

- a) **DOV/18/00777**
Erection of 3 dwellings (private sale) and 29 apartments (affordable housing) on former William Muge site and 9 dwellings (private sale) and 24 apartments (shared ownership) on former Snelgrove House site with associated parking and landscaping.

Former William Muge & Snelgrove House, Leyburne Road, Harold Street and Godwyne Road, Dover CT16 1RZ

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)

- Policy CP1 – Dover identified as major centre for development.
- Policy CP4 – Housing quality, mix, density and design.
- Policy CP6 – Development generating a demand for infrastructure requirements.
- 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 DM5 – Affordable housing target of 30% for schemes over 15 dwellings.
- Policy DM11 – Location of development and managing travel demand.
- Policy DM13 sets out parking standards and states that parking should be a design led approach based upon characteristics of the area.
- DM17 – Ground water protection zone.
- DM27 – Open space and play space.

National Planning Policy Framework

- Paragraph 8 – principles of sustainable development.
- Paragraph 108 – Promote sustainable transport modes and safe and suitable access to site.
- Paragraphs 117 and 118 – Promote effective use of land and substantial weight to value of using suitable brownfield land within settlements for housing.
- Paragraph 124 – good design is key aspect of sustainable development. Development should function well, add to the overall quality of an area and are sympathetic to local character and history.
- Paragraph 127 – developments should create places with a high standard of amenity for existing and future users.

- d) **Relevant Planning History**

DOV/14/00597 permission resolved to be granted for two buildings comprising 20 flats on land at Harold Street and Godwyne Road (former

William Muge Site) subject to a Section 106 Agreement. Not completed and application considered as withdrawn June 2016.

DOV/16/00095 permission granted 7 July 2017 for 10 flats and 3 pairs of semi-detached houses on land at Harold Street (former Snelgrove House) and Leyburne Road.

e) **Consultee and Third Party Responses**

Technical consultations

KCC Highways – Agrees that additional vehicle trips unlikely to have effect on capacity of highway network. Notes that proposed no of parking spaces is slightly below guidance in DM13. However agrees results of parking survey and based on own observations, considers there is sufficient on street parking capacity to accommodate peak additional demand i.e. overnight. Requires a number of detailed layout issues to be addressed including possible impact upon highway retaining walls. Holding objections until those matters are addressed.

Southern Water- No foul capacity issues identified but formal consents will be required for connections. Would not normally accept surface water discharges into public network but agrees principle of controlled flows into attenuation tanks, subject to further detailed calculations of existing and proposed flows.

Environment Agency – No objections but requests condition in the event that contamination is found.

Southern Gas Networks – No objections.

Stagecoach – No impact upon services

Environmental Protection Officer – No objections. Recommends conditions regarding contamination and a construction management plan.

KCC Flood and Water Management – Accepts that proposed attenuation with reduced outflow will not increase risk of flooding. Further detailed calculations needed which can be secured through conditions.

KCC Development Contributions – Has assessed potential impact of proposal upon services and has identified a financial need of £81,716 split between projects relating to primary school education, community learning, libraries and social care. Satisfied that all contributions reasonably required in accordance with Community Infrastructure Regulations. Also requests that superfast fibre optic broadband is delivered to all buildings in keeping with objectives of Broadband Delivery UK.

Kent Police – Notes that considerable efforts made to design out crime. Has identified some areas of concern about defensive space and managing entrances. Further meeting held with agent and notes that a number of recommendations have/will be taken on board (note: some of these relate to non planning matters such as detailed design of door locks)

Kent Fire & Rescue - Access arrangements satisfactory.

Natural England – No objections but notes that net increase may result in increased recreational disturbance to coastal Special Protection Areas and RAMSAR sites. Acknowledges that DDC has measures in place to manage impacts.

Dover DC Infrastructure and Delivery Officer – Development will create additional need for open space. In line with adopted formula, a contribution of £10,022 is sought in order to provide additional play equipment in a project delivered by the Council.

Tree & Horticultural Officer - Notes that one of the protected trees offers significant amenity value and its loss will involve a short term impact. However, in view of the proposed replacement planting exceeding the numbers that will be lost, considers that in time the area will be enhanced by significantly augmenting existing tree stock. A condition should be imposed to require 8 heavy standard trees to replace those lost. With regard to pruning of existing trees, is happy that works will be satisfactory provided appropriate arboricultural methodologies are undertaken as set out in the arboricultural report. A condition should be imposed to ensure that.

