

- a) **DOV/18/00051 - Outline application for the erection of 10 houses together with associated parking and access, including demolition of existing buildings - Brambley Hedge, Tower Street, Dover**

Reason for report: Level of public interest.

- b) **Summary of Recommendation**

Planning Permission be Granted.

- c) **Planning Policy and Guidance**

Dover District Core Strategy (CS)

- CP6 – Development which generates a demand for infrastructure will only be permitted if there is a reliable mechanism in place to ensure it is provided at the time it is needed.
- Policy DM1 states that development will not be permitted outside the confines unless specifically justified by other plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- Policy DM13 sets out parking standards and states that parking should be a design led approach based upon characteristics of the area.

National Planning Policy Framework

- Paragraph 7 sets out 3 dimensions to sustainable development – the economic, social and environmental role which should not be undertaken in isolation.
- Paragraph 14 states that at its heart there is a presumption in favour of sustainable development. Where the development plan is absent, silent or out of date this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
- Paragraph 49 housing applications should be considered in the context of a presumption in favour of sustainable development. Relevant policies for the supply of housing should be considered out of date if a 5 year supply of deliverable housing sites cannot be demonstrated.
- Paragraph 56 The Government attaches great importance to the design of the built environment.
- Paragraph 70 Councils should guard against the loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs.
- Paragraph 128-136 LPAs should assess significance of any heritage asset which may be affected by a proposal. Where proposal would lead to less than substantial harm, harm should be weighed against public benefits of proposal. The more important the asset the greater the weight should be.

- d) **Relevant Planning History**

A number of applications relating to previous use of the site not relevant to this proposal.

e) **Consultee and Third Party Responses**

Technical consultations

KCC Highways – No objections in principle bearing in mind previous use as nursery and likely associated parking demand, and that parking provision meets required standards. Notes that visibility to new access will require removal of 2/3 on street parking spaces in Dickson Road but no objections in highway terms. Required minor amendments to layout which have now been addressed.

Southern Water- Notes the proximity of public sewers. No soakaway should be within 5 metres of that. Formal application to connection to public sewer will be required.

Environment Agency – Have assessed application as low environmental risk.

KCC Archaeology – Watching brief condition required.

Environmental Protection Officer - No objections but recommends conditions relating to potential contamination and construction management plan.

KCC Flood and Water Management – Suggests surface water drainage strategy is provided. Since submitted and no objections from KCC subject to further ground percolation tests.

KCC Education – Notes that 10 units is below Government threshold to require contributions.

Kent Police – Made initial comments followed up by a meeting with Developer to discuss crime prevention measures.

Dover DC Strategic Housing – Notes that no provision of affordable housing is in line with government guidance which states that such contributions should not be sought from developments of 10 units or less.

Dover DC Infrastructure and Delivery Officer – Development will create additional need for open space. In line with adopted formula, a contribution of £5173 is sought in order to provide additional play equipment in a project delivered by the Council.

Third Party Responses

Dover Town Council- Supports in principle. Notes that there will be a greater impact upon traffic although acknowledges parking has been provided.

1 letter of support welcoming the proposal on the basis that people need homes.

12 letters of objections (2 from same address) for reasons which may be summarised as follows:

- Local consultation has been inadequate

- No amenity space
- Not enough parking
- Will increase traffic concerns in the area
- Loss of sunlight and overlooking
- Noise and disturbance during construction
- Loss of building of historical significance

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

1.1 The site is located on the northern side of Tower Street and on the corner with Dickson Road. It is rectangular in shape and currently occupied by two large and two smaller buildings which have been linked together in the past and used as a large children's nursery. However that use has now ceased and the site is currently vacant. There are two storey terraced residential properties adjoining to the west and on the southern side of the road, and also along Dickson Road to the rear. In that respect, both large buildings are currently in very close proximity to the rear of those properties.

1.2 The proposal is in outline form with access, layout and scale seeking to be approved and with appearance and landscaping reserved for future consideration. The plans indicate a terrace of 10 houses which would be two storeys in height and either two or three bedroom in size depending upon detailed subsequent design. A new access would be formed from Dickson Road, to provide parking for 10 spaces to the rear of each unit and with a private amenity deck at first floor level above. Alignment of the terrace would follow that of the terrace to the west with front entrances effectively opening onto Tower Street.

1.3 Although for indicative purposes only at this stage, a computer generated image (CGI) indicates that the design could be similar to the Victorian character of the surrounding area in terms of architectural form and character and with small dormers in the roof space.

