road Conservation Area Character Appraisal, as set out in Appendix 1.
2. authorise the Head of Planning, Regeneration and Development to make any necessary editorial changes to the appraisal to assist with clarity, consistency, explanation and presentation, in consultation with the Portfolio Holder.

1. Summary

1.1 The Dover District Heritage Strategy acknowledges that most of the districts conservation areas do not have an approved character appraisal, and it recommends that the Council should encourage local community groups to carry out such appraisals in conjunction with the Council. The Deal Society has prepared a draft conservation area character appraisal for the Deal- Victoria Road and Wellington Road Conservation Area and Cabinet’s agreement is now sought to carry out a formal public consultation on the draft document for a period of 6 weeks.

2. Introduction and Background

2.1 There is a requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990, for local planning authorities to review their conservation areas, ‘from time to time’ and to formulate and publish proposals for their preservation and enhancement. A fundamental part of this process is to produce a character appraisal for each conservation area.

2.2 A conservation area appraisal should consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change, or the need for further planning control. This information will be helpful to those considering investment in an area, and can be used to guide and inform new development. Character appraisals also have a wider application as educational and informative documents for the local community.

- 2.3 The Dover District Heritage Strategy highlighted the lack of conservation area character appraisals for the districts conservation areas. It acknowledged the limited resources that are available for carrying out this work, and recommended that the Council worked with local community and interest groups to try and address this issue. This is the fourth conservation area appraisal to be produced by a local organisation since the Heritage Strategy was adopted in 2013.
- 2.4 The Deal Society, in conjunction with the Council, has produced a draft appraisal for the Deal- Victoria Road and Wellington Road Conservation Area, and this is appended to this report. For the benefit of this report the appraisal is provided as a word document, but for the public consultation this will be undertaken using the Council's 'Objective software' and will include relevant maps and photographs.
- 2.5 The appraisal looks at:
- The origins and growth of the area under consideration;
 - Reviews the existing boundary of the conservation area;
 - Highlights both positive and negative aspects of its character, and
 - Makes recommendations for its future enhancement.
- 2.6 If the draft appraisal is agreed by Cabinet, public consultation would be undertaken for a period of 6 weeks. The results of the consultation process would then be reported back to Cabinet.
3. **Identification of Options**
- 3.1 That the draft Deal - Victoria Road and Wellington Road Conservation Area Character Appraisal is agreed for public consultation.
- 3.2 That the draft Deal - Victoria Road and Wellington Road Conservation Area Character Appraisal is not agreed.
4. **Evaluation of Options**
- 4.1 The Deal - Victoria Road and Wellington Road Conservation Area Character Appraisal has been prepared by a local organisation and would be used to identify opportunities for environmental improvements, inform new development and to act as an evidence base for the evaluation of new proposals. It would also be used by Planning Inspectors in appeal situations. If the document is not subject to public consultation then little weight can be attributed to it in the planning process.
- 4.2 In view of the above it is recommended that the draft appraisal is agreed for public consultation.
5. **Resource Implications**
- The resource implications are limited to consultation and printing costs, which would be approximately £50 and this would be covered by the existing LDF budget.
6. **Corporate Implications**
- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (SB).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equality 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>.

7. **Appendices**

Appendix 1 – Draft Deal - Victoria Road and Wellington Road Conservation Area Character Appraisal

8. **Background Papers**

The Dover Heritage Strategy 2013

Contact Officer: Alison Cummings, Principal Heritage Officer

Appendix 1

Deal - Victoria Road & Wellington Road

Conservation Area Character Appraisal

Draft for consultation

May 2019

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1. Introduction

1.1. Background

The Victoria and Wellington Road conservation area was designated on the 1st December 1977 and consists of approximately 305 buildings the overwhelming majority of which are domestic residences. Seven of the buildings are listed. This appraisal was carried out during the summer of 2018. The Dover District Council (DDC) Heritage Strategy had recommended that a full appraisal and management plan should be carried out.

Victoria Road, originally known as Prospect overlooked the Naval Yard and gave a pleasing prospect of the Downs and the many sailing ships that would have anchored there, .Queen Victoria having visited in 1842 the area was later renamed Victoria Town.

The conservation area lies between Deal High Street to the north and Deal Castle to the south, extending westwards towards the railway line. The majority of the buildings reflect the evolution of architecture from the mid-18th century to the middle of the 20th century. It is this variety that gives the conservation area its essential character.

An appraisal is intended to provide an understanding of the special interest of a conservation area and to set out options and recommendations to help ensure that any changes are informed by an understanding of the local character and distinctiveness of the conservation area. When this appraisal is adopted by Dover District Council (DDC) it will become a Supplementary Planning Document which will be a material consideration in the determination of applications for planning permission within and adjacent to the conservation area.

This appraisal looks at the following issues:

1. The origins and evolution of the area under consideration.
2. The current boundary of the area and any review that should be made of that.
3. The positive and negative factors that contribute to or detract from the current condition of the conservation area.
4. Any recommendations that will protect and enhance the conservation area. Any changes proposed must sustain and enhance the historic environment and its heritage.

1.2. Planning Policy Context

The Planning (Listed Building and Conservation Areas) Act 1990 sets out the statutory definition of a Conservation Area, which is “an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance” [s.69(1)]. Dover District currently has 57 designated Conservation Areas.

There is a requirement under the legislation to review Conservation Areas “from time to time” to ensure that the boundary captures all the area that is of special interest and to assist in developing plans for the management of change within the conservation area. This is further endorsed by the National Planning Policy Framework (2012) which urges the need to ensure that an area justifies the designation because of its special architectural or historic character or appearance.

The Dover District Heritage Strategy (2013) presents the district’s Heritage Assets as Themes; Theme 13 dealing with conservation areas. The district’s conservation areas are considered to be heritage assets of **outstanding significance**, and in addition to being attractive places to live and work, contribute to the economic wealth of the district by being a magnet for visitors. Seven Conservation Areas lie within the area that the Deal Society undertook to monitor - four of these lie in the Town of Deal and three lie within the Parish of Walmer.

A methodology was developed for the Heritage Strategy enabling a rapid desk-based assessment of the general condition of the district’s conservation areas and was applied to 19 of the conservation area of which Victoria Road and Wellington Road is one. The results of this overview, using a “traffic-light” system to classify their condition, indicate that of the 57 conservation areas in the district 12 of these conservation areas were identified as ‘performing well’ and achieved a green light, six achieved an amber light, requiring some enhancement, and one area required considerable enhancement or potential “de-designation” as a conservation area, due to the substantial loss of its character of special interest.

Theme 13 prescribes methods and techniques by which an area’s condition may be measured, assessed and managed; Article 4 Direction is one method. An Article 4 Direction removes permitted development rights from residential properties to ensure that certain changes, such as the replacement of windows, is managed to ensure that the change is appropriate to the special character of the conservation area. Article 4 Directions have been applied so far to two of the 19 conservation areas, one of them being the Middle Street Conservation Area in Deal.

The Heritage Strategy also suggested the formulation of a system for the assessment of a conservation areas condition such as that developed and adopted by the Oxford City Council, endorsed by Historic England and used by the Oxford Preservation Trust. That system has been used in this character appraisal, further informed by best practice guidance within the Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management (Feb 2016).

1.3. Community Involvement

This character appraisal has been prepared by the Deal Society in close liaison with DDC. The DDC Heritage Strategy highlights the importance of local community involvement in the protection of the historic environment. There are two specific areas where that involvement is encouraged. First of all, local civic groups are encouraged to develop appraisals of conservation areas within their locality. Secondly the production of a List of Local Heritage Assets is encouraged. This appraisal is, therefore, consistent with the aspirations of the DDC Heritage Strategy.

