

a) DOV/20/01369 - Outline application for the erection of two detached dwellings (with all matters reserved except access) - The Manor, 22 The Street, West Hougham

Reason for report: Number of contrary representations

b) Summary of Recommendation

Planning permission be Granted.

c) Planning Policies and Guidance

Development Plan

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan (2002) and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

Core Strategy Policies

A summary of relevant policy is set out below:

CP1 - The location and scale of development in the District must comply with the settlement hierarchy. West Hougham is identified as a village and a tertiary focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to its home community.

DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

DM11 - Development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by Development Plan policies.

DM13 – Provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for residential development should be informed by the guidance in the Table for Residential Parking.

DM15 - Development which would result in the loss of or adversely affect the character or appearance of the countryside will only be permitted where it is in accordance with allocations in Development Plan Documents, is justified by the needs of agriculture, is justified by the need to sustain the rural economy or it cannot be accommodated elsewhere.

DM16- Development that would harm the character of the landscape will only be permitted if it is in accordance with allocations made in the Development Plan or can be sited to mitigate any impacts to an acceptable level.

The Consultation Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. At this stage in the plan making process however the policies of the draft Plan have little weight and are not considered to materially affect the assessment of this application and the recommendation as set out.

DDC current 5 year housing land supply position

“The Councils 5 year Housing land supply (HLS) with the 20% buffer required by the housing delivery test (HDT), results in 5.39 years worth of supply at 19th January 2021. The Council updates its HLS once a year at a base date of 1st April. The result of the annual HLS surveys and subsequent 5 year position are published in the Councils Housing Technical Paper 2020. The paper sets out a 6.16 years worth of supply from 1 April 2020, based on the previous HDT results from 2020, the paper also states that once the next HDT results are published that a 20% buffer would be required. In line with paragraph 73 of the existing NPPF which requires local authorities to annually update their 5 year HLS, we will be updating our position from 1st April 2021, applying the 20% buffer, and subsequently publishing a new housing technical paper.”

National Planning Policy Framework 2019 (NPPF)

- Paragraph 2 states that “planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”.
- Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- Paragraph 11 states that decision making should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up to date development plan or where there are no relevant development plan policies or the policies are out of date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or any adverse impacts of granting permission doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole.
- Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- Paragraph 122 states that planning decision should take account of the desirability of maintaining an areas prevailing character and setting (including residential gardens).
- Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and landscaping, are sympathetic to local character and history and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Kent Design Guide (2005)

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

National Design Guide (2021)

Provides guidance on objectives for good design and how this can make a positive contribution to the character of an area.

d) Relevant Planning History

DOV/20/00524 Erection of extensions to existing garage to facilitate conversion to a detached dwelling and creation of parking-Approved

Planning History for adjacent former Chequers Pub site

DOV/08/00214 Erection of five detached dwellings and garages and construction of vehicular access (existing pub to be demolished)-Approved

e) Consultee and Third-Party Responses

KCC Highways-advised that:

It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

It was noted however that: *“This is for two additional dwellings on an unclassified road, using an existing access. Although it will result in increase in vehicles, this will be minimal. Driven speeds at this location are likely to be low and there are no personal injury crashes recorded along this road, within the last 3 years. We wouldn’t really have any highway grounds to object to this application.”*

An Informative is recommended with regard to the need to obtain any necessary highway approvals and consents.

Kent Fire & Rescue Service

Initial comments: In my opinion on-site access is not satisfactory as the access track to the proposed development is in excess of 20m and no turning facilities for a fire appliance appear to have been provided.

Further comments: A relaxation may be acceptable if a domestic sprinkler system conforming to BS 9251 (or equivalent) or a water mist system conforming to BS 8458 (or equivalent) is installed. The fitting of a sprinkler system will enable fire appliance access to be extended to a maximum of 90 metres from all points within the dwelling-house. The 90 metre distance will be achieved by the use of four lengths of 25 metre hose. The extra 10 metres provides some safety margin to allow for the hose to be run around objects or obstructions between the appliance and the fire.