Third Party Responses

Dover Society – Supportive of scheme in general which will provide affordable and shared ownership housing. Supports design approach. Concerns raised in respect of: Parking – difficult at present with a lot of workers using on street parking. New St. James car park is likely to charge employees shortly which will increase pressures. One space for town houses not enough; lack of clarity on proposed tree planting; queries height relationships with properties on opposite side of Godwyne Road.

Residents Association – 22-44 Harold Street – concerns about lack of parking. Permit parking scheme should be introduced. Should not be an access to the side of 22-44 Harold Street. Pocket park will be a magnet for drug users.

Dover Town Council – Supports scheme provided KCC issues can be resolved.

11 representations (but from 7 different properties) received from local residents expressing concerns for reasons which may be summarised as follows:

Ugly building which will not fit in to local area

4 storey building too high opposite Godwyne Road

On street parking concerns. Difficult to park. Spaces often used by workers.

Anti social behaviour will take place in park area – need lighting and CCTV

Sleeping policemen needed in Leyburne Road.

Steps between Harold Street and Leyburne Road should be omitted

There should be no constructors vehicles parked on nearby roads

Further residents meeting is needed to discuss proposals

- f) 1. **The Site and the Proposal**
- 1.1 The site comprises three parcels of land close to Dover Town Centre and was formally occupied by two buildings known as William Muge and Snelgrove House, which provided 52 units of sheltered accommodation. Both buildings were owned by the Council and were demolished in 2014 because of sub-standard accommodation. The sites are currently vacant.
- 1.2 William Muge was located on the corner of Harold Street and Godwyne Road and has a fall from north east to south west. There are residential properties adjoining to the north, one of which is in hostel use, and further residential properties on the opposite side of Godwyne road. On the corner itself, there are three prominent trees which are protected by a Tree Preservation Order. Snelgrove House was located to the east of William Muge, with a frontage to Harold Street. There are 2/3 storey blocks of flats between the two and to the east of Snelgrove and also on the southern side of Harold Street. The latter are 4 storeys in height but are set down one floor below street level because of differences in heights.
- 1.3 Parking for Snelgrove House was via an access from Harold Street leading to a parking area at the rear, comprising garages. The area is set down well below Leyburne Road to the north because of difference in land levels, so that the roofed area of the garages comprises a hard surfaced parking area itself with access direct to Leyburne Road. It is that area which comprises the third parcel of land forming part of the application site. To either side of that area are further blocks of flats 4 storeys in height, but presenting as 3 above street level, whilst on the northern side of Leyburne Road are semi- detached houses. On front of the former Snelgrove House and splitting Harold Street in two, is a small area of open space which accommodates mature trees.
- 1.4 The architectural character of the area varies considerably with most of the flatted developments being constructed in the 1970s with flat roofs and buff coloured bricks. On the north side of Leyburne Road, the houses have pitched and tiled roofs with tile hanging, whilst on the west side of Godwyne Road there is a further variety in style ranging from traditional Victorian semi-detached villas to more modern developments with mansard roofs. There is unrestricted on street parking along the south side of Leyburne Road, but limited on the northern side as the houses all have shared accesses on to the road. There is further unrestricted on street parking on both sides of Godwyne Road and Harold Street.
- 1.5 The proposal comprises separate development on the three parcels of land.
- 1.6 On the former William Muge site, there would be 3 town houses fronting Godwyne Road, 3 storeys in height and each having a parking space to the front with private gardens to the rear. Adjoining would be an 'L' shaped mainly 4 storey block of flats extending around the corner into Harold Street where it would step down to 3 storeys. 29 affordable 1 and 2 bed flats would be provided in the block with 25 parking spaces and 30 cycle spaces to the rear via an access from

Harold Street. A communal garden area and a refuse bin enclosure would also be provided within that area.

- 1.7 The former Snelgrove House site would accommodate a three storey block of 24 1 and 2 bed shared ownership apartments. 27 parking spaces and 24 cycle spaces would be provided in the existing parking area to Snelgrove House, together with a small area of amenity space.
- 1.8 On the Leyburne Road frontage would be a terrace of 9 dwellings arranged in a 3 storey block but which would present as 2 storeys to Leyburne Road because of the difference in site levels. Each would have a parking space to the front and private rear gardens.
- 1.9 The architectural style would be similar throughout with a contemporary approach chosen but with brickwork which would complement the more traditional London Stock brick of established residential areas nearby. Roofs would be a mixture of flat and grey steel covered mansards. A high level of detailing would be used on the elevations in order to avoid a bland appearance, including deep set window reveals, inset balconies and feature brickwork panels.
- 1.10 To compensate for the loss of the three protected trees on the corner of Godwyne Road and Harold Street, it is proposed to introduce additional mature tree planting on land within the Council's control elsewhere along Harold Street. Additionally, because of existing informal refuse bin arrangements whereby bins for flats within Leyburne Road are currently within the parking area of Snelgrove House, replacement bin enclosures are proposed to the rear of the former Snelgrove House.

