

- a) **DOV/21/00284 – Variation of Condition 2 (approved plans) to incorporate design changes of planning permission DOV/17/01137, including increased height to garages, green roof to garages removed, dwarf wall to front bank, relocation of pedestrian steps, amended siting, flat roof to rear projections, amended windows to rear elevation, increased building height, increased eaves height (part retrospective) (Application under Section 73) – Larkspur, 36-38 The Droveaway, St Margaret’s Bay**

and

DOV/21/00567 – Variation of Condition 2 (approved plans) to incorporate design changes of planning permission DOV/17/01137, including increased height to garages, retaining wall to parking area, amended landscaping, relocation of pedestrian steps, amended siting, flat roof to rear projections, amended windows to front and rear elevations, increased building height, increased eaves height, addition of chimney stacks (part retrospective) (Application under Section 73) - Larkspur, 36-38 The Droveaway, St Margaret’s Bay, Kent

Reason for report

DOV/21/00284 and DOV/21/00567 – member call-in (Councillor Bates)
DOV/21/00284 – third party contrary responses (8)

- b) **Summary of Recommendation**

DOV/21/00284 – grant permission
DOV/21/00576 – refuse permission

- c) **Planning Policies and Guidance**

Statute

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

Dover District Core Strategy (2010)

DM1 – Settlement boundaries
DM11 – Location of development and managing travel demand.
DM13 – Parking provision

National Planning Policy Framework (NPPF) (2019)

2. Decisions to be made in accordance with the development plan and any material considerations.

8. Sustainable development – planning objectives – economic, social, environmental.

11. Presumption in favour of sustainable development, unless adverse effects outweigh benefits.

48. The weight that may be given to relevant policies in emerging local plans.

124. Good design is key to sustainable development.

127. Principles of good design.

130. Refuse developments of poor design.

d) **Relevant Planning History**

In chronological order:

DOV/20/01316 – Variation of condition 2 (approved drawings) of DOV/17/01137, to incorporate the following amendments - retaining wall to parking area, amended stair arrangement, increased height to detached garages, increased height to dwellings including increased eaves height, amended elevational details, amended siting of dwellings within application site (application under section 73) (part-retrospective) – REFUSED.

DOV/17/01137/C – Non-Material Minor Amendment to 17/01137 - Revision to mono pitched roof to rear of houses to parapet type flat roof with roof lanterns. Additional windows in gables to Street elevation at roof level. Minor revisions to interior layouts – REFUSE NON-MATERIAL AMENDMENT.

DOV/17/01137/B – Non-material amendment – Revision to roof fascia height – REFUSE NON-MATERIAL AMENDMENT.

DOV/19/01130 – Variation of Conditions 2 and 3 (approved plans and samples) pursuant to outline permission DOV/17/01137 (application under S73) – GRANTED.

DOV/17/01137 – Erection of two detached dwellings, detached garages, formation of vehicular access and associated landscaping (existing dwelling to be demolished) – GRANTED.

DOV/16/00418 – Erection of two detached dwellings, formation of access and parking (existing building to be demolished) – REFUSED.

DOV/15/01215 – Erection of two detached dwellings with associated vehicular access (existing building to be demolished) – REFUSED.

e) **Consultee and Third-Party Responses**

DOV/21/00284:

KCC PRoW – considered – no comments.

KCC Archaeology – no comments.

St Margaret's Parish Council – Strongly object - to this proposal and the manner in which the development is being undertaken. The development needs to maintain compliance with the original Planning Officer report.

Public comments – 8 x objections

- Description of development not accurate.
- Character of development not as originally approved under DOV/17/01137.
- Height of houses.
- Proposal should return to original permission.
- Concern about further incremental changes, even if this permission is granted.

- Reference to report under DOV/20/01316 about proposal being unacceptable.
- Bulk and height on a raised plot at a bend in the highway i.e. prominence.
- Disappointed as extant permissions were the result of compromise.
- Contradictory statements in regard to reasoning for proposed amendments.
- Garages constructed at a raised level and are too large.

DOV/21/00567:

KCC PRoW – considered – no comments.

KCC Archaeology – no comments.

St Margaret's Parish Council – Strongly object to any changes which increase height of property - original report of Planning Officer should remain pertinent. Existing garage should be demolished to lower height and to be built in line with proposed dimensions

Public comments – 13 x objections

- Application should be a full application rather than section 73, queries extent of changes and whether these are acceptable as minor material.
- Application bears significant similarity to previous refusal DOV/16/00418.
- Footprint of garages is increased beyond extant permissions.
- Disagrees with incremental changes to original proposal.
- Developer should build as per extant permission and should consider impact on existing residents.
- Addition of side windows.
- Distress at number of applications submitted.
- Concern about time and resources expended on this site.

