

- a) **DOV/18/00786 – Erection of a detached dwelling and formation of associated parking (existing outbuildings to be demolished) at Land to the south of Stable End, Jubilee Road, Worth, CT14 0DN**

Reason for Report: Number of contrary responses.

b) **Summary of Recommendation**

Planning permission be granted

c) **Planning Policy and Guidance**

Dover District Core Strategy 2010

- DM1 - Development within the built confines
- DM13 – Parking provision
- DM15 - Protection of the countryside
- DM16 - Protection of the landscape
- CP1 – Settlement Hierarchy

National Planning Policy Framework (NPPF) 2018

- Paragraph 8 – the three objectives of sustainability
- Paragraph 11 – presumption in favour of sustainable development
- Paragraph 61 – size type and tenure of housing provision for all sections of the community
- Paragraph 127 – seeks high quality design
- Paragraph 170 – decision should contribute to and enhance the natural and local environment where possible.
- Paragraph 177 – presumption in favour of sustainable development does not apply to development requiring an appropriate assessment

Worth Neighbourhood Plan (2014)

- WDP02 – Additional Housing developments would be supported within settlement confines provided they are sensitive to the prevailing character and historic assets of the village

d) **Relevant Planning History**

DOV/18/00043 – Erection of a detached dwelling and formation of associated vehicle parking. – Refused (Delegated decision)

e) **Consultees and Third Party Responses**

Worth Parish Council: Object as the site is immediately adjacent to the conservation area and the local sewerage does not have the capacity. Would be contrary to Worth Neighbourhood Plan.

Southern Water: request an informative be added advising need to seek a separate permission to connect to sewerage and to ascertain method for surface water drainage.

Ecology Officer: confirmed a bat survey would not be required at the time of the pre-application enquiry.

Kent PROW: no objection but note the need to not block the footpath at any time without seeking permission from KCC.

Third Party:

7no. Objections which raised the following concerns –

- sewerage system in Worth cannot handle more dwellings, resulting in the sewers backing up in the lower part of the village
- increase parking and traffic pressures locally
- contrary to the Worth Neighbourhood Plan
- construction period results in interruptions to traffic flow, parking problems, unacceptable levels of noise and unsafe access to properties
- village is becoming congested with new build properties, changing the historic character of the village
- site is located on a sharp bend in the road
- development erodes a Kentish village and alters it irretrievably for future generations

1no. Support which raised the following –

- site has been derelict for 22+ years and leaving it undeveloped could lead to issues with vermin
- one more house is unlikely to worsen the sewerage issues in the village

f) 1. Site and the Proposal

1.1 The application site is a largely undeveloped piece of land, in the 'open countryside'; outside of but immediately adjacent to the confines of Worth. It is located to the west side of Jubilee Road and has an area of 0.1ha. Outbuildings lie to the rear of the site and the land is largely grassed. To the immediate south of the site are two semi-detached new-build properties with an existing brick and flint wall enclosing the boundary, and to the north is Stable End and its detached garage immediately adjacent the boundary. The west boundary faces onto open countryside with views to and from the cemetery of St Peter and St Paul's Church, a protected Open Space however the application site is densely screened with mature hedging and trees the full length of the western boundary. The front (east) boundary is currently enclosed by a post and wire fence with a timber gate. This boundary had been overgrown with vegetation but this has been cleared, retaining 2no. existing trees to the front (and the hedgerow to the rear) but it is otherwise open to the highway. There are limited views, from within the site, of the tower

to the church, a grade II* listed building. It is outside of, and largely screen from, the Worth Conservation Area.