2. Main Issues

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

- The principle of the development
- Design & Layout considerations
- Highway and parking Issues
- Impact upon residential amenity
- Open space and trees
- Impact from habitat regulations
- Other considerations
- Development contributions

3 Assessment

Principle of the 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 CP1 and DM1 of the Core Strategy. The site is in a highly sustainable location, being within 200m of the Town Centre, and close to local schools and public transport. Additionally, the Council currently has less than a 5 year supply of housing and the

addition of 65 units as a windfall site would make a useful contribution towards that supply.

- 3.2 In addition to the above, the current vacant nature of the 3 parcels of land detracts from the appearance of the area and the proposed development would significantly improve that appearance.
- 3.3 Although the density of development is reasonably high, it is compatible with the surrounding area. Additionally from a practical point of view, low sales values in the immediate area, together with high development costs of the sites involved, has meant that previous schemes have not attracted sufficient investor confidence to be taken forward. In that respect, increased numbers of units will ensure that the scheme can be delivered but with a density that is not out of character with the surrounding area.
- 3.4 The proposed housing mix has a higher number of smaller units than envisaged by the housing mix in Policy CP4 which identifies that 50% of schemes should be 3 or 4 bedroom properties. However, advice from commercial agents was sought by the applicants prior to the submission of the application, who advised that in the light of the surrounding area, with a high mix of flats and apartments, a higher number of smaller units would be more appropriate. That also has implications for viability of a scheme which can be delivered.
- 3.5 Policy DM5 requires that 30% of development should be affordable. In this instance all of the proposed units on the Snelgrove site would be affordable which would amount to 37% of the total. However, in addition, all of the units on the William Muge site will be shared ownership and therefore occupied at less than market values. Taken together, the two forms of tenure will provide an important boost in the supply of affordable housing.
- 3.6 For a combination of the above reasons, the principle of the development is fully supported.

Design and layout considerations

- 3.7 Key design drivers behind the development of the scheme were to: reinforce the prominent corner of the site, to re-establish street frontages in keeping with the pre-war character of the area, avoid poorly conceived areas of open space, and introduce a positive impact on the street scene in Leyburne Road. In these respects, officers consider the scheme will be largely successful.
- 3.8 In terms of layout, the proposals will introduce a more coherent and legible form of development than currently exists in the nearby 1960/70s development, with built form wrapping around the site frontages and largely concealing parking areas from public views. From an overall massing point of view, 3 storeys plus accommodation in a mansard roof on the William Musgrove site will relate satisfactorily to existing development along the opposite side of Harold Street. Similarly, the eastern end of that block reducing to 3 storeys and with the height of the Snelgrove block all at 3 storeys, will ensure satisfactory relationships elsewhere along Harold Street which are

three storey in the main, apart from a 2 storey block at the eastern end of the site. On the Godwyne Road frontage, storey heights compare favourably with buildings opposite with the exception of the 4 storey section on the corner. However, architecturally the corner design itself will provide an imposing presence in street scene views but without over dominating.

- 3.9 On the Leyburne Road frontage, the proposed terrace is considered an appropriate architectural response given that there are linked terraces of flats to either side on the southern side of the road, and the two storey height above street level will work well in overall massing terms.
- 3.10 In terms of overall design approach, the applicant has opted for a deliberately contemporary architectural approach but with a high level of detailing. Given the variety of architectural forms that exist in the locality, officers consider that such an approach is an appropriate response and will provide a unified but distinctive addition to the streetscene. Importantly, the use of a brick which will be similar to that of a traditional London Stock which is used throughout Dover town centre, will provide a contextual reference to the scheme.
- 3.11 A mixture of roofscape will be provided with a mansard and sloping grey coloured steel roof used on the William Muge blocks and town houses on Godwyne Street. This will help to provide a visual link to both buildings, and also a reference to the traditional slate used in the area. Elsewhere, the Snelgrove block and the Leyburn Road terrace will have flat roofs, which are considered more appropriate given the flat roofs of the adjoining development to which they relate.
- 3.12 The scheme will include a high level of architectural detailing on the elevations, including deep window reveals, well proportioned windows, inset balconies and decorative brick panels. All those features will provide interest and quality to the scheme, particularly in terms of avoiding any bland elevations. Further attention to detail will be provided in the form of individual frontages being enclosed by low walls or planting and refuse bin enclosures being of matching brickwork
- 3.13 The applicant has had discussions with Kent Police in relation to crime prevention measures. Details such as increases to boundary walls and active frontages have all improved security and surveillance and in addition to the high level of passive surveillance generally in the scheme, has secured Kent Police's approval in terms of an appropriate design response to limit crime.
- 3.14 The proposed flats would not benefit from permitted development rights; however the proposed houses on Godwyne Road and Leyburne Road would. Given the tight nature of relationships with adjoining buildings and limited rear garden areas, it is considered that future permitted development rights should be withdrawn in order that future proposals could first be considered.