KCC PROW-confirmed no comments to make.

Parish Council-resolved NOT to support the application.

This was based on the possibility of more cars with an impact on the road, the biodiversity of the site in terms of plants and wildlife, the view of the building in the village, as well as drainage issues. It will also cause a substantial negative impact on an AONB.

In further comments concerns were expressed:

“Due to the nature of development proposed and the nature of the existing ground conditions, there is local concern whether a sustainable drainage system can be adopted. There is also concern about the disposal of foul waste, as no soakaway tests have been undertaken as described in the Drainage Strategy. Full information and details of the system should be requested to fully understand how foul waste can be dealt with and this should not be a matter that is dealt with at reserved matters stage”

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Building Control

Notes "from the Southern Water consultation that a public sewer is located close to the proposed dwellings and subject to their permission the foul water drainage should be straight forward. From the application I also note that the proposed method for the surface water drainage is to soakaways.

Again I don't anticipate any issues with this method. Under the building regulations a soakage test will be required to be carried out to assess the extent/size of the proposed soakaways. Crate systems are employed where ground water may be an issue as these will be designed for sufficient capacity to allow to hold the surface water and allow it to slowly percolate back into the ground and prevent flooding."

Third Party Representations

A total of 8 representations were received. Of these one was neutral and 7 raised objections.

Summary of Comments raising objections

- Intensification of residential use at the site and resulting overdevelopment.
- Impact on character and appearance of the area
- Overlooking and noise for immediate neighbours
- Reference to the planning permission granted under DOV/20/00524 to convert the garage into a dwelling
- Noise from vehicle activity along the access route
- Concern the properties will be used as holiday lets with potential for further disturbance
- Access via a single width driveway with no potential for widening
- Safety issues when exiting from driveway with the potential for the access being in use by 8 drivers
- Inadequate parking provision resulting in occupants parking in The Street and causing egress problems for residents.
- Concern about access for emergency services in the event of a fire.

Other Matters

- Reduction in security for residents
- Noise disturbance during construction period and possibility of lorries blocking The Street
- Concern about lack of individual notification to householders of planning applications.

e) 1. The Site and the Proposal

The Site

1.1 Number 22 is a detached two storey house situated on the south eastern side of The Street and set back from the frontage with the highway. It is reached via a private drive situated between Barley House and number 24 The Street. On the north eastern side of number 22 is a single storey element comprising a utility room. On the western side

of the house is a detached double garage. The property lies within the village confines as identified on the Local Plan map. The village of West Hougham including this site is situated within the Kent Downs Area of Outstanding Natural Beauty (AONB). The village comprises a mix of dwelling types, styles and plot sizes.

1.2 Number 22 occupies a larger than average plot than others in the vicinity, which extends across the rear gardens of numbers 24, 26, 28 and 30 The Street on the north western side. To the north east the garden extends towards number 42 The Street, a chalet bungalow that occupies a back land situation also to the rear of properties in the Street. This property has a dormer in its rear elevation facing towards the garden of number 22.

1.3 Immediately to the south east of number 22 is a Public Right of Way (PROW) set at a lower level with largely open countryside beyond. To the south west of the application site is a more recent development of 5 x two storey houses on the site of the former Chequers public house. This scheme comprises three houses at the rear roughly in line with number 22 The Street and a further two houses along the site frontage. All five houses are reached via a centrally sited vehicle access.

The Proposal

1.4 Outline planning permission is sought to subdivide the site occupied by number 22 to develop the garden space on the north eastern side to accommodate two dwellings. In association with this it has been stated that the single storey utility room to the north east side of number 22 (measuring approximately 3.5m x 6m) would be demolished.

1.5 The current application has been submitted in outline form with all matters, apart from access, being reserved for future consideration. An illustrative plan has however been submitted which shows the footprint of 2 x 2 bedroom dwellings sited in line with number 22, each having 2 parking places with a further single visitor parking place. Two parking places would be retained to the front of number 22. A vehicle access/turning area is shown on the north western side of the proposed houses, to the rear of the gardens of those neighbouring properties in The Street.