- 1.2 Jubilee Road has an edge of village/semi-rural character which is typified by loose-knit, modest buildings which are well-related to the surrounding countryside and the applicants have confirmed in the application form that the land is currently farm land/agricultural land. It is noted that this part of Worth has a variation of architectural styles and varying scales of built form/dwellings. The west side of Jubilee Road, the same side as the application site, is characterized by mainly two storey dwellings, in detached, semi-detached and terraced forms, with gaps between the buildings allowing views through to the countryside beyond. The eastern side of the road is only partially built up and is characterized by bungalows within the village confines, and two storey dwellings further towards the A258. Jubilee Road is almost entirely residential in nature.
- 1.3 The application seeks permission for the erection of a two storey, 4-bedroom detached dwelling and associated vehicle parking space and would include the demolition of the existing derelict outbuildings. The dwelling would be set back within the site, closer to the rear boundary than the front, with the front elevation set behind the semi-detached dwellings to the south and forward of Stable End to the north.
- 1.4 The proposed dwelling would be roughly 'Z'-shaped in plan with projecting wings to the front and the rear. It would measure approximately 13.2m by 10.3m in depth, with the front 'wing' forward of the principal elevation by approximately 1.7m and the rear projection approximately 1.2m behind the rear elevation. The dwelling would have an eaves height of 5.0m and a ridge height of 8.7m (0.15m higher than the permitted semi-detached dwellings to the south).
- 1.5 The proposed dwelling would be sited approximately 5m away from both the northern and southern boundaries, and set back from the highway by approximately 16m (this would vary across the length of the highway boundary). The existing boundary treatments (1.8m close boarded fencing to the north and a mixture of close boarded fencing and flint wall to the southern boundary) would be retained and new fencing would be erection on site to separate the garden area to the rear from the vehicle parking area to the front.
- 1.6 The materials proposed include brick and weatherboarding to reflect the materials typical to the area. The roof would be tiled and the windows would be timber-framed and painted white.
- 1.8 Two allocated, independently accessible parking spaces have been shown of the submitted plans as well as an area for visitor parking. There would appear to be sufficient space for the parking and turning of up to 5no. vehicles within the site. Vehicles would use the existing vehicle access/dropped curb and the existing vehicle access gate would remain.
- 1.9 The current application differs from the previously refused scheme in a number of ways. The two most significant are in the perceived scale of the development which has been significantly reduced, and the landscaping to the front which retains the semi-rural character rather than appearing overly urbanized as the previous scheme was likely to appear. Design (including

scale, materials, bulk and urbanized landscaping) was the main reason leading to the previous refusal.

2. Main Issues

- Principle of Development
- Impact on the visual amenity, countryside and landscape
- Impact on residential amenity
- Highways, Parking and travel

3. Assessment

Principle of Development

- 3.1 The application site is outside of, but adjacent to, the settlement confines of Worth. As such, it would be contrary to Policy DM1 of the DDC Core Strategy (2010). However, given the proximity to the settlement confines, all material considerations need to be assessed. An appropriate assessment will need to be carried out which overrides the presumption in favour of sustainable development having regard for Paragraph 177 of the National Planning Policy Framework (2018).

Impact on the visual amenity, countryside and landscape

- 3.2 In the previously refused application (DOV/18/00043), the proposed dwelling was refused due to the impact the design would have been likely to have on the countryside and landscape. It was considered that “the harm that would be caused results from the scale, form and urbanising nature of the development that would result by introducing a development which would introduce a bulk, scale and materiality which would be out of keeping with and insensitive to the surrounding dwellings, edge of village character, and semi-rural pattern of the street scene and adjoining development.”
- 3.3 When compared to the previously refused application, the amended proposal has overcome the majority of design-related concerns. The scale is in keeping with the neighbouring dwellings (albeit forming a single family dwelling rather than two semi-detached dwellings) as is the overall form, design and materials (red brick, dark-stained weatherboarding and brown/red roof tiles). The landscaping scheme would help to retain the semi-rural nature of the street scene and overcome the previous concerns with regards to an over-urbanised site through the retention of existing trees and hedging to both the front and back boundaries and the proposed materials and overall area of the driveway.. The position of the proposed dwelling within the site mitigates between the different building lines of the semi-detached dwellings to the south and Stable End to the north and is well away from either side boundary retaining some of the openness of the site. The dwelling would appear to be a sensitive and appropriate addition to the existing row of dwellings and would not be likely to result in a visually incongruous development. Overall, it is considered that the design solution is acceptable and would not result in any undue harm to the visual amenity of the street scene in this part of Worth. It would be compliant with Paragraphs 127 and 130 of the National Planning Policy Framework (2018).

