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Application: DOV/15/00099

Land Adjacent to Mundels

Cherry Lane

Great Mongeham

CT15 0HG

TR 3481:5129



- a) **DOV/15/00099 – Reserved matters application for the erection of a detached dwelling (details pursuant to outline permission DOV/14/00457) - Land Adjacent to Mundels, Cherry Lane, Great Mongeham**

Reason for report: Number of contrary views.

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policies and Guidance**

Core Strategy Policies

- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM11 - Development that would generate high levels of travel will only be permitted within the urban areas in locations that are, or can be made to be, well served by a range of means of transport.
- DM13 – parking provision should be design-led, based upon an area's characteristics, the nature of the development and design objectives, having regard for the guidance in Table 1.1 of the Core Strategy.
- DM15 – Development which would result in the loss of, or adversely affect the character and appearance of the countryside will not normally be permitted.
- CP5 – The development should meet sustainable construction standards (The requirement for Code Level 3 standards is now applied as it reflects National Guidance Standards effectively equivalent to the Code Level 4 standard applicable at the time of the adoption of the Policy).

National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles which, amongst other things, seeks to: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; secure high quality design and a good standard of amenity for all existing and future occupants and buildings; recognise the intrinsic character and beauty of the countryside and support thriving rural communities within it; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
- Chapter one of the NPPF seeks the planning system to do all it can to secure sustainable economic growth. Local Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st Century and address barriers to investment, including a poor environment or any lack of infrastructure, services or housing.
- Chapter four of the NPPF seeks to promote sustainable transport. In particular, paragraph 29 states that “the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be

required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas”.

- Chapter six of the NPPF seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.
- Chapter seven requires good design, which is a key aspect of sustainable development.
- Chapter Twelve requires that the historic environment be conserved or enhanced. Where development would harm heritage assets or their settings, the development should be refused unless the harm caused is outweighed by public benefits.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development.

Great Mongeham Design Statement

- Provides design advice for development in Great Mongeham.

d) **Relevant Planning History**

DOV/14/00457 – Outline application for the erection of a detached dwelling - Granted

e) **Consultee and Third Party Responses**

Great Mongeham Parish Council - Object. The 'style, design and size are out of character with the surrounding buildings which are single storey. Should permission be granted, second storey windows to the front elevation should contain frosted glass to prevent overlooking.

Following the amendment of the application, the Parish Council were renotified. The Parish Council Object to the application, for the same reasons as their initial objection.

Public Representations: Seven letters of objection have been received, raising the following concerns:

- The development would be out of character with the area
- Overlooking to neighbouring properties
- Increased surface water run-off to Cherry Lane
- Loss of a view
- Additional traffic on the roads
- Impact on wildlife

In addition, two representations have been received supporting the application and making the following comments:

- There is a need for additional housing in the village, which would add to its vitality
- The dwelling would not be seen from Cherry Lane

Following receipt of amended drawings, the application was readvertised. Three further letters of objection has been received

- Overlooking of gardens
- Loss of views
- The development would be out of character
- The dwelling should be a bungalow

- f)
1. **The Site and the Proposal**
 - 1.1 This part of Great Mongeham has a rural character, with open countryside to the south and grazing land to the north. The site lies on the edge of the settlement confines of the village and is close to two Conservation Areas. The first of the Conservation Areas is centred on the Church of St Martins and is located approximately 200m North West of the site. The second tracks along Mongeham Road and is around 200m to the East.
 - 1.2 The application site lies to the north east of Mundels, which fronts Cherry Lane in Great Mongeham. Mundels is part of a row of three bungalows, including Lynwood and Cherysantyn, which are set back from the road on land elevated above Cherry Lane. Mundels lies partially to the rear of Cherry Orchard, whilst the application site is fully to the rear of Cherry Orchard. The site forms part of the extensive curtilage of Mundels, and is currently used as vegetable plots.
 - 1.3 This application is for the approval of reserved matters in relation to the grant of outline planning permission (OUT/DOV/14/00457) for the erection of one detached dwelling at Mundels, Cherry Lane, Great Mongeham. The application seeks approval for access, appearance, layout and scale, but does not include consideration of landscaping.
 - 1.4 The proposal would be two storeys in height. The building would be finished in a mixture of off-white render and horizontal stained timber cladding, under asymmetric pitched roofs finished in single ply membrane with raised 'standing seam' features. The windows and doors would be constructed of timber. To the right hand side of the building would be a single storey flat roofed protrusion, the roof of which would extend beyond the front elevation of the building to provide a car port.
 - 1.5 To the front of the property would be a permeable block paved area providing access, turning space and parking for approximately 2 cars, whilst a paved courtyard and garden lie to the rear.

