

a) **DOV/17/001165 – Outline application for the erection of a detached dwelling (all matters reserved) – Land between The Chalet and Milner, Claremont Road, Kingsdown**

Reason for report: Number of contrary views (9).

b) **Summary of Recommendation**

Planning permission be granted.

c) **Planning Policies and Guidance**

Core Strategy Policies

- CP1 – Requires that the location and scale of development complies with the Settlement Hierarchy. Deal is identified as a District Centre, which is the secondary focus for development in the District; suitable for urban scale development.
- CP6 - Development that generates a demand for infrastructure will only be permitted if the necessary infrastructure is either already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed.
- 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.

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 residents; to reduce pollution; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- 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".
- Chapter six of the NPPF seeks to significantly boost the supply of housing, requiring Local Planning Authorities to identify specific deliverable sites sufficient to provide five years' worth 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.

The Kent Design Guide

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

d) **Relevant Planning History**

DOV/15/00596 - Outline application for the erection of a detached dwelling (all matters reserved). Approved.

e) **Consultee and Third Party Responses**

Kingsdown Parish Council – no objections. Consider a bungalow would be more appropriate for the site.

PROW Office KCC – no objections raised however, following informatives have been recommended to be attached with the permission:

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
2. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development.
3. No hedging or shrubs should be planted within 1.5 metres of the edge of the public path.

Public Representations:

Nine (9) representations received objecting to the planning application and raising the following relevant planning matters:

- plan includes land not owned by the applicant
- dwelling should be single storey
- front boundary projects beyond the boundaries of the surrounding properties
- will narrow the entrance to the road

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

- 1.1 The application site relates to a parcel of land, which is situated within the confines of Kingsdown and abuts the northeast edge of Claremont Road. The site was previously used as an access to the field to the rear (north) of Claremont Road. The site is rectangular in shape and measures approximately 65m by 10.5m and is currently overgrown with trees and hedging along the northwest and southeast boundaries. There is a public footpath to the rear of the site.
- 1.2 The site lies within a wholly residential area of Kingsdown within the village confines. The area predominately comprises detached dwellinghouses, whilst the scale and form of development in the area is varied with properties of one, one and a half or two storeys in height.
- 1.3 The application seeks outline planning permission for the erection of a detached dwelling. While all matters are reserved and no indicative plans

have been submitted, the application submission indicates that approval is sought for a two storey dwellinghouse.

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 residential amenity
- The impact on the highway network
- Ecology

Assessment

Principle of the Development

2.2 The site lies within the settlement confines of Kingsdown. It is considered that principle of the development is acceptable, subject to site-specific considerations.

Impact on the Character and Appearance of the Area

2.3 Members are advised that there have been no change in circumstances in respect of the site since the time the original planning permission (DOV/15/00596) was granted. The proposed dwelling would be located between 'The Chalet' and 'Milner', both of which are detached bungalows. The application site measures 10.5m in width and 65m in depth. The property to the immediate southeast (Milner) has a width of approximately 20m with the site to the immediate northwest (The Chalet) having an approximate width of 14.5m. It is however relevant to note that there are properties to the northwest and southeast with varying plot sizes whose widths range from 10.5m upwards. Therefore, whilst the plot width of the application site is considered to be slightly narrower to the immediate neighbouring plots of Milner and The Chalet, it would be fairly commensurate with other residential curtilages in the locality. For this reason, it is not considered that a dwelling on the site would result in a form of development that would appear inconsistent with the spatial and visual character of the locality.

2.4 The application form indicates that an outline application for the erection of a two storey dwelling is being applied for. However, no details relating to the appearance, height and scale of the dwelling have been provided. At this stage, your Officers are of the view that further details would be required in order to demonstrate that a dwelling of this scale/size could be accommodated which reflects the visual character of the area. Should this application be approved, any reserved matters application would need to provide a detailed design analysis, which would have to indicate how the design, scale and form of the dwelling has taken account of the immediate character of the local vernacular and how it would relate to the existing buildings and the street scene.

2.5 For the purposes of this outline application, it is considered that a dwelling could be accommodated within the application site. It would be for the reserved matters stage however, (when full details are provided) to

determine whether anything more than a single storey unit, or perhaps a chalet styled dwelling, could be adequately accommodated.

Impact on Residential Amenity

- 2.6 Given the size of the site and its relationship with the immediately adjoining properties namely The Chalet to the northwest and Milner to the southeast, it is considered that a single storey dwelling could be provided on the site without causing unacceptable harm to the neighbours, subject to acceptable details being submitted in the reserved matters application. The effects and impacts on neighbours would also drive the type of dwelling that would be acceptable on this site. Whether a dwelling with accommodation at first floor level could achieve the same would be subject to detailed consideration at the Reserved Matters stage.

Impact on Highways

- 2.7 In accordance with Policy DM13, the proposed dwelling would need to provide up to two independently accessible off-road parking spaces. These details would need to be submitted as part of any reserved matters application. It is likely that this could be achieved.

Ecology

- 2.8 Under the previous outline application DOV/15/00596, a Herpetofauna Survey had been undertaken following the consultation with the Ecological Officer. The results of this survey showed that a total of 82 slow-worms were observed during the 2015 survey period. The maximum number of adults which were recorded during a single survey was 21. The population size class within the survey had been classified as exceptional. It was recorded that a majority of the observations were recorded along the western boundary. It was further observed that immature and neonate slow-worms were observed, which indicates the presence of a breeding population.
- 2.9 A condition had been attached to the previous outline permission which required the submission of a translocation strategy (which would detail the methodology for safe capture and translocation to an adequate receptor site together with a monitoring programme for three years for approval of the local planning authority) prior to the submission of a reserved matters application. It is recommended that this condition be reapplied in the event of a grant of planning permission for this current application.

3. Conclusion

- 3.1 The outline proposal for the erection of a detached dwelling is considered acceptable in principle. It meets the policy requirement for new dwellings to be located within the settlement confines and it is considered that subject to suitable details being submitted at the Reserved Matters stage, a dwelling should be capable of being accommodated within this plot, which would be acceptable in terms of its impact on the neighbouring properties as well as its impact on the character and appearance of the street scene and surrounding area. Without further details however, it is not possible to conclude that a two storey dwelling (referred to in the application form) would be acceptable.

g)

Recommendation

- I OUTLINE PLANNING PERMISSION BE GRANTED subject to conditions to include:- i) Approval of Reserved Matters, ii) Time limit for submission of Reserved Matters, iii) Time limit for commencement of development following approval of Reserved Matters, iv) Approved plans, v) Highway conditions to include: provision and permanent retention of parking spaces prior to first occupation; provision and retention of cycle parking facilities prior to first occupation; provision and maintenance of visibility splays to be shown on submitted plans prior to first occupation; details for construction vehicle parking, vi) Sample of materials, vii) Soft and hard landscaping details, viii) Tree/shrub replacement, ix) Landscape management plan, x) Details of boundary treatments xi) Details of disposal of foul and surface water, xii) Existing and proposed sections through the site, to include details of existing and proposed ground levels and finished floor levels and thresholds, xiii) Translocation strategy for slow-worm.

- 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 the Planning Committee.

Case Officer
Benazir Kachchhi