- 3.4 The introduction of a building onto an undeveloped site within the countryside has the potential to have an impact on the character and appearance of the countryside and the surrounding landscape. Paragraphs 170-175 of the National Planning Policy Framework (2018) refers to the protection of the intrinsic character and beauty of the countryside and landscape. Policies DM15 and DM16 of the DDC Core Strategy (2010) seek to resist development which would result in the loss of the countryside, and which would adversely affect the character or appearance of the countryside and harm the character of the landscape.
- 3.5 The current proposal has made use of materials typical to the area, has respected the overall scale of the built form in this part of Jubilee Road, and the landscaping, through the retention of a number of existing features (trees and hedgerow) and the re-designed driveway, planting and hedging scheme would be likely to retain the semi-rural character of the site without resulting in an over-urbanised form of development. The proposed finish materials would visually relate the proposed dwelling to the existing dwellings to the north whilst the positioning of the materials on the elevations (brick ground floor and weatherboarding at first floor) would reflect both buildings to the north and the south of the application site.
- 3.6 As previously noted, some of the existing vegetation would be retained and integrated into the proposed landscaping scheme. This would include 2no. trees to the front boundary with the highway, and the mature hedgerow to the western/rear boundary. Between the retained trees and the post and rail fence to the front boundary, a hedge would be planted and maintained at 1.2m in height, behind which would be areas for planting, car parking spaces, and grassed areas. The driveway itself would be laid to gravel. The rear garden space would be laid to lawn and would provide the location for both the bin store and a bicycle shed. The front and rear gardens would be separated from one another by fencing. This proposed landscaping scheme would retain the 'greenness' of this existing undeveloped gap site (which is of some importance as it demarcates the settlement confines as does another vacant site to the south of the bungalows opposite). When compared to the openness of the site to the immediate south, it would remain very green and enclosed. Given this, it is therefore considered the proposal would overcome the previous concerns and would comply with Policy DM15 of the DDC Core Strategy (2010).
- 3.7 DM16 seeks to avoid development which would result in harm to the character of the landscape. The application site is located within the Preston and Ash Horticultural Belt (Dover District Landscape Character Assessment 2006) which is characterised by a flat landscape with much of the land given over to farming, with a more enclosed character due to the hedgerows, tree clumps and narrow winding lanes. As noted above, the amended proposal would have a much more limited impact on the surrounding countryside and would not be likely to result in any undue harm. The village itself is enclosed somewhat from this flat farmland by mature vegetation in the form of trees and hedging. This would not change as a result of this proposal. The same amendments which overcame the reasons for refusal of the previous application, have overcome the concerns with regards to impact on the landscape. The proposal is therefore considered to comply with Policy DM16 of the DDC Core Strategy (2010). Overall, the proposal is considered to comply with Paragraphs 127-130 and 170-175 of the National Planning Policy Framework (2018).

- 3.8 It should be noted that the Heritage Team verbally confirmed that the proposed development would not have any impact on the setting of the nearby listed buildings nor the conservation area in the previously refused application. The current proposal would not change this advice.

Impact on residential amenity

- 3.9 The application site has residential neighbours to the south (semi-detached dwellings permitted under DOV/16/01317), Stable End to the north, and several bungalows on the opposite site of Jubilee Road to the east. There would be approximately 30m between the front of the proposed dwelling and the front of the dwellings opposite, and any views are likely to be screened by the existing vegetation and retained trees on both the application site and those opposite. The separation of 30m between the fronts of dwellings is considered sufficient to be unlikely to result in any harm to existing residential amenities.
- 3.10 The front elevation (east facing) of the proposed dwelling would sit just behind the building line of the semi-detached dwellings to the south. There are two small windows in the north-facing elevation of the nearest dwelling; one at ground floor level and one at first floor level. The first floor window is obscure glazed and serves an en-suite bathroom whilst the ground floor window serves a utility room. The proposed dwelling would have a glazed side door on the south-facing elevation which would be roughly in line with these existing windows. However, this would have no impact on the first floor window and the ground floors would be largely screened from interlooking or loss of privacy by the 1.8m high close boarded fence on the boundary.
- 3.11 The first floor rear windows of the proposed dwelling would increase the opportunity for overlooking towards the garden spaces of the dwellings to the south however, given the orientation of the proposed dwelling, any views would be either into the very rear part of the gardens, or across the top of the fencing/flint walls on the boundaries. It is considered therefore that the proposal would be unlikely to result in any undue impact on existing residential amenities as a result of overlooking or loss of privacy.
- 3.12 The proposed dwelling is set in front of the front elevation of Stable End to the north. There are no openings/windows in the south gable end of Stable End at first floor level and any ground floor windows in this elevation would be screened by the roof of the garage between Stable End and the boundary shared with the application site. There are windows at first floor level proposed in the rear elevation of the proposed dwelling however these would only afford oblique views towards Stable End and would be unlikely to result in any undue loss of existing residential amenity with regards to privacy, interlooking or overlooking.
- 3.13 The proposed dwelling would be sited to the south-east of Stable End at a distance of over 13m. With a ridge height of 8.7m, it is unlikely to result in any loss of light to any habitable spaces within Stable End and the bulk of the shadow resulting from the proposed development would fall within the application site itself. As such, it is considered that the proposed dwelling would not result in a loss of light or outlook, have an overbearing impact or result in a sense of enclosure to Stable End. Overall, it is considered that the proposed development would be unlikely to result in any undue harm to

existing residential amenities and as such, would comply with Paragraph 127 of the National Planning Policy Framework (2018).