Every property in this conservation area was informed by letter that the appraisal would be carried out in the late spring and summer of 2018. The letter also included a short questionnaire to which the residents were invited to respond. A significant number of responses were received, the overwhelming majority of which were positive about the appraisal exercise. The matters raised by the residents are reflected in the report.

The first draft of this appraisal was submitted to DDC in November 2018 for a process of public consultation to be agreed.

1.4. Summary of Significance

- a. The diversity of the architecture is the outstanding feature of the area. The styles span two centuries from late 18th century cottages through to buildings of 19th century date of having the elegant proportions and detailing of the Georgian and Regency style to some striking examples of High Victorian Gothic architecture. There are a few non-residential properties which also contribute to that diversity and visual interest.
- b. The area is close to the busy centre of Deal but manages to be an oasis of calm and tranquillity largely due to the dominantly residential function of the area. The character and charm of the buildings and their cared for look heightens the sense of tranquillity.
- c. The long period of development over nearly two centuries gives a very strong impression of a town in the course of evolution. Whereas some other conservation areas in Deal have a strong sense of cohesion, in this area it is the variety of architecture that creates the character.
- d. Some of the properties are built to the pavement but in a number of others small gardens enhance the street scene. In at least one road the restoration of railings improves the overall appearance. The larger properties along Victoria Road principally have gardens bounded by walls with railings and hedges, and the distancing afforded by the gardens from the busy road helps to contribute to the grandeur of the buildings. The majority of the properties in the conservation area have small front gardens with walls.
- e. In at least two of the roads the street scene is punctured by gaps that give good views through to other parts of the area, especially to trees and other greenery that enhance the sense of calm and tranquillity earlier mentioned.

2. The Character Appraisal

2.1. Victoria Road

2.1.1. Buildings

Only the western side of Victoria Road is currently included in this conservation area, the eastern side being in the Middle Street Conservation Area. The road lies on a north south axis beginning at the southern end of Deal High Street and ending close to Deal Castle. Originally known as Prospect Place the properties overlooked the Naval Yard and its activity especially during the Napoleonic Wars. The earliest recorded domestic dwellings were in this part of Lower Deal. None of those survive. The cottages towards the southern end of Victoria Road date from the 18th century.

Starting at the southern end of Deal High Street the first buildings are of the Georgian or Regency style set back from the pavement with either paved areas or gardens. Very few have off street parking to the front. Woodbine Cottage ,a Grade 2 listed building, the house is notable for being fronted by a very large front garden with substantial trees and shrubs. A number of the properties have iron railings separating their front gardens from the pavement which early engravings suggests was a feature of the road. The houses are mainly brick built and there is a striking set of roofs that add substantial significance to the character of the road as viewed from the end of the High Street.

Towards the southern end of the road the houses are smaller but many are set back with long front gardens or paved areas. Many of these properties are rendered but with significant variances in style: this creates almost a sense of quirkiness, even fun.

2.1.2. Landscape

Just beyond the end of Victoria Road and opposite Deal Castle, the Captain's Garden offers an important open space at the southern boundary of this conservation area. The front gardens also make a very significant contribution to the character of this conservation area.

2.1.3. Spaces

On the western side of the road there is an almost continuous run of houses with no significant spaces between them.

2.1.4. Streets and Paths

Victoria Road is one of the principal routes in Deal and there is street parking on the western side. Due to the scale of the buildings and the garden frontages neither issue detracts from the overall sense of elegance and historic significance of the houses.

2.1.5. Ambience

The proximity of the road to the town centre and the volume of traffic all contributes to a general sense of business through most of the day.

2.2. Wellington Road

2.2.1. Buildings

Wellington Road runs at a north west angle to Victoria Road from the southern end of Deal High Street to the junction with Blenheim Road. Historically in the mid-20th century it was threatened with demolition from plans to build a ring road to the southern edge of Deal town centre. The plans were thwarted by the Deal Society and other local action groups because the important historical and architectural significance of the buildings.

On the north western side of the road the houses are predominantly Regency and Georgian; to the south east most were built during the Victorian period; those to the north west are detached or semi-detached whilst those built in Victoria's reign are more terraced in style. The building materials in Wellington Road are a mixture of brick and render with one or two examples of pebbledash. The windows and doors are a range of styles including some poor examples of UPVC although the proportions of the windows indicate the original were sliding sashes. The roofs are predominantly slate but some with Kent peg tiles. There is a very striking example of terracotta tiles being used for visual decoration on Wellington House close to the junction with Blenheim Road. Wellington House is described in the Heritage Strategy as of Arts and Craft style.

Victoria Lodge is a building with a dominant presence in the streetscene with its deep overhanging corbelled eaves and projecting porch. It shows on 19th century maps as a Dispensary, later used as a Library and a Labour Exchange. A council building on the corner with Victoria Road became a doctors' surgery and is now residential apartments

2.2.2. Landscape

Although there are a variety of architectural styles there is an overall sense of calm and tranquillity in the road. At a few points there are views through to trees and gardens. This is especially the case through the cart gate to Victoria Lodge and opposite Wellington House. On the north western side there are small front gardens sometimes enclosed by high hedging and at others by iron railings.

2.2.3. Spaces

Towards the junction with Blenheim Road there is a significant gap looking through to a pleasant area with lots of trees.

2.2.4 Streets and Paths

The road tends to be a cut through and at times seems busy which is in marked contrast to the perceived sense of calm.

2.2.4. Ambience

The road proximate to the town centre is heavily used for street car parking and this can be experienced at times as in conflict with the sense of tranquillity.

2.3. Queen Street

2.3.1. Buildings

Only a small part of Queen Street is included in this conservation area. It includes buildings to the southern side of the street, houses in Albion Terrace on the side of Deal Station car park, the Toll Cottage, the taxi office, the Eagle pub, a hairdresser's and a garden centre to the north western corner of the junction of West Street with Queen Street and the beginning of London Road.

The properties are all adjacent to one of the busiest road junctions in Deal. The large three and four storey buildings to the southern side of Queen Street are mainly commercial properties with some residential accommodation on the upper floors. On this southern side is also an Art Deco frontage to the Kwik Fit site; the building itself is of interest architecturally but the forecourt and modern building behind detract from the character of the conservation area. On the southern side of the street is a substantial group of modern retirement flats which do not sit comfortably within a conservation area.

2.3.2. Landscape

There are no significant landscape features in this area.

2.3.3. Spaces

The area is a tight urban grain with no significant spaces between buildings.

2.3.4. Streets and Paths

The road is a major route out to the north and west of Deal.

2.3.5. Ambience

The road is extremely busy and there is constant traffic through the whole day.

2.4. Blenheim Road

2.4.1. Buildings

Blenheim Road from the junction with Queen Street to the junction with Gilford Road lies within the conservation area. The remainder of Blenheim Road from Gilford Road to the junction with Gladstone Road is not part of the conservation area. The road is residential with a wide variety of architectural styles mainly from the late Victorian and Edwardian periods but with a few 20th century in fills. Most of the properties are two storey with attic or three storey brick built with slate roofs and a dominance of double height bays. There is some very striking gold and turquoise plaster work on a property that historical records show was a public house. The condition of one or two properties in the road falls far short of the standards required in a conservation area. However, there was generally a good standard of maintenance but with an over dependence on UPVC windows and doors.

At the end of the road towards Queen Street there is a group of Grade 2 listed buildings. The High Victorian Gothic architecture of the Roman Catholic church is in marked contrast to much of the domestic architecture. There is a GR postbox on the wall of one of the buildings.