2 **Main Issues**

- 2.1 The main issues are:
 - The principle of the development
 - The impact on the character and appearance of the area
 - The impact on heritage
 - The impact on residential amenity
 - The impact on the highway

Assessment

Principle

- 2.2 The principle of the development has been established in the grant of outline planning permission (OUT/DOV/14/00457) and is therefore acceptable.

Character and Appearance

- 2.3 As established by the Great Mongeham Design Statement, this part of the village has a mixed character, with houses of a “mixture of periods and styles”. Indeed, this part of Cherry Lane includes two storey, one and a half storey and single storey dwellings and comprises detached, semi-detached and terraced buildings. Most properties are set relatively close to the road, behind small front gardens. Cherysantyn, Lynwood and Mundels, which lie directly to the south west of the site, are set at an angle to the road.
- 2.4 The proposed dwelling would be set behind Cherry Orchard, approximately 32m from the road. Due to this location, the dwelling would only be visible from Cherry Lane in glimpse views between Mundels and Cherry Orchard, and between Cherry Orchard and Brecon. In these views, which would be partially obscured by vegetation, the proposal would not be prominent.
- 2.5 Glimpsed views of the dwelling could also be taken from Church Path. However, the dwelling would be seen at a distance of in excess of 100m and would, again, be partially obscured by vegetation.
- 2.6 The location of the dwelling, whilst not explicitly considered at the outline stage, is dictated by the size and shape of the site. The dwelling would be positioned to align with the row of three dwellings, Cherysantyn, Lynwood and Mundels. It is considered that this layout is a logical progression of the existing layout of these three dwellings.
- 2.7 The dwelling would be two storeys in height, which is considered to be comparable with many other properties within the vicinity. Whilst Cherysantyn, Lynwood and Mundels are all single storey, Mundels, which is directly adjacent to the proposed dwelling has a higher ridge than its neighbours. The proposal would have a similar ridge height to Mundels, whilst the two storey nature of the proposal is, to a degree, disguised by the front roof slope, which would continue past the front elevation of the building. In the glimpse views of the building which would be possible from Cherry Lane, it is considered that the scale of the building would not appear out of context or dominant.
- 2.8 The building would have a contemporary architectural design, with long, slender windows and simple detailing. Whilst dwellings in the area are typically traditionally detailed, it is not considered that the dwelling would appear incongruous, due to the mixture of architectural styles in the locality. The NPPF states that planning decisions “should not impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms and styles”. With this in mind, and having regard for the lack of a strong, locally distinctive, character, it is not considered that the detailed design of the building is unacceptable.
- 2.9 The dwelling would be predominantly finished in off-white render, together with sections of timber cladding. The roof would be finished in a single ply membrane with décor profiles.
- 2.10 White and off-white render is commonly used within the village and is therefore acceptable. The Great Mongeham Design Statement, at policy GMDS7, states that weatherboarding is not typical and is considered inappropriate for new

developments. Timber weatherboarding is less commonly used within the village, although some examples do exist, particularly in subservient buildings. The weatherboarding proposed would be used sparingly and would not dictate the prevailing appearance of the building. For these reasons, it is not considered that the partial use of timber weatherboarding would cause any significant harm to the character and appearance of the area.