- 3.15 Having regard to the above considerations, officers' view is that the proposals in total will significantly enhance the quality and appearance of the area.

Highway and parking issues

- 3.16 The Transport Statement submitted with the application demonstrates that during peak hours, the site will only generate some 24-28 trips on the local highway network. KCC highways considers that is acceptable and will not cause any congestion issues. Other detailed layout matters which KCC raised concerns about are being addressed and members will be updated at the meeting.
- 3.17 The key highway issue, and which has been raised by several representations, relates to parking issues. In that respect a number of respondents have pointed to the high level of demand for on street parking that currently exists.
- 3.18 In accordance with parking guidelines set out in Policy DM13, the 1 & 2 bed apartments would require 1 space per unit, with the 3 bed town houses either requiring 1 space or 1.5 spaces depending upon whether the site is regarded as edge of centre or suburban. In response, the scheme provides 52 parking spaces for the 53 flats proposed and 1 on site space per each of the proposed 3 bed dwellings. In addition cycle parking will be provided on the basis of 1 per every unit. In overall terms therefore the scheme is only slightly sub-standard compared to recommended standards, which in any case are not prescriptive and as Policy DM13 makes clear, should be a design led process based on characteristics of the site, the locality and nature of the proposed development. In that respect, the proximity of the site to the town centre and all its associated services, together with a number of 1 bedroom flats, is likely to mean that levels of parking may be lower than normal. This is borne out by the 2011 Census data which showed that the level of car ownership for the immediate area was 0.55 vehicles per household.
- 3.19 Notwithstanding the above, officers acknowledge that there is an existing on street parking pressure during day time. It is suspected, and responses from third parties would seem to bear this out, that some of this is attributed towards workers in the town centre wishing to avoid parking charges. Interestingly, at night time the pressures substantially reduce as evidenced by the two parking surveys submitted in support of the application. These were carried out within the local area during the midweek at 0430 hours. Both showed that of 398 on street spaces available in that area, only 194 vehicles were parked which equates to 50% capacity. Accordingly, even if demand for parking from the development involves a marginal need for on street parking, the evidence shows that the area would be able to accommodate it.
- 3.20 A combination of the above demonstrates that the proposed development will not in itself add to any existing problems regarding on street parking. It may well be that measures such as a residents parking scheme is required to address current issues and indeed investigations in that respect are already underway. However that will

require consultation in terms of what form it might take, the extent of the area involved and detailed measures included. Importantly, it is a process that would happen outside of the scope of this application in that it is an existing issue rather than one which would be caused as a result of the development proposal.

- 3.21 For the above reasons, officers consider that the development will be acceptable from a highways and parking point of view and members will note that KCC Highways, as highway authority, shares that view subject to detailed matters being satisfactorily addressed.