2.4.2. Landscape

Just off the road there is an area with 45 garages. Historically it was an anchor ground and a bowling green. Many of the houses have small front gardens.

2.4.3. Spaces

Apart from a brownfield site behind 54-56 and adjacent to Norman Tailyour House there are no significant spaces.

2.4.4. Streets and Paths

The road and pavements are tarmac and in general good condition.

2.4.5. Ambience

The road is comparatively busy with traffic creating a general sense of business.

2.5 Gilford Road

2.5.1. Buildings

On the northern side of the road the properties extend from the railway bridge to the junction with Victoria Road. On the southern side the properties extend from the junction with Blenheim Road to the junction with Victoria Road and Deal Castle Road. Many of the properties to the north have very small gardens whilst those to the south are built to the pavement. The road is dominated by two long unbroken terraces with a few cases of small groups of buildings. The houses are either two storey or two storey with attic. The majority are brick built with render to the ground floor or rendered with projecting first floor bays to the properties on the south side and full two storey bays to those on the north side of the road. There is a strong horizontal rhythm to the street. The street is almost entirely residential.

2.5.2. Landscape

There are no significant landscape features.

2.5.3. Spaces

There is no interruption to the long terraces on either side of the road.

2.5.4. Streets and Paths

The road is a busy route from Deal Town towards Upper and Middle Deal. It is a very busy cut though for vehicles and this makes a strong contrast to the tranquillity of other parts of the conservation area.

2.5.5. Ambience

As already mentioned there is a high level of traffic business.

2.5. Beaconsfield Road, Hope Road and Northcote Road

2.6.1 Buildings

These three roads lie between Victoria Road and Blenheim Road. They are almost entirely residential although there is an old factory, now converted to a martial arts club and the Drill Hall.

Hope Road, historically called Grove Terrace, has a terrace of small cottages with small gardens to the front and there is an architecturally significant property called The Old Cottage. Beaconsfield Road has a pleasant mix of late 19th and early 20th century brick-built houses together with a small number of late 20th century new builds. The road has a strong visual coherence. Norman Tailyour House a brick built sheltered housing complex is currently (2018) undergoing refurbishment. Again, the variety of architectural styles is what gives this part of the conservation area its character. The great variance in style over a long period, like the remainder of the conservation area, determines the character.

2.6.2. Landscape

The entrance road to Norman Tailyour House is lined with trees and shrubs in a part of the conservation area where there is little opportunity to experience greenery. There are small gardens to the front of several properties.

2.6.3. Spaces

There are no significant spaces.

2.6.4. Streets and Paths

The roads and pavements are reasonably maintained, tarmac being the normal surface.

2.6.5. Ambience

These roads are “tucked” away behind busy roads so there is a general atmosphere of tranquillity and lack of traffic movement and business.

3. Management Plan

3.1. Vulnerabilities and Negative Features

- a. Although the overall standard of maintenance was to be in very poor condition. there was evidence of a few properties being in poor condition. This was especially evident in Gilford Road and Blenheim Road with one property in particular considered to be in very poor condition.
- b. The lack of planning controls over the replacement of windows and doors was very evident. There was a significant loss of replacement with windows and doors sympathetic to the historic character of the property.
- c. In a number of cases unsympathetic features had been added distracting from the historic and heritage significance. These included UPVC windows and doors inconsistent with the character of the property, a spiral staircase and front railings.
- d. The road junction at Gilford Road/Deal Castle Road/The Strand/Victoria Road is extremely unsympathetic to pedestrians.
- e. There was some evidence of satellite dishes on the front of properties adding unnecessary clutter to the streetscene.
- f. Residents were concerned about recycling bins in front gardens and driveways and the amount of litter caused by a lack of street cleaning.
- g. Although the condition of pavements and roads were generally acceptable the state of Hope Road gives rise for concern. It is in urgent need of improvement.

An anomaly exists in terms of conservation areas. The western side of Victoria Road is in the area under appraisal whilst the eastern side is in the Middle Street conservation area and subject to an Article 4 Direction. This makes no logical sense (see

h. Recommendations - 3.2.1).

3.2. Recommendations

3.2.1. Boundaries

- a. Currently the area between South Street and Deal Castle, bordered by the eastern side of Victoria Road and the seafront, lies within the Middle Street Conservation Area. This appraisal recommends that because of the historic and heritage connections with the Victoria Road/Wellington Road area, that part of the Middle Street conservation area that lies to the south of South Street should be included in this area with a new boundary line drawn along the middle of South Street from the seafront. This would help facilitate the buffer zone around Deal Castle that is proposed in the DDC Heritage Strategy (see 4.2 - Maps)
- b. It is recommended, therefore, that an appraisal is carried out in the Middle Street conservation area in reference to potentially changing boundaries with the Victoria Road CA in respect of roads and streets as noted in a) and c).
- c. The part of Queen Street that falls within this appraisal area should be removed. A review should be carried out about its relationship with the rest of Queen Street and also to the Middle Street conservation area boundaries after a character appraisal has been carried out on the Middle Street conservation area. (see 4.2 - Maps).

3.2.2. Heritage Assets of Local Importance

The Government's National Planning Policy Framework states that 'non-designated' (i.e. essentially locally-identified) heritage assets should be taken account of when considering planning applications. A Local List would enable the importance of undesignated local heritage assets to be taken into account in the processing of any planning applications which might have an impact on them or their setting.

A Local List would include buildings, structures, landscape and archaeological features which are of local interest and have no statutory designation. For inclusion within the Local List, the Heritage Asset must comply with at least one of the following criteria set out within the DDC Land Allocations Local Plan (adopted January 2015):

- Historic Interest (HI)
- Architectural and Artistic Interest (AAI)
- Social, Community and Economic Value (SCE)
- Townscape Character (TC)

In the light of the boundary recommendations it is suggested that all the following properties should be included in a Local List as being Heritage Assets of Local Importance:

- The Eagle public house, Queen Street (HI)
- Toll Cottage, Queen Street (HI)
- The Art Deco building at the front of Kwik Fit, Queen Street (AAI)
- 41 Queen Street (A Hairdresser and residential property) (AAI)
- The Captain's Garden buildings opposite Deal Castle (HI) (TC) (SCE)
- The Old Cottage, Hope Road (AAI)
- Walnut Cottage, Beaconsfield Road (AAI)
- Wellington House, Wellington Road (HI)
- The Drill Hall, Hope Road (HI) (AAI)
- Victoria Lodge (AAI)
- The Roman Catholic Church Blenheim Road (HI) (AAI)
- Former Public House 31 Blenheim Road (AAI)

3.2.3. Article 4(1) Direction

All local authorities were given the power to impose an Article 4(1) Direction by the Town and Country Planning (General Permitted Development) Order 2015.

Victoria Road is a significant example of inconsistency in practice over planning controls. The east side is governed by an Article 4(1) Direction, the west side is not. It is recommended that that Direction should be imposed on this conservation area in order to create a level playing field in planning controls.

The regulations governing that Direction are set out in the appendices of this report.

4. Appendices

4.1. Historical development

Deal developed when the marshy shore became consolidated enough for building to start. Known as 'the Sea Valley', it was here in 1539-40 that Walmer, Deal and Sandown Castles were built to protect the realm. Lower Deal developed as countless ships sheltered in the Downs, an area of sea between the coast and the Goodwin Sands.