- 2.11 The single ply membrane would be dark grey in colour and, together with the décor profiles which produce an appearance similar to standing seams, would replicate the character of a rolled lead roof. Whilst there are no examples of this material being used within the village, the village does display a wide range of roofing materials, including a variety of clay and concrete tiles, slates, corrugated sheeting and thatch. It is not, therefore, considered that the introduction of this material would be harmful to the character of the area, particularly given the buildings partly secluded location.
- 2.12 For these reasons, it is not considered that the development would cause any unacceptable harm to the character or appearance of the area

Heritage

- 2.13 There are three clusters of listed buildings and one isolated listed building within the vicinity of the site. The isolated listed building, Great Mongeham Farmhouse, is around 150m to the west and is Grade II listed. The first cluster of listed buildings is located around 250m to the north and is centred around the Church of St Martin. This cluster includes the Church which is Grade II* and four Grade II buildings. The second cluster is around 350m to the north east and comprises four Grade II listed buildings around the junction of Mongeham Road and Northbourne Road. The third cluster of listed buildings lies around 200m to the east and comprises five Grade II listed buildings around the junctions of Mongeham Road, Cherry Lane and Ellens Road. It is not considered that there are any other buildings within the vicinity which can reasonably be regarded as non-designated heritage assets. There are also two Conservations close to the site, which are approximately 200m to the north west and 200m to the east respectively.
- 2.14 In accordance with of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard must be had for the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest they possess, whilst special attention must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In furtherance to this, the NPPF requires that regard must be had for whether development would cause harm to any heritage asset, whether that harm would be substantial or less than substantial and whether, if harm is identified, there is sufficient weight in favour of the development (public benefits) that outweighs that harm.
- 2.15 In this instance, the development would be well separated from heritage assets. Whilst the site gently rises from south to north, the topography of the site does not make the development prominent in views and is within a context of, for the most part, relatively modern houses. For these reasons, and taking account of the special regard which must be paid to listed buildings and their settings and the special attention which must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Areas, it is not considered that the development would cause any harm to listed building or their settings, or the Conservation Areas and their settings.

- 2.16 There are several records of archaeological finds within the vicinity of the site, most notably a Lower Palaeolithic Levallois core which was found directly adjacent to the proposed location of the dwelling. This record was found at a depth of 1.25 meters whilst excavating to form a swimming pool at Orchard House, Great Mongeham, in 1982. Iron Age and Roman finds have also been discovered within the vicinity of the site. The building itself would be dug up to around 1m into the incline to its rear, whilst the development would also require foundations. Having regard for the sensitivity of the location and the nature of the development, it is considered that the site has the potential to include heritage assets with archaeological interest. In accordance with the NPPF, it is therefore considered that it would be reasonable to require an archaeological watching brief to monitor and record any archaeological heritage assets which would be disturbed by the development.

Impact on Residential Amenity

- 2.17 The land rises steadily from south to north and, as such, the dwelling would be situated approximately 2m higher than the level of Cherry Orchard. At its closest point with Cherry Orchard, the building would have eaves of 4m in height, pitching up to 7m in height. This ridge would be a further 5.5m from the boundary with Cherry Orchard.
- 2.18 Two first floor windows are proposed within the front elevation of the proposed dwelling, which would face towards Cherry Orchard. These windows would be approximately 10m from the boundary with Cherry Orchard and approximately 18m from the closest part of the building.
- 2.19 Following concerns regarding overlooking from these windows, the applicant has confirmed that these windows will be obscure glazed and non-opening. Furthermore, the amended design of the building now includes a roof which overhangs one of these windows, further reducing the perception of overlooking. Subject to a condition ensuring that these windows are obscure glazed and non-opening, it is not considered that any unacceptable overlooking would be caused. Furthermore, having regard for the limited height of the building towards its front, together with the reasonable degree of separation, it is not considered that any unacceptable loss of light or sense of enclosure would be caused to Cherry Orchard.
- 2.20 The development would be located approximately 13m from the side elevation of Mundels. Between the proposed dwelling and Mundels is a garage. Having regard for the degree of separation, no unacceptable loss of light or sense of enclosure would be caused. However, side facing windows within the proposed dwelling have the potential to cause overlooking to the garden of Mundels. The applicant has confirmed that, with the exception of the window towards the front of the building, all first floor side facing windows will be obscure glazed and non-opening up to 1.7m above floor level. The window which would not be obscure glazed or non-opening is positioned adjacent to the existing garage and would not allow clear views into the garden of Mundels. For these reasons, it is considered that, subject to a condition to ensure that the identified side facing windows will be obscure glazed and non-opening up to 1.7m above floor level, no unacceptable overlooking of Mundels would occur.