Impact upon residential amenity

- 3.22 In terms of any direct impact upon neighbouring properties through overlooking or overbearing effect, the scheme has been carefully designed so as to avoid such issues. Overall relationships with existing adjoining buildings are considered acceptable given the range of 2-4 storey buildings that exist in the area. Although the corner part of the building on Godwyne Road/Harold Street will be higher than those buildings on the opposite side of Godwyne Road, the remainder will be broadly compatible in height and such a relationship is considered acceptable given the width of the road and open nature of the corner at this point, and the fact that the building will be set down below road level. Potential loss of privacy into rear gardens of the new houses on Godwyne Road has been addressed through obscure glazing. Similarly, potential for overlooking into the rear gardens of the new houses on Leyburne Road has been addressed through an increase in the rear boundary wall of the latter. The relationship is now considered acceptable given the tight urban location where some degree of intervisibility is to be expected.
- 3.23 Concerns about anti-social behaviour are noted but some of this is likely to be associated with the run down nature of the current site. The scheme has been designed with natural surveillance of most areas, including amenity and parking areas, which should assist in reducing potential for crime. On specific points, through access from existing steps at the eastern end of the site has now been blocked off.
- 3.24 Through the passage of time, informal refuse arrangements from two blocks of flat fronting Leyburne Road, have been from the rear in the former parking area to Snelgrove House. These will be formalised as part of the proposals so that they will continue to be serviced from the rear. Alternative locations were looked at on the Leyburne Road frontage but these were considered to be unsightly. An additional bin enclosure will be provided at the rear of Nos 18-48 Leyburne Road at the western end of the parking area. Similarly an additional bin enclosure will be provided at the eastern end to serve Nos 52-80 Leyburne Road, although the detailed design needs to be worked up because of site level differences. This can be dealt with through a condition. Officers are satisfied that the arrangements will be visually acceptable as well as practical for the residents concerned.
- 3.25 An additional issue concerns the personal circumstances of an elderly couple who live in a flat on Leyburne Road but currently gain informal access from the rear via the former parking area to the north of

Snelgrove House. This will no longer be available but will be addressed by provision of a stair lift at the front of their flat. Although not forming part of the application, it will be carried out as part of the Council's wider management function of Council owned housing.

Open Space & Trees

- 3.26 5 trees are proposed to be removed as part of the development. 2 are of no particular value within the site but 3 on the corner of Godwyne road/ Harold Street are currently protected by a Tree Preservation Order, and of these one, a Hornbeam, is of particular value within the street scene. During informal discussions before the application was submitted alternative layouts were explored to see if the trees could be retained. However, by doing so the viability of the site was significantly affected. From an architectural point of view, there is a good case for a strong feature on the corner itself which is what is now proposed. Additionally, 8 heavy standard sized trees will be sited at appropriate locations along Harold Street on land within the control of the Council, to mitigate the loss. The precise location of these is to be agreed but can be conditioned. In time, these will afford significant amenity value. For these reasons and although regrettable, it is considered that the wider advantages of the scheme going ahead in terms of its all round benefits, justifies the loss of the TPO trees in this instance, and subject to suitable replacement planting. Members will note this view is supported by the Council's Tree & Horticultural Officer.
- 3.27 Elsewhere within the site, the 5 mature trees forming the pocket park on Harold Street will be retained, although subject to lopping and crowns being lifted where they have not been managed for some time. Within the site a mature tree to the rear of the L shaped block will be retained, and elsewhere there will be additional tree planting at key locations within the site.
- 3.28 Given the relatively high density nature of the development, external amenity space is somewhat limited, with a communal area being provided to the rear of the L shaped block and the pocket park being upgraded in front of the larger block at the eastern end. However, all flats will have their own inset balconies as private space and the proximity to the town centre means that there is relatively easy access to areas such as Pencester Park. In that respect, and in accordance with the Open Spaces Strategy and Policy DM27, the applicants have agreed a financial contribution of £10,022 in order to deliver a project to enhance that park. The town houses fronting Godwyne Road and Leyburne Road will all be provided with private rear garden areas.

The Conservation of Habitats and Species Regulations 2017

- 3.29 As part of the Appropriate Assessment required in respect of the above, all impacts of the development have been considered and assessed. It is concluded that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.

- 3.30 Detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 3.31 Following consultation with Natural England, the identified pathway for such a likely significant effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves.
- 3.32 The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing harmful effects of housing development on the sites.
- 3.33 For proposed housing developments in excess of 14 dwellings (such as this application) the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy requires the applicant to contribute to the Strategy in accordance to a published schedule. This mitigation comprises several elements, including the monitoring of residential visitor number and behaviour to the Sandwich Bay, wardening and other mitigation (for example signage, leaflets and other education). Natural England has been consulted on this appropriate assessment and concludes the assessment is sound. The applicant has agreed to such mitigation which is in the form of a financial contribution of £2,132.
- 3.34 Having had regard to the proposed mitigation measures, it is considered that the proposal would not have a likely significant adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed following receipt of ecological advice and in consultation with Natural England) will ensure that the harmful effects on the designated site, caused by recreational activities from existing and new residents, will be effectively managed.

