

- a) **DOV/19/00962 – Alterations to existing dwelling including lowered parapet with handrail, wirework screens, new 1.8-metre high brick wall with timber gate and the formation of two parking spaces (existing double garage to be demolished) - 16 Loop Street, Sandwich**

Reason for Report: Number of contrary responses (9 third-party objections)

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

National Planning Policy Framework (NPPF) 2019

- Paragraph 8 – the three objectives of sustainability.
- Paragraph 11 – presumption in favour of sustainable development.
- Paragraph 91 – promoting safe communities.
- Paragraph 95 – Public safety and security.
- Paragraph 127 – achieving well-designed places.
- Paragraph 130 – permission should be refused for poor design.
- Paragraphs 189 and 196 – Development in a conservation area.

d) **Relevant Planning History**

DOV/90/01441 – Erection of 54 dwelling units – Granted.

e) **Consultee and Third Party Responses**

DDC Environmental Health: No observations

Kent Police (Design Out Crime): The garage was likely 'designed in' as a defensive barrier and for privacy. The removal of the garage losing the height and form of the pitched roof would be a security concern. It was suggested that the planting of 1.5m deep hedging to both sides of the boundary wall would help overcome this concern.

Third Party Reps: 9no. objections and are summarised below:

- The removal of the garage would impinge on the overall vision for this 'award winning' development.
- The replacement of the French doors would be out of keeping.
- The proposed awning would be out of keeping.
- There are no other examples of timber fences and gates to parking areas within the development.
- The loss of the garage would impact upon privacy: firstly to the courtyard, application site and the rear of No.14 Loop Street, and result in a loss of privacy to Nos. 2 and 4 Tannery Lane.
- There would be a loss of overall balance to the development when viewed from The Butts; 3no. garages have been 'strategically placed' along the boundary.

- Given the elevated position of The Butts, security would be reduced with the increased views into the courtyard.

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

- 1.1 16 Loop Street is a semi-detached dwelling located within a new-build (1990s) development within the Sandwich (Walled Town) Conservation Area which benefits from an Article 4(2) direction. It is located adjacent to The Butts, a Scheduled Ancient Monument (AM) at the south-western end of Loop Street. It is a three storied brick, 'neo-Georgian', single family dwelling which has been formed from the merging of two smaller dwellings. There is a rear parking court which is accessed via a 'carriageway' located between Nos. 14 and 16 Loop Street. There are 4no. garages to the rear of No. 14 and a double garage and open parking space to the rear of No.16. The rear (south-east) boundary of the parking court is shared with Nos. 2 and 4 Tannery Lane. The parking court is enclosed by 1.8m high brick walls and the rear elevations of the garages.
- 1.2 The application site forms part of the wider Tannery development which was designed to reflect the character of the historic core of Sandwich. It received developer awards at the time and was a good example (of its time) of a 'modern' intervention within a historic setting. The overall development remains largely unchanged (albeit with a few exceptions) and is formed a numerous smaller dwellings. Whilst No.16 forms part of the development, its location is on the very edge of the development and faces the more varied architecture on the other side of Loop Street and The Butts.
- 1.3 The nearest residential neighbours are No. 14 Loop Street and Nos. 2 and 4 Tannery Lane. No. 14 is attached to No. 16 via a flying freehold over the shared vehicle access and is to the north-east of No. 16. Nos. 2 and 4 Tannery Lane are located to the south-east beyond the 1.8m high brick boundary wall. There is approximately 15m between the rear elevations of No. 16 and No. 4.
- 1.4 The application seeks to make a number of changes to the existing dwellings which include:
- lowering of the brick parapet to the second floor balcony (existing) by several brick courses and the installation of black metal railings designed to match the railing/barrier designs within the development.
 - lowering the brick wall adjacent to the main entrance door (in the north-western corner of the Loop Street elevation) and the installation of a wirework trellis screen.
 - replacing the front and 'side door' (located within the vehicle access between Nos. 14 and 16) steps with tiled ramps within the same footprint.
 - replace existing railing to side door with wirework trellis (low level) and install a wirework screen to serve as a bin store.
 - install a replacement, non-glazed side door.
 - installation of bi-fold doors to replace the existing French doors to the rear elevation at ground floor level.

- demolition of the existing 2-car garage and the reduction in height of the gable to align with existing boundary walls.
- formation of 2no. open parking spaces which would make use of hardstanding to match the main parking court.
- erection of a 1.8m high brick wall to enclose an extension to the rear garden area, including a new timber pedestrian gate.
- re-orientation of the rear stairs from the terrace to the parking court and formation of a planter.