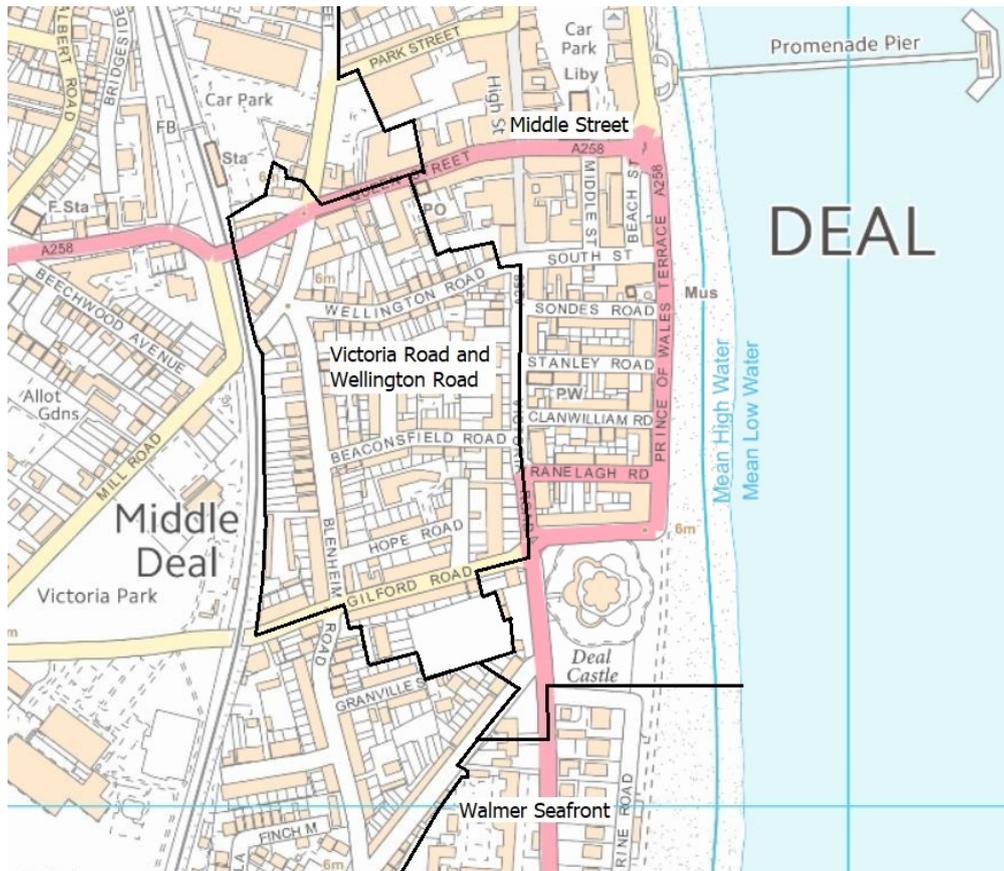
In 1786 there were some 750 houses in Lower Deal, the inhabited area bounded by South Street, Dolphin Street, High Street and Beach Street but the Napoleonic Wars meant that large numbers of service personnel, tradesmen and ancillary workers had to be accommodated and the Naval Yard became the driver of the local economy. The population increased from 5,420 at the start of the century to 7,351 by 1811. At the south end the west side of Victoria Road (Prospect Place), Blenheim Road (South Sandy Lane), Gilford Road (The Sheepfold), and Wellington Road (Cottage Row) were laid out. Boatbuilding flourished and Haywards, one of the biggest firms in Deal occupied a house and workshop on the Wellington Road/High Street corner. Modernisation at Deal Castle (1730-1750) included a high brick wall to enclose the Captain's Garden.

In 1862 a dispensary for the sick poor was established in Wellington Road. Later adapted as a cottage hospital, it next became a Labour Exchange, was then acquired for the town Library and in 1976 converted to residential flats (Victoria Lodge). In Hope Road, the 5th Cinque Ports Artillery Volunteers Drill Hall opened in 1878. In 1881 requisitioned land for track-laying to connect the railway between Deal and Dover necessitated demolition of some properties between Mill Road and Wellington Road: surplus land became a car park for St Thomas of Canterbury Roman Catholic Church (built 1895) in Blenheim Road. Further along opposite the Oak & Ivy pub (closed 2004) is a large complex of garages. Originally an anchor ground, it was used by Blenheim Bowling Club until 1946. Significant damage was inflicted on the whole Conservation Area during WWII by enemy action particularly from shells and bombs trying to disrupt/destroy the railway supply lines behind Blenheim Road.

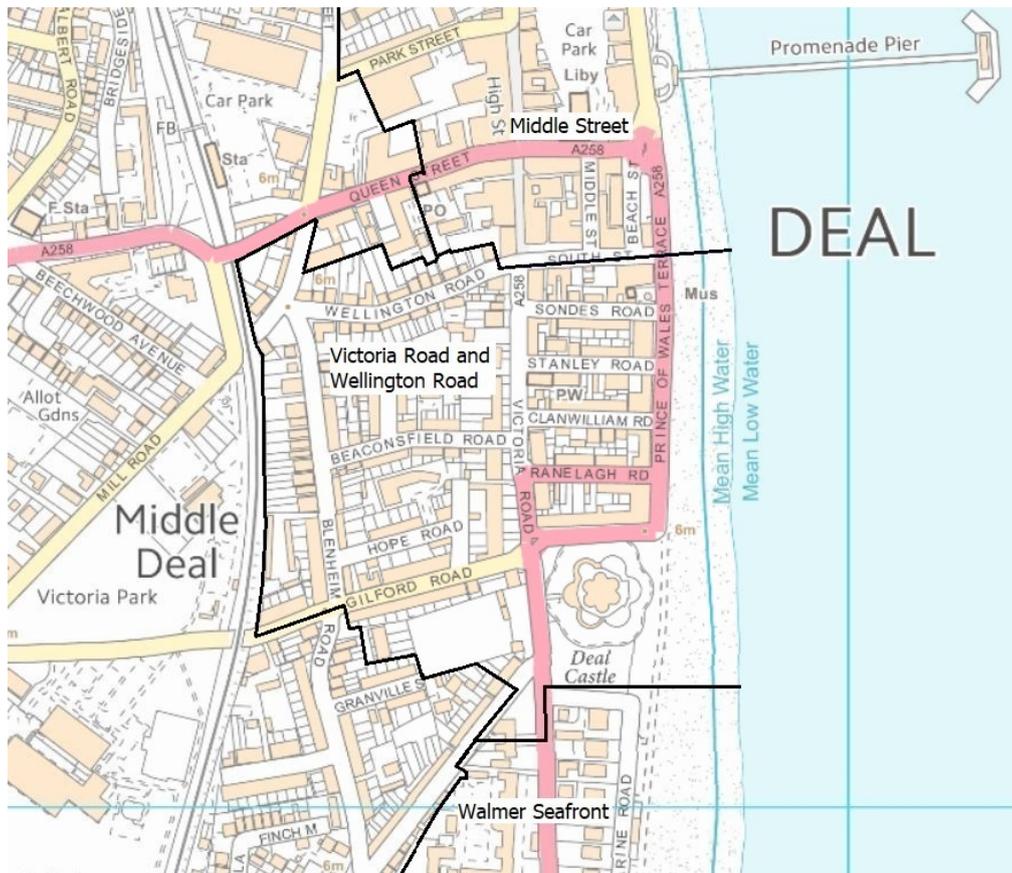
In 1964 a new plan for the redevelopment of Deal was prepared. It included a ring-road and the widening of Queen Street. Local action groups successfully fought against it. In 1980 DDC approved plans for Queen Street and Denne's Builders' Yard and a row of shops alongside were demolished. Queens Mews, a group of warden assisted units now occupy the site. In 1995 subsidence during pipe-laying work at the north end of Blenheim Road caused extensive damage to two properties, one of them Grade II listed that needed significant restoration.