1.6 The issues of layout, appearance, scale and landscaping would be considered in greater detail at the Reserved Matters stage, in the event that planning permissions is granted.

2. Main Issues

2.1 The main issues for consideration are:

- The principle of the development & pre-application advice
- Highway Matters
- Standard of development-plot size, design and appearance
- Impact on existing residential amenities
- The impact on the character and appearance of the area and AONB
- Surface Water/Drainage
- Appropriate Assessment
- Other Matters

Assessment

Principle of Development

- 2.2 The starting point for decision making is Section 38(6) of the Planning and Compulsory Purchase Act 2004. This states that regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be in accordance with the plan unless material considerations indicate otherwise.
- 2.3 In March 2017 DDC Cabinet agreed to commence the review of the Core Strategy (CS) and Land Allocation Action Plan (LALP) through the preparation of a single local plan. The decision to review the CS and LALP is an acknowledgement that in some cases the evidence base is out of date. It is also recognised that some of the detailed policies applicable to the assessment of this application (including Policy DM1) are to various degrees, now considered inconsistent with aspects of the NPPF and as such are out-of-date. That does not mean however that these policies automatically have no or limited weight. They remain part of the Development Plan and must therefore be the starting point for the determination of the application. Furthermore while the overall objective of a policy might be held out-of-date, greater weight can nevertheless still be applied to it depending on the nature/location of the proposal in question and the degree to which the policy (in that limited context) adheres to and is consistent with the policy approach in the NPPF.
- 2.4 Having considered the 'basket' of most important policies, it is concluded that, given the importance of Policy DM1 to the determination of this application, it is considered that the policies, as a whole, are out-of-date. Consequently, this application must be assessed in line with the "tilted balance" at paragraph 11 of the NPPF which requires that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme.
- 2.5 Policy CP1 of the Core Strategy identifies West Hougham as a village. The site lies within the settlement confines identified in Policy DM1. This location broadly accords with the objectives of the NPPF which seek to locate development where they have access to and can support local services. The principle of the development is therefore acceptable, being in accordance with the development plan.

Pre-Application Advice

- 2.6 Prior to the current outline application being submitted the applicants sought pre-application advice about the possibility of developing the site for residential purposes. The following is a summary of the advice given:
- The application site is located within the settlement confines of West Hougham and the principle of development is acceptable.
 - The erection of two modest dwellings or one larger one was considered acceptable when seen in context with the existing pattern of development, subject to satisfactory scale and high quality design
 - The proposal would not result in harm to the AONB
 - Concerns were raised about the residential amenity of the occupants of properties in The Street and the need to secure a separation distance of 21m between the properties and approximately 10 metres between the proposed dwellings and the boundary.
 - *"As discussed I would suggest you may wish to consider one larger chalet bungalow with the rooms in the roof overlooking the rear boundary or two smaller chalet bungalows based on the same principle, with careful consideration being given to the positioning of the windows to provide a high standard of amenity of existing and future users in line with the aims and objectives of the National Planning Policy Framework in*

particular paragraph 127 (f). Dormers or other windows to the front roof slope should be avoided.”

- A minimum of two parking spaces for the existing dwelling (22 The Street) should be provided, 1.5 spaces for each dwelling which provides 1 or 2 bedrooms and 2 spaces for each dwelling which provides 3 or more bedrooms. In addition to this, at least 1 visitor space should be provided. Careful consideration will need to be given to the layout of the parking spaces to ensure that turning spaces can be accommodated within the site.
- Some concerns were raised over the intensification of the use of the existing driveway as visibility does not meet guidelines and cannot be accommodated on land under the applicant's ownership. It was suggested that advice on this matter was sought from KCC Highways.

Positive advice was also provided at that stage on the conversion of the garage, which has since been the subject of planning permission, as mentioned above.