1.5 The proposal has been amended during the course of consideration. Part of the front elevation of the host dwelling was to be rendered and a timber fence with vehicle gates was to be erected to the rear of the site (following the demolition of the garage). These were not considered acceptable and were removed from the proposal.

2. Main Issues

- 2.1
- Principle of development
 - Impact on the Conservation Area and the visual amenity of the street scene
 - Impact on residential amenity
 - Parking
 - Designing Out Crime

Assessment

Principle of Development

2.2 The site is within the settlement confines of Sandwich and as such, is in line with Policy DM1 of the CS subject to other material considerations. Policy DM1 is considered to be up-to-date in this instance. A number of the alterations would normally be considered permitted development however, by virtue of the Article 4(2) direction relating to the conservation area, planning permission is required.

Impact on the Conservation Area and the Visual Amenity of the Street Scene

2.3 The majority of the proposed alterations are minor and would have a negligible impact upon the character and appearance of the conservation area or the visual amenity of the street scene. The reduction of the parapet height at second floor level would be visible only from The Butts and at an acute angle upwards. The railings would be affixed to the inside of the parapet and would therefore be largely screened. The reduction in height of the brick screen beside the main entrance and the installation of a traditional wirework trellis would open the views to the front door more whilst still retaining some sense of the enclosure of the original design. The alteration of the front and side steps to form tiled ramps would not result in any undue prominence within the CA or the street scene. The replacement of the existing deteriorated railing to the side door with wirework trellis (low on the side and higher to the rear to act as a screen to the bin store) would not be out of place on the host dwelling albeit a form of enclosure which is not typical of the development (but is within the 'neo-Georgian ethos'). The replacement side door does not raise any concerns however details can be secured by condition. The alteration and widening of the French doors to install bi-fold

doors would only be partially visible in public views but given the detailing would largely match the existing doors, would not result in an unsympathetic alteration to the property. The first floor of the rear elevation is clad in dark timber weatherboarding. The proposed awning would be housed in a dark timber boxing to match the weatherboarding and would therefore not be unduly visible when closed. The awning would be visible when open but as it is proposed to use an awning fabric to match the render colour (off-white/cream), even when in use, would not be unsympathetic or unduly incongruous. Finally, the proposed alteration to the rear steps and the formation of a planter would not raise any concerns and could actually be carried out under permitted development. Whilst there would be some cumulative impact of all of these small changes, it is not considered that this impact would result in any harm to the conservation area or to the visual amenity of the street scene.

- 2.4 The demolition of the existing two car garage would have more impact upon the application site. A number of third party concerns have been raised with regard to the impact the demolition of the garage (and thereby the boundary gable) would have on the setting of The Butts. The Butts are within the conservation area so views from this public footpath would be material considerations. The loss of the garage would not be highly visible from either Loop Street or Tannery Lane and as such, the discussion will be limited to the views from The Butts. The Sandwich (Walled Town) Conservation Area benefits from an Article 4(2) direction and as such, DDC Heritage was consulted. Given the modern nature of the wider development and of the application site itself, DDC Heritage did not consider that the proposal, including the loss of the existing garage, would result in any harm to the character and appearance of the conservation area.
- 2.5 The ridge of the pitched roof (with gable ends facing into the parking court and towards The Butts) of the existing garage sits 1.8m above the main boundary fence. As there are views into the parking court to either side of the roof due to the slightly elevated height of the footpath at this point, the loss of the garage will result in wider views of the parking court and 4no. garages behind No. 14. However, the garages are already partially visible so the removal of the garage to the rear of No.16 would not reveal a feature currently screened from the conservation area or the public footpath. The garages to the rear of No. 14 have been designed sympathetically and revealing a wider view of them would not result in harm to the character and appearance of the conservation area nor harm the visual amenity of the street scene.
- 2.6 It has been noted by a third party that the garage to be demolished is one of 3no. garages abutting the development boundary with The Butts and the removal of one would unbalance this elevation. However, when the development is viewed in aerial photographs, the other 2no. garages appear to carry on the pattern of dwellings rather than garages; they are located on opposite sides of an otherwise open courtyard. The application site, when viewed with No.4 would appear to have a similar relationship to this boundary (without the garage) and as such, the loss of the garage is unlikely to result in a harmful unbalancing of the boundary of the wider development to the detriment of the conservation area or the street scene.
- 2.7 To conclude, whilst the concerns raised with regards to the impact the proposed changes could have on the conservation area and the street scene are noted, this is a modern dwelling within a modern development. Whilst the

site is within a historic setting, it can accommodate some change. It is concluded that the cumulative impact of the proposed alterations would not result in harm to the character and appearance of the conservation area or to the visual amenity of the street scene. Overall therefore, the proposal is considered to be in line with Paragraphs 127, 130, 189 and 196 of the NPPF.