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

1.1. The Site

The site is located on the south east side of The Droveaway in St Margaret's Bay. It formerly comprised a single building split into two dwellings. The site is raised above street level by between 3 and 4 metres.

1.2. The site is already in the process of being redeveloped, with the former dwelling having been demolished and the site levelled at approximately two to three metres above street level. A levelled strip of land at street level has been created adjacent to the street boundary. Two brick built garages have largely been constructed, each with a height so far of 3.45 metres above street level. Between the front part of the site and the rear part of the site is a retaining wall with steps in the centre joining the two levels.

1.3. On the upper level of the site, footings have been dug and poured.

1.4. Neighbouring the site to the south east are the rear gardens 7 and 9 Salisbury Road. Number 9 has been extended and is sited close to the dividing boundary. Neighbouring the site to the north east is 38a The Droveaway, a relatively recently constructed dwelling on land that previously formed the rear garden to 9 Salisbury Road. To the south west is 34a The Droveaway, another relatively recently constructed dwelling.

1.5. Dimensions:

- Site depth – 30.3 metres.
- Site width – 34.6 metres at road frontage, 27.3 metres at rear boundary.

1.6. Previous Permissions Granted

DOV/17/01137: Permission was granted for the erection of two detached dwellings, detached garages, formation of vehicular access and associated landscaping (existing dwelling to be demolished). The dwellings comprised two storeys, contained 4 bedrooms each and were sited up to 3m above street level. The land to the front (northwest) of the dwellings would be graded to form a bank leading down to a parking area with a garage on either side and a shared access. The garages would have green roofs and would be orientated parallel with The Droveaway, with planting providing visual screening.

1.7. The dwellings were to be finished in a mix of weatherboard cladding and render and would feature side hip come catslide roofs, with front facing gables and dormer windows (on the inward elevations facing each other). Each dwelling would measure approximately 10.6 metres in width and 12.1 metres in depth, with an eaves height of 3.5 metres to 5.2 metres and ridge height of 8.3 metres. They would be set back approximately 11.4 metres from the highway.

1.8. **DOV/19/01130:** Amended the materials proposed to brick and stone cladding and incorporated roof lights and a rear facing dormer for each dwelling to create a room in the roof and accommodate a bathroom at first floor level. Windows in the dormers were to be obscure glazed and top hung with a restricted opening.

1.9. Most Recent Refusal

DOV/20/01316. The most recent application, which was refused on 10 February 2021, sought the following changes:

- Layout as was being constructed, including retaining wall to parking area instead of grass bank.
- Access steps moved central to be shared, rather than each dwelling being served directly.
- Increased height of garages, as constructed, up to 3.45 metres above street level – approximately one metre taller than as approved.
- Addition of chimneys.
- Amendments to rear dormers and location of windows on rear elevations.
- Amendment to form of rear single storey projection to incorporate flat roof, rather than sloped.
- Amendments to measurements, including increased ridge heights and eaves heights, and corresponding heights above the street level.

1.10. The reasons for refusal under that application were:

1.11. **Reason 1.** *The proposed development, if permitted, would by virtue of its dimensions, design details and siting, including increased base height to the dwellings, increased height to the dwellings and garages, increased use of engineered materials and proposed retaining wall, result in an obtrusive and incongruous form of development out of context with, and causing harm to, the street scene, which taken in combination, represents poor design, contrary to the aims and objectives of the NPPF at paragraphs 8, 11, 127 and 130 in particular.*

1.12. **Reason 2.** *The proposed development if permitted would by virtue of its dimensions, siting and design details, cause harm to residential amenity by way of overbearing, interlocking, overlooking and/or the perception of overlooking, to neighbouring residents at 38a The Droveaway, 9 Salisbury Road, 7 Salisbury Road, and 34a The Droveaway, all of which is not in accordance with the aims and objectives of the NPPF, at paragraphs 8, 11 and 127 in particular.*

1.13. Proposed Development

1.14. **DOV/21/00284:** Two development proposals are incorporated into this application. The first proposal, submitted under DOV/21/00284 is in many respects similar to the proposal refused under DOV/20/01316. However, under that application, the footprint of the dwelling was shown to have moved to the east, towards the dwellings 7 and 9 Salisbury Road. The drawings upon which the application was determined were later shown to be incorrect, with subsequent onsite measurements demonstrating the proposed dwellings had not moved closer to 7 and 9 Salisbury Road.