Highway Matters

- 2.7 Access to the site would be via the existing drive that serves number 22. This measures approximately 4m in width and is 42m in length from the back edge of The Street. The access is shown as being extended to run for approximately a further 50m along the north western boundary of the site and would be 8.5m wide narrowing to 3m at the far end.
- 2.8 The proposal will involve an intensification of the use of the driveway to a potential four households (including the approved garage conversion scheme). The KCC Highways Engineer notes that the junction with The Street does not benefit from far reaching visibility splays and that there is no option to extend them on land that falls under the applicant's ownership. In addition the access does not appear wide enough to accommodate two standard cars so it is possible that the proposed residents may need to wait or reverse if the access is being used by another driver.
- 2.9 The proposed access arrangements and visibility splays do not appear to represent a perfect layout but the KCC Highways Engineer has confirmed that there would be no highways reason to object to the application given that The Street is a local road with slower moving traffic and no history of accidents. Paragraph 109 of the NPPF states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Whilst not ideal, given the low volume of traffic and lack of accidents, the development would not cause a severe cumulative impact, whilst the need for cars to edge out into the road to gain adequate visibility would not amount to an unacceptable impact on highway safety. I therefore concur with KCC Highways that the access is acceptable in highway terms.
- 2.10 With regard to parking provision the indicative plan shows two off road spaces for each dwelling and a visitor's space, all set in a line in front of the dwellings. This number would accord with the requirements set out in policy DM13 and the pre-application advice and is therefore considered to be acceptable. It is noted that the visitor parking space is set in between the two proposed houses which does not seem ideal in amenity terms. Tracking details shown on the illustrative plan indicate that there would be room to turn and manoeuvre cars within the site. Conditions would be required to ensure the provision of a satisfactory level of parking and manoeuvring space to allow vehicles to enter and leave in a forward direction.

- 2.11 Third parties have raised concerns regarding emergency access to the site. Kent Fire & Rescue Team have agreed that in this instance the use of sprinklers fitted and maintained within the houses would provide a satisfactory arrangement, in addition to the use of hoses from fire appliances. This matter would need to be covered by a planning condition.

Standard of Development

- 2.12 Based on the illustrative plan the proposal will result in the creation of two plots measuring approximately 13.5-14.5m in width by 20-22m in depth, each with a small rear garden of between 5 and 9m in depth. The plots would not be large but would not be dissimilar to some of those found in the adjacent Chequers Court development. The proposed subdivision of the site will also result in a noticeable reduction in the size of garden space associated with number 22, again leaving it with a small but adequate rear amenity space. When compared to the pattern of development in the village it is considered that there would be space to accommodate two modest dwellings without resulting in overdevelopment of the site.

Layout, Appearance and Design

- 2.13 Although these matters have been reserved for further consideration it is important to consider at this stage whether the introduction of two dwellings can be achieved without causing undue harm to the character of the area or the amenities of the occupants of adjacent properties.
- 2.14 The general rule of thumb is that a distance of 21m generally ensures a satisfactory level of separation to avoid undue overlooking or loss of privacy. The footprint of the dwellings as shown would result in a separation distance of approximately 25m between the front elevation and the rear elevations of properties in The Street. There would be a distance of 12m between the front elevations of the proposed dwellings and the north eastern boundary with those properties in The Street. This indicates that the distances outlined in pre-application advice can be achieved and are acceptable in this setting. It is noted that the need to achieve adequate means of access and turning space will determine this distance to some extent.
- 2.15 As noted informally the design of dwellings at this site would need to take account of the position of the adjacent dwellings and the amenities of the occupants of the adjacent properties. Single storey dwellings would clearly avoid overlooking from first floor level but would require a greater footprint area. Chalet bungalows would need to be designed without full size clear glazed windows in the north western and north eastern elevations in order to avoid direct overlooking towards numbers 26, 28, 30 and 42 The Street.
- 2.16 The proposed development will inevitably result in a change in outlook from the rear of neighbouring properties. Whilst in planning terms there is no entitlement to a view it is considered that the change in outlook would result in a situation that is not uncommon in village settings and which can be found elsewhere in West Hougham.
- 2.17 In order to reduce any impact it is considered that any proposed dwellings would need to be either bungalows or traditional chalet bungalows with a ground floor eaves level only and if there is accommodation in the roof space this would likely need to avoid dormers in the north west and north east elevations. No clear glazed windows should be incorporated in the side elevations in the interests of residential amenities of existing and future occupants. Again, it is stressed that any proposed dwellings should be modest in scale in order to avoid harm to existing residential amenities. It is concluded that the application is therefore acceptable in this respect, given that this is an outline planning

application with matters reserved and given that there is a potential form of development which would be acceptable.