Other Matters

- 3.35 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. Proposals for surface water include the provision of two large attenuation tanks which will control the rate of discharge into the nearby existing surface water sewers, so that it will not exceed the previous run off of the site.

Both Southern Water and KCC as Lead Flood Risk Authority, agree to such an approach, subject to further detailed calculations being provided which can be secured through a suitable condition.

- 3.36. In respect of other matters raised, a flood risk assessment demonstrates that the site lies within a Zone 1 area and as such is at low risk to flooding. An archaeological desk stop study concludes that the site formed part of an agricultural landscape until its medieval development and that since that time potential for remains is likely to be low, partly because of the buildings which have recently been demolished. However, an archaeological watching brief is recommended as a precautionary measure. Finally, KCC has requested that Broadband fibre optic connections are made available to the properties. In that respect the optic connection exists adjacent to the site in Godwyne Road and Building Regulations will ensure that the necessary ducting is provided to individual properties. It is considered that the actual provision of fibre optic broadband is primarily a matter for the developer.

Development Contributions

- 3.37 In addition to the £10,022 as open space contribution and £2,132 towards SPA mitigation, KCC has requested sums of £73,128 for primary education, £3,121 for library books, £1,666 towards community learning and £3,801 towards Social Care, as contributions required to address needs arising from the development. Specific projects have been identified for all the requirements and officers are satisfied that they pass the legislative tests in terms of being necessary, related to the development and reasonably related in scale and kind.
- 3.38 The extent of contributions required totals £93,871 and the applicants have confirmed they are agreeable to that as part of the associated costs of delivering the project. Ordinarily, such sums would be collected as part of a Section 106 Agreement. However, since the Council is applicant in this case, it cannot have a formal Legal Agreement with itself. Following discussions with the Council's solicitor, it has been agreed that the most pragmatic way forward would be by way of internal transfers under the various budget headings. Such an approach is considered to be acceptable given that both the Council and KCC should be regarded as responsible authorities who will spend the funds for their allocated purpose. Should members agree that the development is acceptable, any permission would not be issued until confirmation of the internal transfers having taken place.

Conclusion

- 3.39 The proposed development will provide a well thought out scheme in a highly sustainable location which will provide a valuable contribution towards a number of important planning objectives within the Core Strategy, including the provision of a significant number of affordable housing units and a wider contribution towards housing land supply. The design approach is considered to be of high quality which will lift the quality of built form within the locality, and importantly offer no

distinction between private units and affordable units from a visual point of view. Additionally, the number of units will deliver a viable scheme which will ensure delivery of these important vacant sites, whilst still providing the full extent of the Council's normal range of development contributions.

- 3.40 Concerns raised by local representations have either been addressed through this report, or can be controlled through the imposition of appropriate conditions. In that respect, on street parking issues appear to be the biggest area of local concern. Whilst this is fully acknowledged, the analysis above demonstrates that the development itself is unlikely to add to on street parking pressures that currently exist. Those issues need to be addressed through measures beyond the scope of this application. As referred to above, discussions involving potential resident parking schemes in the area are already underway.
- 3.41 Accordingly, officers recommend that permission is granted subject to development contributions being received and the conditions set out below. In respect of the latter, new Regulations now require that any pre commencement conditions need to be agreed with the applicant in the first instance. This will relate to conditions 10, 11 and 17 and officers can confirm that the applicants are agreeable in that respect.

g) **Recommendation**

- I Subject to confirmation of receipt of all Development Contributions as set out in the report above, PERMISSION BE GRANTED subject to the following conditions:-
(1) standard time; (2) approved plans; (3) details of materials; (4) parking and turning provision; (5) cycle provision; (6) refuse and recycling; (7) further detail of refuse bin provision to rear of 52-80 Leyburne Road; (8) details of landscaping scheme to include provision of 8 heavy standard trees as replacement planting; (9) Pruning of existing trees to be carried out in accordance with arboricultural report; (10) further details of surface water disposal and ongoing maintenance; (11) development to be carried out in accordance with construction management plan; (12) archaeological watching brief; (13) further studies if contamination found; (14) removal of permitted development rights for private houses; (15) obscure glazing to be provided to rear of William Muge block; (16) Details of boundary fencing and other means of enclosure; (17) waste management plan; (18) details of phasing to be agreed; (19) levels to be confirmed; (20) details of external lighting.
- II Powers be delegated to the Head of Regeneration and Development to resolve any necessary planning conditions and matters connected with the proposed Development Contributions, in accordance with issues set out in the report and as resolved by the Planning Committee.

Case Officer

Kim Bennett