4.2. Maps

4.2.1. Current Boundaries



4.2.2. Proposed Boundaries (After a Middle Street conservation area appraisal has been carried out)



Former Naval Yard

Former

4.2.3. Character Appraisal Section Article 4(1)

All local authorities were given the power to impose an Article 4(1) Direction by the Town and Country Planning (General Permitted Development) Order 1995.

The Article 4(1) Direction adopted by Dover District Council reinforces the Council's ability to protect the special character of a town. The Direction gives the District Council control over a variety of alterations to unlisted residences. Planning permission is required for changes to windows, doors, roof materials, and chimney stacks, and the construction of external porches, the provision and removal of walls and fences and the provision of hard standings.

These controls do not relate to the whole building, but only to those elevations which front a highway, waterway, or public open space, and which, therefore, affect the public face or faces of the building.

The best way of preserving the character of a building is to repair it using traditional materials. By using traditional materials there is no change to the external appearance and planning consent may not be required.

Direction 4(1) requires the submission of a planning application for the following items of work where the works front a highway, waterway or open space:

- The enlargement, improvement or other alterations of the house. This includes changing windows and doors.
- Any alterations to the roof, including roof lights, dormer windows, the substitution of clay tiles or natural slates with concrete or other materials.
- The erection or construction of a porch outside an external door.

- The provision within the curtilage of a house or any new buildings or any existing ones □
The provision of a hard surface e.g. for car parking in the front garden.
- The erection, alteration or removal of a chimney on the house or on a building within its curtilage.
- The erection, construction maintenance, improvement or alteration of a gate, fence or other means of enclosure.
- The painting of the external masonry (or other walling material) of any part of the house (or building or enclosure within the curtilage of the house). For the avoidance of doubt this does not include the routine painting of masonry or other walling material in the same colour.
- The installation, alteration or replacement of a satellite antenna on a house or within the curtilage of a house.

If the house is listed then Listed Building Consent for both external and internal alterations and extensions is required.

For further information consult the Dover District Council Planning website.

4.3. Acknowledgements and references

4.3.1. Bibliography

- History of Deal by John Laker (2nd edition) published 1921
- Reminiscences of Old Deal by E W Clark originally published 1932 in the East Kent Mercury, updated and republished c1946 by T F Pain & Sons Ltd
- History of Deal 1914-1953 by E C Pain published 1953
- Discovering Deal by Barbara Collins published 1969
- Old Deal & Walmer by Gregory Holyoake published 1981
- The Book of Deal and Walmer by Ivan Green published 1983
- Deal and District at War 1939-1945 by David G Collyer published 1995
- A History of Deal by Gertrude Nunns published 2006
- The East Kent Mercury dated 3 June 1865 and dated 20 October 2016
- Old Pubs of Deal and Walmer 2010 Steve Glover and Michael Rogers.

4.4. Glossary

- **Conservation Area** is an area designated so that the planning authority can control changes within it. They can be defined as “Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Details can be found in the conservation pages of the DDC website.
- **Dover District Council (DDC)** is the planning authority with responsibility for this conservation area. Their website is www.dover.gov.uk.
- **Heritage Strategy** is a DDC strategy which aims to enable them to achieve their objectives for the protection and enhancement of the historic environment. The strategy documents can be found in the conservation pages of the DDC website.
- **Historic England** is the public body that looks after England's historic environment. Their website is www.historicengland.org.uk.
- **Kent County Council (KCC)** is the authority with responsibility for, amongst other things, the highways in this conservation area. That responsibility includes road and pavement surfaces, signage and street lighting. Their website is www.kent.gov.uk.
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- **Non-designated Building** refers to one which is not listed.
- **The Deal Society** is the civic society for Deal and Walmer. Their website is www.thedealsociety.org.uk.
- **uPVC** in this report refers to windows and doors, generally of aluminium construction, coated with plastic (usually white).

Subject:	DRAFT UPPER DEAL CONSERVATION AREA CHARACTER APPRAISAL
Meeting and Date:	Cabinet – 3 June 2019
Report of:	Lois Jarrett - Head of Planning, Regeneration and Development
Portfolio Holder:	Councillor Nicholas Kenton, Portfolio Holder for Planning and Regulatory Services
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: To seek Cabinet approval to carry out a 6-week public consultation on the draft Upper Deal Conservation Area Character Appraisal.

Recommendation: Cabinet agrees to:

1. a public consultation for a period of 6 weeks of the draft Upper Deal Conservation Area Character Appraisal, as set out in appendix 1.
2. authorise the Head of Planning, Regeneration and Development to make any necessary editorial changes to the appraisal to assist with clarity, consistency, explanation and presentation, in consultation with the Portfolio Holder.

1. Summary

1.1 The Dover District Heritage Strategy acknowledges that most of the districts conservation areas do not have an approved character appraisal, and it recommends that the Council should encourage local community groups to carry out such appraisals in conjunction with the Council. The Deal Society has prepared a draft conservation area character appraisal for the Upper Deal Conservation Area and Cabinet's agreement is now sought to carry out a formal public consultation on the draft document for a period of 6 weeks.

2. Introduction and Background

2.1 There is a requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990, for local planning authorities to review their conservation areas, 'from time to time' and to formulate and publish proposals for their preservation and enhancement. A fundamental part of this process is to produce a character appraisal for each conservation area.

2.2 A conservation area appraisal should consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change, or the need for further planning control. This information will be helpful to those considering investment in an area, and can be used to guide and inform new development. Character appraisals also have a wider application as educational and informative documents for the local community.

- 2.3 The Dover District Heritage Strategy highlighted the lack of conservation area character appraisals for the districts conservation areas. It acknowledged the limited resources that are available for carrying out this work, and recommended that the Council worked with local community and interest groups to try and address this issue. This is the fourth conservation area appraisal to be produced by a local organisation since the Heritage Strategy was adopted in 2013.
- 2.4 The Deal Society, in conjunction with the Council, has produced a draft appraisal for the Upper Deal Conservation Area, and this is appended to this report. For the benefit of this report the appraisal is provided as a word document, but for the public consultation this will be undertaken using the Council's 'Objective software' and will include relevant maps and photographs.
- 2.5 The appraisal looks at:
- The origins and growth of the area under consideration;
 - Reviews the existing boundary of the conservation area;
 - Highlights both positive and negative aspects of its character, and
 - Makes recommendations for its future enhancement.
- 2.6 If the draft appraisal is agreed by Cabinet, public consultation would be undertaken for a period of 6 weeks. The results of the consultation process would then be reported back to Cabinet.
3. **Identification of Options**
- 3.1 That the draft Upper Deal Conservation Area Character Appraisal is agreed for public consultation.
- 3.2 That the draft Upper Deal Conservation Area Character Appraisal is not agreed.
4. **Evaluation of Options**
- 4.1 The Upper Deal Conservation Area Character Appraisal has been prepared by a local organisation and would be used to identify opportunities for environmental improvements, inform new development and to act as an evidence base for the evaluation of new proposals. It would also be used by Planning Inspectors in appeal situations. If the document is not subject to public consultation then little weight can be attributed to it in the planning process.
- 4.2 In view of the above it is recommended that the draft appraisal is agreed for public consultation.
5. **Resource Implications**
- The resource implications are limited to consultation and printing costs, which would be approximately £50, and this would be covered by the existing LDF budget.
6. **Corporate Implications**
- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (SB).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equality 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>.