Residential Amenities

- 2.18 It is recognised that the proposed development of this garden space will result in some impact on the amenities of the occupants of adjacent properties, including additional vehicle activity and noise adjacent to rear gardens as well as general household comings and goings. Whilst this will be noticeable, additional activity and vehicle movements associated with two additional dwellings would not result in an unusual situation within the village envelope or result in a justification for withholding planning permission. As set out above, there is a potential form of development which would avoid unacceptable loss of light, sense of enclosure and overlooking to neighbours, albeit it would be for the Reserved Matters application to consider the detailed scheme. Concerns have been raised by third parties regarding a reduction in security. The development would provide increased natural surveillance towards the rear boundaries of properties and, consequently, I cannot agree that the development would reduce security.

Impact on the Landscape and AONB

- 2.19 This site falls within the defined confines of the village so for the purposes of planning is not within the open countryside. The proposed development will not extend beyond the settlement boundary and therefore will not result in the sprawl of development into the adjacent countryside. Properties on the edge of settlements are often visible over longer distances but the current proposal should not be more visually harmful than other properties around the edge of West Hougham. As with all development on the edge of a settlement it will be necessary to ensure that a satisfactory landscaping scheme is incorporated at the Reserved Matters stage to enhance the visual amenities of the area.
- 2.20 As a result of the location of the site within the village confines and subject to satisfactory landscaping details there should be no undue harm to the visual qualities of the locality or those of the AONB in general. The proposal is acceptable in terms of policies DM15 and DM16.

Drainage

- 2.21 It is noted that the Parish Council have made comments about drainage. The feedback provided by the Building Control Officer has provide reassurance that the foul water drainage should be straight forward to the nearby public sewer and that the proposed use of soakaways for surface water is also acceptable subject to soakage tests. This matter can be covered by a condition and an Informative.

Biodiversity

- 2.22 The site is predominantly laid to lawn with a few shrubs and trees to the boundaries. Furthermore, having considered Natural England's Standing Advice regarding protected species, I am satisfied that the site is unlikely to support protected species, being a maintained residential garden in active use.

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

- 2.23 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.

- 2.24 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.
- 2.25 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.
- 2.26 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.
- 2.27 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.
- 2.28 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.

3. Conclusion

- 3.1 The application site is located within the settlement confines and the proposed erection of two dwellings in this location is broadly acceptable in principle, having regard to policies CP1 and DM1 and the objectives of the NPPF. In addition, the proposal would be in accordance with paragraph 127 of the NPPF which states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which would promote health and well-being with a high standard of amenity for existing and future users.
- 3.2 The means of access is considered acceptable in highway terms on the advice of the KCC Highways Engineer. As highlighted at the pre-application stage the form of development of this plot will require further detailed consideration at the Reserved Matters stage. It is concluded that only two modestly sized dwellings would be acceptable in this location with single storey eaves levels and subject to a satisfactory design without dormers to the front or side elevations and with a slab level to match that of number 22. The design details should avoid undue harm to adjacent occupants by reason of overlooking and loss of privacy. With careful consideration at the Reserved Matters stage a scheme could be developed that would not result in harm to the overall character of the area or the visual qualities of the AONB.
- 3.3 As noted above the tilted balance needs to be applied as outlined in paragraph 11 of the NPPF. The proposal would contribute two dwellings to the supply of housing in the District and has the opportunity to provide some economic gain in the form of employment during the construction phase. There would be a modest social gain with two extra households

supporting nearby services and facilities. The environmental impact is considered to be neutral.