- 2.21 It is not considered that the living conditions of any other properties would be harmed by the development, in terms of overlooking, loss of light or sense of enclosure, due to their location and relationship with the proposed dwelling.

Impact on the Highway

- 2.22 The development would be served by the existing access which serves Mundels. The submitted drawings, in conformity with condition 9 which was attached to the outline application, show a 2m by 25m visibility splay, with no obstruction over 1.05m, to the western side of the access at its junction with Cherry.
- 2.23 The site includes a covered car port, which would be of sufficient size to accommodate two vehicles. The width of the car port (5.8m) is considered to be sufficient to allow vehicles to be parked with sufficient space to allow doors to be opened. Within this village/rural location, four bed dwellings will be expected to provide two independently accessible car parking spaces, which the development would meet. In addition visitor parking (at 0.2 spaces per dwelling) should be provided. The dwelling would retain a relatively large hard standing to its front, which is considered to be capable of providing one additional car parking space, whilst also allowing for turning space. The provision of this the car parking and manoeuvring areas is secured by virtue of condition 6 which was attached to the outline permission, which will remain in force.
- 2.24 Concern has been raised that the development would increase surface water run-off to Cherry Lane. The Great Mongeham Design Statement also raises surface water run-off as an issue. The proposed car parking area to the front (south east) of the proposed dwelling would be permeable, allowing surface water to disperse into the ground and mimicking natural surface infiltration. Subject to a condition to ensure that this paved area will be permeable, it is not considered that any additional surface water run-off would be caused by the development. Other surface water will be disposed of via a soakaway. The outline permission included a condition (condition 8) requiring that measures be incorporated to prevent the discharge of surface water onto the highway, which will remain in force.
- 2.25 The development includes secure, covered storage for at least four cycles, in accordance with the recommended provision of one space per bedroom required by Kent Vehicle Parking Standards SPG4, and in accordance with condition 7 attached to the outline permission.

Other Matters

- 2.26 Concern has been raised that regard has not been had for the Great Mongeham Design Statement. This statement has not been formally adopted by the Dover District Council as Supplementary Planning Guidance. However, the statement is a material consideration, which must be attributed appropriate weight. Whilst the statement pre-dates the NPPF, the two are largely consistent. The statement includes a Character Assessment of the area around the site (Character Area 5) and policies which seek to retain the villages separation from the built up areas Deal, provide adequate and well-integrated car parking, restrict surface water run-off onto the highway and avoid anonymous architecture. These policies, and the statement as a whole, have been considered during the assessment of this application. All the matters which arise from the statement have been considered, alongside the development plan, NPPF and other material

considerations, and the development has been found to be acceptable in all material respects.

Overall Conclusions

2.27 It is considered that the development is acceptable in principle, which has already been established by through the granting of outline planning permission. It is also considered that the development would cause no harm in terms of the character and appearance of the area, and would be acceptable in all other material respects, subject to conditions. It is therefore recommended that planning permission is granted.

g)

Recommendation

- I PERMISSION BE GRANTED, subject to conditions to include:-
 - (i) approved plans, (ii) archaeology, (iii) windows to be obscure glazed and non-opening, (iv) samples of materials.
- II Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Luke Blaskett