2. **Main Issues**

2.1 The main issues in the consideration of this application are:

- The principle of the residential redevelopment
- Design & Layout considerations
- Highway Issues
- Impact upon residential amenity
- Foul and surface water
- Development contributions

3 **Assessment**

Principle of Residential Redevelopment

3.1 Given the site's location within the urban boundary of Dover, there is no objection in principle to a residential use of the site and it would be consistent with Policy DM1 of the Core Strategy. The site is in a highly sustainable location, being close to the Town Centre, local

schools and public transport. Additionally, the Council currently has less than a 5 year supply of housing and the addition of 10 units as a windfall site would make a useful contribution towards that supply. There are however two other key issues which affect its suitability for redevelopment, namely; the loss of a community asset, and whether it would result in the loss of a Heritage Asset.

- 3.2 Dealing with the loss of a community asset first of all, the NPPF advises that Council's should guard against the loss of such facilities where this would reduce the community's ability to meet its day to day needs. Accordingly, a community asset assessment was requested. That indicated that whilst the nursery had operated successfully for a number of years, in recent times and owing to a combination of increasing building maintenance costs, modern registration requirements and falling children numbers, the business became unsustainable and it was forced to close. The building was marketed twice at local auctions and with local estate agents, but did not attract a buyer. Additionally, analysis of the local area reveals that there are 7 nurseries within Dover itself and 22 in the wider area, some of which is in purpose built accommodation.
- 3.3 Given the above, officers consider that the loss of the community facility is justified, particularly when weighed against the advantages of redeveloping the site for housing purposes in a sustainable location.
- 3.4 With regard to its role as a heritage asset, the site is of some interest from an historical point of view with the two original buildings thought to have been constructed between 1876 and 1898 as a mission and chapel before being converted to a girl's school. The site can therefore reasonably be regarded as an undesignated heritage asset. In architectural terms, much of the character has been lost with both main buildings having been externally rendered and covered with concrete tiles. The only features of interest are two stone windows, one much larger than the other, but both are in poor condition with crumbling surrounds. Internally, there are no features of architectural interest relating to the original use with panelling, suspended ceilings and other unsympathetic alterations added over the years.
- 3.5 A report submitted with the application highlights that the condition of the building is not good with signs of damp and water ingress which officers can also confirm. The walls are also single skin and it is concluded that likely high cost of conversion, together with poor arrangement of windows for an alternative use, would render such an option unviable.
- 3.6 Drawing the above together, officers conclude that its significance as an undesignated asset is somewhat limited apart from the historical factors and details of these are recorded in the Statement of Significance submitted with the application. When weighed against the difficulties of finding an alternative use for the buildings, the impracticalities of a conversion, the advantages of a vacant site being redeveloped with a form of development which responds more sympathetically to the character of the area, and with a housing use which is clearly desirable in such a sustainable location, officers consider that the loss of the asset is justified in this instance.

Design and Layout Considerations

- 3.7 The formation of a terrace on the Tower Street frontage is considered to be an appropriate design response and in keeping with the terraced character of the surrounding area. Although final design is a reserved matter, the CGI demonstrates that a development of sympathetic materials and with similar roof pitches and window proportions to the surrounding housing would satisfactorily integrate the development within the street scene and provide a visual enhancement to what is there at present. In particular massing would be appropriate with ridge heights slightly above existing housing but below that of the current large buildings on the site.
- 3.8 Notwithstanding the above, given the tightly constrained nature of the site and the proposed development in relation to surrounding residential uses, it would be prudent to remove permitted development rights in order to ensure control over any future proposed extensions or other alterations.
- 3.9 Given the high levels of on street parking in the surrounding area, parking provision on site is welcomed and the location of the access is considered suitable being well away from the junction. The consequence of providing an access parking and turning area is that opportunities for private amenity areas are limited. However, the proposed first floor decking at the rear of each unit, would provide some degree of private outdoor space, which is considered suitable given that the housing would be relatively small sized units and the fact that the location is wholly urban in character.
- 3.10 The applicant has had discussions with Kent Police in relation to crime prevention measures. Details such as a high gated entry to Dixon Road with access control, high boundary walls and secure front and rear doors will all be included in the detailed design and can be secured through an appropriate condition.

Highway Issues

- 3.11 Although concerns have been raised in relation to inadequate parking provision, the site is located within an edge of centre location for the purposes of calculation of required parking spaces. The parking standards set out in the Core Strategy indicate that 1 space per unit should be provided for either 1 & 2 bed houses or 3 bed houses. This standard recognises that such sites are likely to be in sustainable locations where reliance on a private car may not be required. In this instance, there is an eastbound bus stop right outside the site and a westbound bus stop approximately 100 metres to the west. Additionally Priory Station is a 10-15 minute walk away. Officers are satisfied therefore that the proposal complies with Policy DM13 in the Core Strategy with regard to parking provision.
- 3.12 Concerns have also been raised in relation to increased congestion in the area. Whilst it is recognised that Tower Street is a busy through route, particularly at school times, the transport statement submitted with the application estimates that the proposal will result in 4 two way

peak am movements and 4.5 two way peak pm movements. This is based on nationally recognised highway methodology. In the context of existing traffic movements, such an increase is not considered to be significant. Additionally, it should be borne in mind that the previous nursery use is likely to have generated a far greater number of peak hour movements with dropping off and collections of children.