- 3.4 The tilted balance requires that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. In this case, whilst the proposal could have some effect on the living environments of the adjoining properties, this would be limited and with safeguarding conditions would avoid unacceptable impacts. Overall it is considered, in line with the tilted balance, that the adverse impacts are well below the level whereby they would significantly and demonstrably outweigh the stated benefits of the proposal. For this reason it is recommended that planning permission is approved subject to the conditions below.

f) Recommendation

I PERMISSION BE APPROVED subject to the following conditions:

1. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the local planning authority in writing before development commences and the development shall be carried out as approved.
Reason: To comply with the provisions of the Town and Country Planning (General Development Procedure) Order and the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any Order/legislation revoking or re-enacting that Order/ legislation with or without modification).
2. Application for approval of the Reserved Matters shall be made to the local planning authority not later than the expiration of 3 years from the date of this permission.
Reason: To comply with the provisions of the Town and Country Planning (General Development Procedure) Order and the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any Order/legislation revoking or re-enacting that Order/ legislation with or without modification).
3. The development hereby permitted shall be begun not later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved
Reason: To comply with the provisions of the Town and Country Planning (General Development Procedure) Order and the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any Order/legislation revoking or re-enacting that Order/ legislation with or without modification).
4. The outline plan received 7.1.2021 is for indicative purposes only and does not form part of an approved scheme.
Reason: For the avoidance of doubt.
5. The development hereby permitted shall be carried out within the application site outlined on drawing number KBC/19/158/001 REV 01 received 19.11.2020.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
6. The permission hereby approved shall be for two dwellings only with slab levels to match that of number 22 The Street and with an eaves height no greater than that of a single storey property. The dwellings shall be either chalet bungalows or bungalows. Neither of the properties shall incorporate dormer windows in the north western and northern elevations.
Reason: In the interests of residential and visual amenity and the character of the area.

7. The application for reserved matters shall include details of the space to be laid out for parking of cars and details of space for vehicles to turn, so that they may enter and leave the site in forward gear. The dwellings hereby approved shall not be occupied until the approved spaces. the vehicular access to them and turning areas have been laid out and surfaced in accordance with the approved details and thereafter it shall not be used for any purpose other than the parking of vehicles.
Reason: In order to ensure that adequate parking is provided and maintained and in the interests of road safety and visual amenity.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no clear glazed openings shall be constructed in the side (south west or north east) elevation(s) of any approved dwelling.
Reason: In the interests of the amenity of occupants of the adjoining property.
9. Prior to commencement of development, details shall be submitted and approved in writing by the Local Planning Authority of the measures to prevent the discharge of surface water onto the highway. Works shall be carried out in accordance with approved details prior to first occupation of the dwelling hereby permitted.
Reason: In the interest of highway safety.
10. Prior to the first occupation of the development hereby approved, cable ducting and electrical wiring suitable to facilitate any subsequent installation of (an) 7kW 32amp OLEV compliant wall or ground mounted charge point(s) adjacent to the car parking space(s) proposed shall be installed and shall thereafter be retained such that it remains capable to providing the electricity required by any future electric vehicle charging point.
Reason: To facilitate the charging of electric vehicles as a more sustainable form of transport, in accordance with paragraph 110 of the NPPF.
11. Prior to the first occupation of the dwellings hereby approved, each dwelling shall be fitted with a domestic sprinkler system conforming to BS 9251 (or equivalent) or a water mist system conforming to BS 8458 (or equivalent), which shall thereafter be maintained.
Reason: In the interests of fire and rescue.
12. The application for Reserved Matters shall include details of a scheme for the storage of refuse. The approved scheme shall be provided before the dwelling(s) is/are first occupied and shall thereafter be retained in that form.
Reason: To facilitate the collection of refuse and preserve visual amenity.

Informatives

1. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.
Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>
The applicant must also ensure that the details shown on the approved plans agree in

every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

2. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. Your attention is drawn to their comments and requirements dated 16.12 20 in relation to the disposal of surface water.
- II Powers to 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 report and as resolved by Planning Committee.

Case Officer

Hilary Johnson