Impact on Residential Amenity

- 2.8 Whilst the majority of the proposed alterations would have no amenity implications, there are two aspects of the proposal which would raise concerns with regards to existing residential amenity and need to be fully evaluated. The reduction in height of the parapet around the second floor balcony could result in an increased opportunity for overlooking to neighbours. However, the windows and access to this balcony face over The Butts. One must be physically outside on the balcony to overlook any neighbour and the lowering slightly of the parapet does not alter this situation or increase the opportunity for overlooking, loss of privacy or interlooking. It is considered that this aspect of the proposal would not result in any harm to existing residential amenities.
- 2.9 However, the roof of the existing garage does provide some level of screening between the application dwelling and No. 4 to the rear. Without the roof, there would be views towards No. 4 from an additional first floor rear window. Whilst this increases the opportunity for overlooking, this window serves the same bedroom as a second rear-facing window which is not screened by the garage roof. The presence of the existing brick boundary wall and a shed in the garden of No.4 also serve to screen views into the ground floor kitchen area. There is 15m between the two dwellings. This is less than the 'rule of thumb' for new-build developments which would seek 20 to 21m between rear elevations to avoid interlooking. Given there is already the opportunity for interlooking between the dwellings as originally built, it is considered that the increase in interlooking resulting from the loss of the garage, would not result in undue harm to the existing residential amenities of either dwelling. The proposal is considered to comply with Paragraph 127 (f) of the NPPF in this regard.

Parking

- 2.10 The proposal would result in the loss of 1no. off-street parking space. Under Policy DM13 of the CS, a single family dwelling within the urban area would require 1 no. allocated parking space under current guidance. 3 no. parking places were originally required as this dwelling was originally built as two separate dwellings. As one single family, 4-bedroom dwelling, the loss of 1 no. parking space with the retention of 2no. parking spaces would be in line with Policy DM13 of the CS and not result in increased parking pressure locally. It is noted that under current legislation, parking in garages is not counted when assessing parking provision so it could be seen to be increasing parking provision by 1 no. space.

'Designing Out Crime'

- 2.11 Paragraphs 91 and 95 of the NPPF seeks to secure proposals which integrate crime prevention or mitigation measures. Kent Police's Designing Out Crime Unit (DOCO) has raised concerns that the increased visibility of the parking court and the rear of No.14 and 16 from The Butt, could result in increased safety concerns. DOCO also noted that the existing garage was

likely 'designed in' as a defensive barrier and privacy screen. There is no evidence in the original case files that this was a conscious decision to design out crime, a concept which was largely unused in the 1990s. As noted in Section 2.4 above, there are areas of the boundary wall within the application site which are lower than the gabled roof of the garage and any access to the rear parking court over the boundary wall is already possible, with the roof of the garage screening the potential access point. The garages are also already partially visible so it would not reveal 'unknown' targets. If anything, the more open nature of the parking court following the demolition would be likely to increase the visibility of any unwanted activity in the parking court. Regardless, it is considered that the concerns raised on safety grounds are not sufficient to warrant a refusal given all other aspects of the proposal are considered acceptable. The recommendations of DOCO are also impractical given the suggested planting of 1.5m deep hedging to both sides of the boundary wall would reduce the possible parking provision and require planting on land outside of the applicants' ownership and therefore unreasonable in planning terms.

Conclusion

- 3.1 The principle of the development accords with Policies DM1 and DM13 of the CS. The proposed alterations to the application site would not result in any harm to the character and appearance of the conservation area, the visual amenity of the street scene or to residential amenity. Adequate off-street parking would be retained without resulting in increased safety concerns. As such, the proposal would accord with Paragraphs 127, 130, 91, 95, 189 and 196 of the National Planning Policy Framework (2019) and DM1 and DM13 of the Core Strategy (2010).

g) Recommendation

- I Planning Permission BE GRANTED subject to the following conditions:
- 1) 3 year time commencement
 - 2) Approved plans
 - 3) Sample of brick to be used in rear garden wall
 - 4) Details to be submitted to show the finishing of the lowered parapet, wall adjacent to the main entrance door and boundary wall to The Butts
 - 5) details of the proposed railings and wirework screens.
 - 6) details of the housing box for the awing and colour of awning.
 - 7) new parking spaces shall be laid to hardstanding matching that used in the parking court.
 - 8) details of replacement side door.
- II Powers be delegated to the Head of Planning, 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