3.14 Highway Safety, Parking and Travel

The existing vehicle access from Jubilee Road (including the existing dropped curb) would be retained. Whilst it is noted that the application site is near a bend in the road, the development would re-use an existing vehicle access and whilst vehicle movements to and from this junction may increase it is not considered that the movements from one dwelling would be unacceptably harmful to highway safety. There is a 30mph limit to Jubilee Road in both directions. A visibility splay of over 43m can be achieved to the south (to see traffic coming from the A258) and can almost be achieved to the north. As such, the existing access is considered to have adequate visibility in highway safety terms and the provision of the visibility splays which can be achieved should be secured by condition.

3.15 It is proposed to have 2no. independently accessible parking spaces on the application site with the capacity to station another 3 or more vehicles on site whilst still retaining the space to turn vehicles on site. Policy DM13 of the DDC Core Strategy (2010) states that a minimum of 2no. independently accessible parking spaces would be required for a new residential development of 4 or more bedrooms in a village/edge of village location. As such, the proposal would be compliant in this regard.

3.16 The application site, whilst beyond the settlement confines, would be as close or closer than some of the existing dwellings within the settlement confines to the services in the village and there is a pavement running into the village from in front of the application site. The village is also served by a bus route. It is not considered that the site would be wholly dependent upon private cars and would support the existing facilities and services in the village.

3.17 Footpaths

Public footpath EE250 runs along the western boundary of the application site. The existing hedging would be retained and as such, the development would be largely screened from views from the footpath and would have no physical impact upon the footpath. KCC Public Rights of Way do not object to the proposal.

Flooding and Drainage

3.18 **Flooding:** The application site is not within a Flood Risk Zone but does form part of the flood warning area for areas along the coast. It is considered that the risk of coastal flooding on this site is low and no measures would be required.

3.19 **Drainage:** It is acknowledged that there have been instances of localised flooding in the village. However, the addition of one dwelling would not have a material impact on the likelihood or severity of flooding. Southern Water have not raised any concerns regarding sewer capacity.

3.20 The Conservation of Habitats and Species Regulations 2017, Regulation 63: Appropriate Assessment

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.

- 3.21 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 an adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 3.22 Following consultation with Natural England, the identified pathway for such an adverse 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.
- 3.23 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 the harmful effects of housing development on the sites.
- 3.24 Given the limited scale of the development proposed by this application, a contribution towards the Councils Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy will not be required as the costs of administration would negate the benefit of collecting a contribution. However, the development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy.

Other Matters

- 3.25 The development would result in the loss of agricultural land. However the site does not appear to have been used for agriculture for a significant period and is of limited sized. As such, the loss of agricultural land is not determinative.
- 3.26 Regard has been had for the ecological impacts of the development. The Principal Ecologist has advised that bats are not likely to be affected by the development and whilst having regard for Natural England's Standing Advice, it is not considered that any other protected species would be harmed.

Conclusions

- 3.22 It is not considered that the proposed dwelling would result in undue harm to the visual amenity or street scene of the area nor to the character of the countryside or the scenic beauty of the landscape and would be compliant with Paragraphs 127 and 170 of the National Planning Policy Framework (2018) and Policies DM15 and DM16 of the Core Strategy (2010).

- 3.23 It is not considered that the proposed dwelling would result in any undue harm to the residential amenities of the adjacent dwellings and would comply with Paragraph 127 of the National Planning Policy Framework (2018).
- 3.24 Whilst contrary to Policy DM1 of the DDC Core Strategy (2010) being beyond the settlement confines, the location of the application site immediately adjacent to the confines within a row of existing dwellings both within and beyond the settlement confines of Worth, is considered a sustainable location for this type of development. The proposal would bring a largely abandoned site into use and help (albeit in a minor way) with the 5 year housing land supply target without result in any demonstrable harm. It is acknowledged that the requirement to apply an appropriate assessment to this application overrides the presumption in favour of sustainable development (Paragraph 177 of the National Planning Policy Framework 2018), that the proposal is otherwise in line with the requirements of both the National Planning Policy Framework (2018) and the DDC Core Strategy (2010). As such, on balance, in this instance, this application is recommended for approval.

g) Recommendation

- I Planning Permission BE GRANTED subject to the following conditions:
- 1) 3 year time commencement; 2) in accordance with approved plans; 3) material samples to be submitted; 4) remove PD for openings/extensions at first floor and roof level; 5) construction management plan; 6) retention of trees and hedges as shown on approved drawings; 7) refuse/recycling facilities to be provided as shown on approved drawings; 8) cycle storage facilities to be provided as shown on approved drawings; 9) parking spaces to be provided as shown on approved drawings; 10) no discharge of water to highway; 11) landscaping scheme to be submitted including hard landscaping; 12) no obstructions over 0.9m in height within visibility splays.
- II Powers 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

Andrew Wallace