7. **Appendices**

Appendix 1 – Draft Upper Deal Conservation Area Character Appraisal

8. **Background Papers**

The Dover Heritage Strategy 2013

Contact Officer: Alison Cummings, Principal Heritage Officer

Upper Deal

Conservation Area Character Appraisal

Draft for consultation

May 2019

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1. Introduction

1.1. Background

The focus of the Upper Deal Conservation Area is St. Leonard's Church, which dates back to at least 1180 and was surrounded by cottages known as the village of Addelam. Between the 13th and 17th centuries there are various spellings of Deal including Dele, Deyll, Dale, Dole and ad Dela. There is no historic point at which Addelam became Upper Deal. As the shoreline developed into a thriving residential and commercial area and spread westwards the ancient village of Addelam was slowly absorbed into the wider urban town of Deal. There are two further factors which add historic significance to this part of Deal. For centuries St Leonards Church was a steer for navigation because of its elevation on raised ground. It was also on the main trunk road from Deal to Sandwich and beyond. This conservation area contains around 100 dwellings, 12 of which are Grade II Listed buildings, and was designated on the 6th November 1970.

An appraisal is intended to provide an understanding of the special interest of a conservation area and to set out options and recommendations to help ensure that any changes are informed by an understanding of the local character and distinctiveness of the conservation area. When this appraisal is adopted by Dover District Council (DDC) it will become a Supplementary Planning Document which will be a material consideration in the determination of applications for planning permission within and adjacent to the conservation area.

This appraisal looks at the following issues:

1. The origins and evolution of the area under consideration.
2. The current boundary of the area and any review that should be made of that.
3. The positive and negative factors that contribute to or detract from the current condition of the conservation area.
4. Any recommendations that will protect and enhance the conservation area. Any changes proposed must sustain and enhance the historic environment and its heritage.

1.2. Planning Policy Context

The Planning (Listed Building and Conservation Areas) Act 1990 sets out the statutory definition of a Conservation Area, which is “an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance” [s.69(1)]. Dover District currently has 57 designated Conservation Areas.

There is a requirement under the legislation to review Conservation Areas “from time to time” to ensure that the boundary captures all the area that is of special interest and to assist in developing plans for the management of change within the conservation area. This is further endorsed by the National Planning Policy Framework (2012) which urges the need to ensure that an area justifies the designation because of its special architectural or historic character or appearance.

The Dover District Heritage Strategy (2013) presents the district’s Heritage Assets as Themes; Theme 13 dealing with conservation areas. The district’s conservation areas are considered to be heritage assets of **outstanding significance**, and in addition to being attractive places to live and work, contribute to the economic wealth of the district by being a magnet for visitors. Seven Conservation Areas lie within the area that the Deal Society undertook to monitor - four of these lie in the Town of Deal and three lie within the Parish of Walmer.

A methodology was developed for the Heritage Strategy enabling a rapid desk-based assessment of the general condition of the district’s conservation areas and was applied to 19 of the conservation areas. The results of this overview, using a “traffic-light” system to classify their condition, indicate that of the 57 conservation areas in the district 12 of these conservation areas were identified as ‘performing well’ and achieved a green light, six achieved an amber light, requiring some enhancement, and one area required considerable enhancement or potential “de-designation” as a conservation area, due to the substantial loss of its character of special interest.

Theme 13 prescribes methods and techniques by which an area’s condition may be measured, assessed and managed; Article 4 Direction is one method. An Article 4 Direction removes permitted development rights from residential properties to ensure that certain changes, such as the replacement of windows, is managed to ensure that the change is appropriate to the special character of the conservation area. Article 4 Directions have been applied so far to two of the 19 conservation areas, one of them being the Middle Street Conservation Area in Deal.

The Heritage Strategy also suggested the formulation of a system for the assessment of a conservation areas condition such as that developed and adopted by the Oxford City Council, endorsed by Historic England and used by the Oxford Preservation Trust. That system has been used in this character appraisal, further informed by best practice guidance within the Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management (Feb 2016).

1.3. Community Involvement

This character appraisal has been prepared by The Deal Society in close liaison with DDC. The Dover District Heritage Strategy highlights the importance of local community involvement in the protection of the historic environment. There are two specific areas where that involvement is encouraged. First of all, local civic groups are encouraged to develop appraisals of conservation areas within their locality. Secondly, the production of a List of Heritage Assets is encouraged. This appraisal is, therefore, consistent with the aspirations of the Heritage Strategy. (For a more detailed analysis of the Strategy see 1.2).

Every resident in this conservation area was informed by letter that the appraisal would be carried out in the summer of 2017. The letter also contained a short questionnaire to which the residents were invited to respond. A small number of residents responded and the matters raised by them are reflected in the content of this report.

The first draft of this appraisal was submitted to DDC in November 2017 for a process of public consultation to be agreed.

1.4. Summary of Significance

1. St Leonard's Church continues to provide a very strong focus to this conservation area. The area clusters around this focus and as the oldest building in the area it is also significant because it provides focus for what can be perceived as a disparate and disconnected area. The church stands on raised ground and this is key to its role in navigation and the relationship of the ancient villager of Addelam to the sea. The hatchments inside the building area also a key to that maritime heritage. The church is listed and there is a remarkable feeling of standing above the busy roads that cross the area.
2. There is no obvious cohesion or coherence to the area. The building styles are very disparate and spread over more than three centuries. Equally it could be argued that this variety in architectural forms enhances its character. There are commonalities that reflect the historic development over those centuries.
3. There are substantial 20th century additions, especially on the site of the former Tormore School, which protect the conservation area both in the style of architecture and the careful planning of the immediate environment. Those developments also create a sense of space to the north and west of the conservation area. The treatment of the windows and doors and the roof spaces contribute a sense of historic continuity to an area that has evolved over several centuries. There is both continuity and evolution in the architectural form.
4. To the south and east of the conservation area small terraces and individual houses are close to the pavements and this creates a strong sense of enclosure. Parts of this area create a refreshing contrast to the sense of busyness that prevails in other parts.
5. Trees play an important role in the character of the area often framing and creating views through the area. The open spaces around the church accentuate that sense of space as do some of the larger gardens in the area. The burial ground by Church Path makes a major contribution to the local environment. It is one of the very few open spaces in this part of Deal.
6. Since the designation of the conservation area there has been substantial new building in the gardens of historic buildings. This has inevitably changed the character and appearance of the conservation area. Equally it can be argued that it has contributed to its historic evolution.

2. The Character Appraisal

2.1. Buildings

St Leonard's Church has been called "the most cockeyed church in Christendom". It has evolved over centuries and the additions to it are disparate but this creates an interesting layout. This affects the traditional layout of the interior of the church but also makes it unique. Its imposing cupola makes it a landmark. Traditionally, shipping set their direction by it. This strong sense of dominance combined with the "cockeyed" architectural forms, epitomises the way in which this area developed and the character of the buildings within it.

The church windows also create distinctiveness in their variety of styles again reflecting the historic evolution of the church building.

There are a number of other significant historic buildings in the area. These create a strong presence in a number of the streets. There is some very fine detailing and brickwork. Jenkins Well close to the roundabout on London Road has some very fine Flemish bond brickwork and a unique Dutch gable. The care and attention to architectural style and detail in a number of historic buildings especially in the detailed brickwork creates the particular character of this conservation area.

The Dover Heritage Strategy also points out that there have been extensive new developments in the gardens of historic properties and this has inevitably led to changes in the character and appearance of the conservation area.

The dominant building materials, reflected in other parts of Deal, are brick and wood with Kent peg tiles or slate. There is some render and a small amount of weatherboard. Weatherboard also dominates properties close to a barn conversion.