- 3.13 In order to provide visibility towards Tower Street for vehicles emerging from the site, KCC Highways will require a short extension of double yellow lines on the western side of Dickson Road, which it will secure through a Traffic Regulation Order. This would involve the removal of 2/3 existing on street parking spaces. Whilst on street parking is in high demand in the area, KCC points out that the previous use is likely to have generated on street parking by both parents and staff and that in the wider context it is not considered to have a material impact.

Impact upon Residential Amenity

- 3.14 Although concerns have been expressed about loss of outlook, sunlight and overlooking, these have been from properties on the other side of Tower Street. Given that there is already development on the site with buildings higher than proposed, it is not considered that there will be any worsening of the current situation. At the rear, the siting of the new terrace away from properties in Dickson Road, compared to the existing buildings which extend almost to the rear boundary, will significantly improve the relationship. A 2 metre high brick wall is also to be erected along the boundary in order to mitigate any effect from the proposed parking area. Protection of privacy to adjoining properties from any overlooking from windows or the proposed deck areas is a matter to be assessed at the detailed design stage.
- 3.15 It is acknowledged that given the tight constraints of the site, there is likely to be some disturbance during redevelopment. Unfortunately this is inevitable. However, a detailed construction management plan (CMP) has been submitted with the application which sets out detailed measures to mitigate the impact of building operations. Amongst other things, this includes proposed working hours (Monday – Friday and Saturday mornings), site accommodation, measures to control dust, noise pollution and wheel washing equipment. Additionally, although there is some reference to deliveries of materials to the site, further information is required in respect of actual delivery times of HGVs to avoid peak school times, together with vehicle routing arrangements. An amended CMP can be secured through a condition.

Foul and Surface Water

- 3.16 A foul and surface water strategy was submitted with the application. In terms of arrangements for foul water, there is an existing public sewer connection nearby and Southern Water has raised no concerns in connection with any capacity issues. The applicants acknowledge that separate consents will be required under the Water Industry Act in order to secure the required adoption arrangements.

- 3.17 There are no public surface water sewers in the vicinity and Southern Water will not allow surface water to be discharged into the foul system. Preliminary investigations have established that the site sits on a new pit chalk formation and therefore infiltration via soakaways would be suitable. This would involve a chamber collection system along the length of the parking area which in turn would lead to a soakaway. Precise sizes and infiltration rates would be determined by further ground investigations which can be secured by a suitable condition. KCC as lead flood management authority, are happy with this approach.

Development Contributions

- 3.18 Because the proposal only involves 10 units, it is below the Government threshold which would require affordable housing provision. Similarly, KCC has requested no contributions in respect of such matters as education or social care. Provision of a contribution towards open space is required however, and in accordance with the Council's adopted standards and calculations, this would amount to £5,173. The applicant has agreed to the contribution and a unilateral obligation has been submitted to provide a mechanism to secure it. Officers are satisfied that will be acceptable subject to a few minor amendments which are awaited at the time of report compilation.

4. Conclusion

- 4.1 The proposed development will provide a well thought out scheme in a highly sustainable location which will provide a useful contribution towards housing supply. Although at outline stage, the supporting images demonstrate that a satisfactory design could be delivered which will be in keeping with the surrounding area. Concerns raised by local representations have either been addressed through this report, or can be controlled through the imposition of appropriate conditions. Accordingly, officers recommend that permission is granted.

g) Recommendation

- I OUTLINE PERMISSION BE GRANTED subject to the following conditions:- (1) (2) & (3) standard outline conditions; (4) approved plans; (5) details of materials; (6) parking and turning provision; (7) cycle provision; (8) visibility splay provided; (9) details of crime prevention measures; (10) 2m high brick wall provided at rear before occupation; (11) detailed design to include measures to prevent overlooking; (12) refuse and recycling; (13) archaeological watching brief; (14) further studies if contamination found; (15) further details of surface water disposal and ongoing maintenance; (16) development to be carried out in accordance with construction management plan; (17) removal of permitted development rights.
- II Powers be delegated to the Head of Regeneration and Development to resolve any necessary planning conditions and matters within the proposed Unilateral Obligation, in accordance with issues set out in the report and as resolved by the Planning Committee.

Case Officer

Kim Bennett