2.2. Landscape

The street scene and roofscape are both highly varied. That may also be the charm of the area! Many properties sit very close to narrow pavements. In other parts, especially to the north and west there are pleasing cul de sacs surrounded by large trees which enhance the natural environment.

An important row of Yew trees behind Tormore Mews creates a strong sense of boundary to the area. There are also substantial trees in Tormore and the Rectory and large groups of trees in the burial ground by Church Path. Local residents emphasise the very great contribution that trees make to the landscape in this part of Deal.

2.3. Spaces and Views

Glimpses of the cupola on St Leonard's Church can be seen from various parts of the conservation area. When travelling by car the church can be viewed from all directions thus accentuating its imposing nature. The view of the church hall on London Road is pleasant but not especially distinctive. Church path can be glimpsed from points on Manor Road enticing you to walk along it. The trees along Rectory Road towards Tormore framed by trees have a special impact.

The burial ground in Church Path and the graveyard surrounding St. Leonard's are the two largest open spaces providing respite from the extremely busy roads. There is also a small green space around the bus stop on London Road. The Dover Heritage Strategy says that there is potential for this space but more analysis needs to be carried out to ascertain whether that is actually the case. The brick boundary walls at a number of places in the area create a very strong sense of enclosure. There are one or two picket fences and there is also a very poor pre-fabricated wall on Addelam Road.

2.4. Streets and Paths

Major roads run through the conservation area. Because they form major routes in and out of Deal they are in reasonably good repair. Tarmac is the predominant material in both the roads, pavements and footpaths. This varies in quality and some of it does little to enhance the conservation area. There are no public car parks. Some of the newer developments have adequate off street parking. There is on road parking adjacent to St. Leonard's and its Parish Hall. There is a lot of untidy street furniture especially around the commercial properties on London Road especially in the form of freestanding signage and refuse bins. The street lighting is modern and fairly innocuous.

2.5. Ambience

The overwhelming impact of the traffic, roads and junctions creates a sense of never ending activity. The heart of the area is dominated by a constant stream of traffic which has a major impact on the character of the conservation area. In contrast there are small pockets of tranquillity off Addelam Road and Church Path. There are differing kinds of ambience as you move from the churchyard through Church Walk to the areas around Tormore. Intimate spaces contrast with busy roads thus creating an ever changing character and appearance as well as places of never changing tranquillity.

3. Management Plan

3.1. Vulnerabilities and Negative Features

1. The standards of maintenance of the buildings are varied and there is definite evidence of some buildings not being adequately maintained for a conservation area. Lack of maintenance of boundary walls also degrades the appearance of the area. There is one building on the roundabout that is in significant disrepair. The Dover Heritage Strategy points out that the rusting corrugated roof and neglected facades make this a very poor entry point to the town.
2. Concern was expressed about the state of repair of some of the tombs in St. Leonard's Churchyard and in the burial ground by Church Path. Whilst most tombstones in the churchyard are well maintained some of the historic large tombs are overgrown by creepers and are crumbling in places.
3. The lack of additional planning controls, such as an Article 4 Direction, in the area is very evident. Some unauthorised work has been carried out on a number of buildings. There were examples of changes to the character and appearance of the frontages that did not conform to normal conservation area practice. There were also examples of acute neglect. The high number of uPVC windows and doors is a matter of concern because they change the character and appearance of the conservation area. The prevailing tradition is of timber windows and doors. There were certainly examples where the style was completely alien to the character and history of the property.
4. There were a few examples where planning consent for new build did not appear to have had sufficient regard for the historic character of this conservation area. This included unsympathetic features being added thus distracting from the historic and heritage significance of the property as well as architectural styles that contributed nothing to the character and appearance of the conservation area.
5. Attention is drawn to the character of the shop and retail frontages, most of which show little regard for their position in a conservation area. The exception in no 301 which the Dover Heritage Strategy says retains an attractive fascia and lettering.
6. Concern was expressed by a number of residents to the bulging church boundary wall. It was considered to be potentially at risk and therefore potentially a risk to road users.
7. There was a concern from residents that trees with TPO's were being felled without appropriate authorisation. Because of the important role that trees play in the character and appearance of the area this was a legitimate concern.
8. The Dover Heritage Strategy highlights the need for improvements to lighting and signage at the London Road roundabout because they currently detract from the special interest of the conservation area.

3.2. Recommendations

3.2.1. Article 4(1) Direction

All local authorities were given the power to impose an Article 4(1) Direction by the Town and Country Planning (General Permitted Development) Order 2015.

It is recommended that an Article 4(1) direction be implemented for the whole of this conservation area. The review group believes that this is necessary because of the number of unauthorised works to the character and appearance of the exteriors of buildings facing the public highway that were evident in this appraisal. There is an observed need to protect properties in this area a few of which are showing significant neglect.

The regulations governing that Direction are set out in the appendices of this report.

3.2.2. Shop Frontage

The DDC Guidance on Shop Fronts and Signage within Conservation Areas should be applied to any proposed changes to commercial properties in this conservation area. More appropriate changes to the fascias and lettering of shop frontages that is consistent with conservation practice should be encouraged especially when new planning applications are made to change the character and appearance of historic buildings.

3.2.3. Heritage Assets of Local Importance

The Government's National Planning Policy Framework states that 'non-designated' (i.e. essentially locally-identified) heritage assets should be taken account of when considering planning applications. A Local List would enable the importance of undesignated local heritage assets to be taken into account in the processing of any planning applications which might have an impact on them or their setting.

A Local List would include buildings, structures, landscape and archaeological features which are of local interest and have no statutory designation. For inclusion within the Local List, the Heritage Asset must comply with at least one of the following criteria set out within the DDC Land Allocations Local Plan (adopted January 2015):

- Historic Interest
- Architectural and Artistic Interest
- Social, Community and Economic Value
- Townscape Character

There are buildings which could be identified as being Heritage Assets of Local Importance within the conservation area and close to it:

- Devonport House and Melrose Cottage in Church Path
- Manor Road 107-109, 111, 74, 76
- London Road 301, 222
- The Yews Addelam Road
- The parish hall

3.2.4. Building at risk

The building on the roundabout, 98 Manor Road, is a Grade II Listed Building in significant disrepair. Since the Historic England Heritage at Risk register does not include Grade II listed buildings outside London, there is a need to consider further action as appropriate on this building. The Dover Heritage Strategy suggests one option.

3.2.5. Street Furniture

Further analysis is required to determine what signage is required and what is obsolete and therefore a distraction from the character and appearance of the conservation area.

3.2.6. Boundary changes

A study needs to be carried out to review the boundaries of this conservation area. The Dover Heritage Strategy highlights the way in which building in the gardens of historic properties plus the changes in land use e.g. the changes following the fire at Tormore School have altered the character and appearance of the original conservation area. There may also be areas e.g. in Church Path that should now be included within the conservation area.

4. Appendices

4.1. Historical development

The area of Upper Deal, formerly the village of Addelam, developed and evolved over eight centuries. There is no verifiable historical information as to when the village of Addelam became Upper Deal. It appears to be more the case of slow historical absorption of the original village into the greater urban complex of Deal.

During medieval times St Leonard's Church stood amidst a small cluster of cottages in the village of Addelam. The village was known by numerous names some of which are detailed in the introduction to this report. The earliest evidence places the church circa 1180. The Visitation Roll of 1327 said the church was much neglected. Between 1560 and 1630 there were 13 farms in Upper Deal, the area being predominantly agricultural. The church tower was replaced in 1684. By the middle of the 1780s the village had a parsonage and 43 dwellings. The northern annex of the church was built in 1819 to provide extra seating as the population grew. St Georges in Deal had been established for well over a century and St Andrews was built in the mid 19th century. This reflects the population growth in Deal as a whole.

An additional burial ground on Church Path was taken into use from 1795 to 1855. Some of the trees were added by the Deal Society in 1970.

The 18th century Rectory adjacent to the church was built on the site of the former Parsonage. The modern Rectory is in Addelam Road.

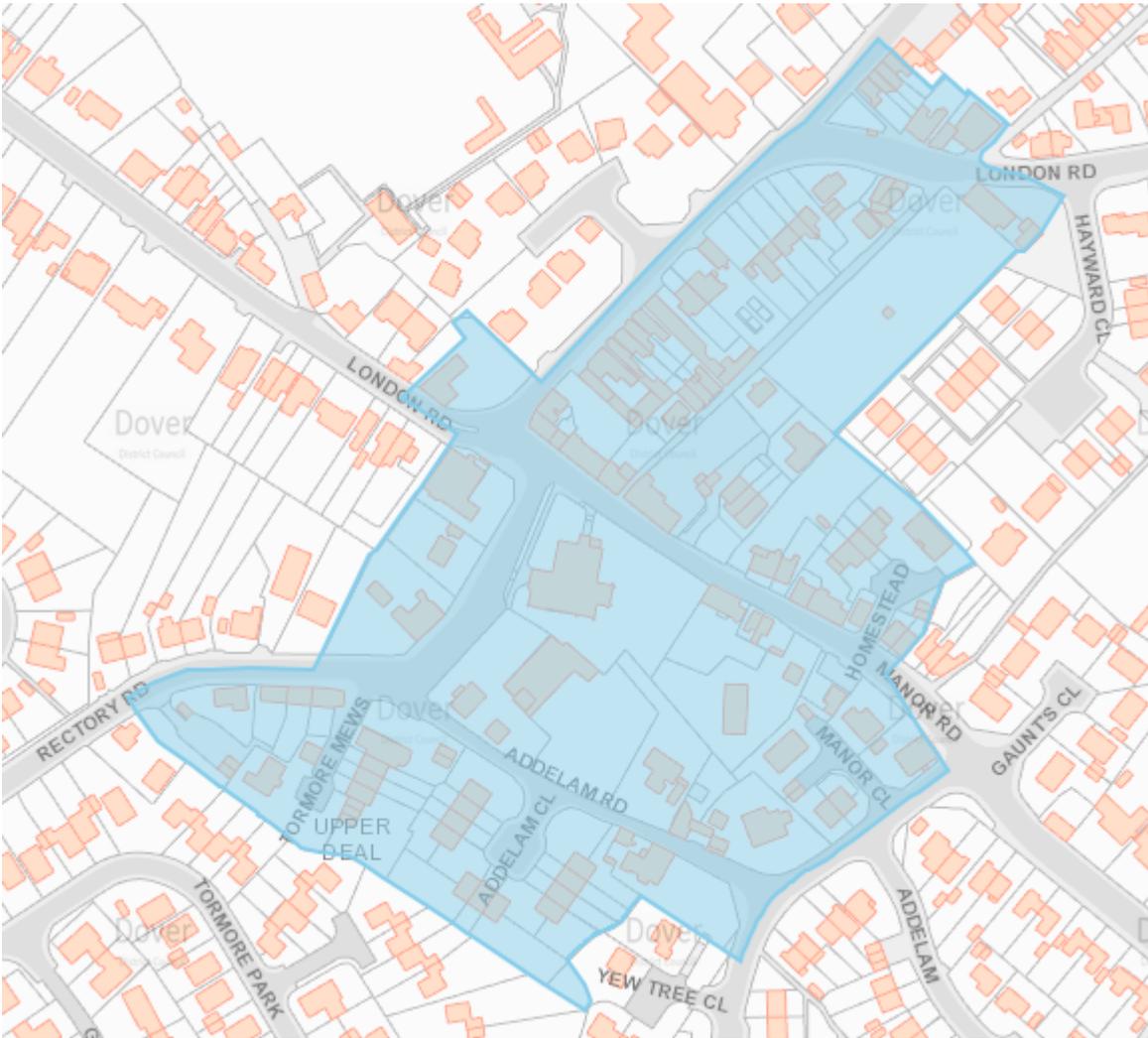
The Turnpike Acts of 1797 and 1818 allowed tolls to be levied for the use of the road from Deal to Sandwich.

Court House, opposite the church, was the residence of the former stewards of the Manor of Deal Prebend when Addelam village was under ecclesiastical authority. In 1721 it was used as the Parish Poor House. During WW2 it was briefly occupied by troops and later taken in as part of Tormore School.

In 1908 a small, private preparatory school for boys opened in a pre-1844 Georgian property named The Oaks. Standing on the corner of Addelam Road and what is now Rectory Road (previously Park Road), it was re-named Tormore. As the school expanded over time, various buildings for school use were erected in the grounds and areas set out for sporting activities. Some private properties nearby were also taken into use for school purposes. The school left Deal in the late 1970s and the site was acquired for residential development. Arson in 1981 and 1983 damaged some of the empty buildings. In 1993 consent was granted for the demolition of the derelict shell of Tormore (designated a listed building some years previously).

The residential development along Addelam Road occupies the site of Addelam House (demolished circa 1960).

4.2. Maps



4.3. Planning controls

4.3.1. Article 4(1) Direction

All local authorities were given the power to impose an Article 4(1) Direction by the Town and Country Planning (General Permitted Development) Order 1995.

The Article 4(1) Direction adopted by Dover District Council reinforces the Council's ability to protect the special character of a town. The Direction gives the District Council control over a variety of alterations to unlisted residences. Planning permission is required for changes to windows, doors, roof materials, and chimney stacks, and the construction of external porches, the provision and removal of walls and fences and the provision of hard standings.

These controls do not relate to the whole building, but only to those elevations which front a highway, waterway, or public open space, and which, therefore, affect the public face or faces of the building.

The best way of preserving the character of a building is to repair it using traditional materials. By using traditional materials there is no change to the external appearance and planning consent may not be required.

Direction 4(1) requires the submission of a planning application for the following items of work where the works front a highway, waterway or open space:

- The enlargement, improvement or other alterations of the house. This includes changing windows and doors.
- Any alterations to the roof, including roof lights, dormer windows, the substitution of clay tiles or natural slates with concrete or other materials.
- The erection or construction of a porch outside an external door.
- The provision within the curtilage of a house or any new buildings or any existing ones the provision of a hard surface e.g. for car parking in the front garden.
- The erection, alteration or removal of a chimney on the house or on a building within its curtilage.
- The erection, construction maintenance, improvement or alteration of a gate, fence or other means of enclosure.
- The painting of the external masonry (or other walling material) of any part of the house (or building or enclosure within the curtilage of the house). For the avoidance of doubt this does not include the routine painting of masonry or other walling material in the same colour.
- The installation, alteration or replacement of a satellite antenna on a house or within the curtilage of a house.

If the house is listed then Listed Building Consent for both external and internal alterations and extensions is required.

For further information consult the Dover District Council Planning website.

4.4. Acknowledgements and references

4.4.1. Bibliography

- John Laker: History of Deal 2nd edition 1921
- Barbara Collins: Discovering Deal 1969
- N.E. Tomaszewski: 800 Years of Worship 1980
- Gregory Holyoake: Old Deal and Walmer Postcards 1981
- David Collyer: Memories of an Upper Deal Prep School 1932-1986 published in Bygone Kent September/October 2001
- Gertrude Nunns: A History of Deal 2006

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