1.15. Other amendments in comparison to those proposed under DOV/20/01316 are as follows:

- Removal of retaining wall, creation of originally proposed grass bank.
- Reduction in height of garages by half a metre, grass roof no longer proposed.
- Amendment to location of windows on front elevation to de-emphasise height.
- Amendment to proposed cladding of front elevations to de-emphasise height.
- Removal of proposed chimney to de-emphasise height.
- Kitchen windows at ground floor level (included in 20/01316).

1.16. **DOV/21/00567:** This proposal retains the outline dwelling form and dimensions of the dwellings proposed under DOV/21/00284, with some notable variations.

1.17. Amendments are as follows:

- Front gables, retention of cladding proposed under DOV/20/01316.
- Addition of glazed front gables, serving a bedroom at second floor level.
- Addition of glazed front dormer window gables.
- Addition of second floor window to rear gable, to be obscure glazed.
- Retaining wall not removed.
- Garages maintained at built height, incorporating green roof.
- Additional rooflights.

1.18. **Boundaries and siting:** Across the extant permissions and applications for proposed amendments, the scaling data on submitted files appears not to be completely accurate/comparable, which has meant that it has been difficult to use absolute measurements for comparison purposes. However, overlaying the site plans and street elevations has given a more reliable representation of the proposed amendments, such that effects can be gauged. This is combined with measurements taken on site.

1.19. Under DOV/20/01316 there were some amendments to the depicted rear boundary, with later drawings correcting the position of the boundary as being further to the east, and thus further from the dwellings. The drawings in applications DOV/21/00284 and DOV/21/00567 now show the boundary in its correct position.

- 1.20. Drawings will be presented at committee which show the overlay of site boundaries, foundation siting and street elevations across the various applications, in order to provide an accurate basis on which to make an informed decision.

2. **Main Issues**

- 2.1. The main issues to consider are:

- Principle of development.
- Design, street scene and visual amenity.
- Residential amenity.
- Highways impact.
- Ecology/appropriate assessment
- Policy context and material considerations
- Other matters

Assessment

- 2.2. **Principle of Development**

The proposed dwellings under each application are considered to be acceptable in principle. The dwellings are located within the St Margaret's Bay settlement boundary, and the application in each case is for an amendment to the proposed drawings of an existing permission. While section 73 applications are new permissions in their own right, no material circumstances have changed such that the proposed dwellings would no longer be acceptable in principle.

- 2.3. For clarity regarding policy positions, housing land supply status, and government guidance, this matter is expanded further under the 'Policy context and material considerations' section below.

- 2.4. **Design, Street Scene and Visual Amenity**

For confirmation, the heights of the proposed dwellings are the same as that refused under application DOV/20/01316. As noted above, reason 1 for refusal under that application references the effect of the increased heights.

- 2.5. **DOV/21/00284:** This application on balance is now considered to be acceptable in terms of its design. Design elements incorporated into DOV/20/01316 served to increase the vertical emphasis of the scheme, namely the proposed narrow vertical bands in the cladding/stonework, the height above the front facing first floor gable windows, the increased height garages, the retaining wall and the chimneys. All of these aspects have now been addressed, and while the actual dwellings would be no lower in the street than those which were refused, the overall effect, including the reversion to a grass bank behind the parking area, would serve to soften the impact and reduce the emphasis on height. The cladding proposed under this application seeks to create a horizontal, rather than vertical emphasis, such that on balance, no objections are raised in respect of design and the impact on the street scene.

- 2.6. The loss of green roofs on top of garages is considered to be regrettable, however, it is understood that the lower garages cannot incorporate the necessary roof structure to support the weight, and at the same time create

adequate internal space for the garage to be sufficient for its purpose.

2.7. **DOV/21/00567**: This application takes a different approach in regard to the design of the proposal. Again, the dimensions proposed are the same as with DOV/21/00284, but the attempts to reduce vertical emphasis are not included. The proposed dwellings incorporate glazed gable openings stretching from the first floor window to the apex, and this is repeated in the front facing dormer windows – this serves to stretch the appearance of the gable, as does the retained cladding/stonework pattern. In addition, the chimneys are retained, which adds further vertical emphasis. The garages are not proposed to have their height reduced, albeit they are proposed to incorporate the originally approved green roofs. The retaining wall is also proposed to be kept in its built form. All taken together, it is considered that by amending the proposal with these elements, this serves to substantiate and reinforce the issues identified under reason 1 for refusal in DOV/20/01316. This is therefore considered to be unacceptable.

2.8. To the rear of the dwellings, an additional window is proposed at second floor level in each gable. While this does serve to accentuate the height of the buildings, this is not considered to affect the appearance from the street scene, which is the main consideration in this instance.

2.9. Residential Amenity

The key impacts on residential amenity are repeated across both applications. Notably, these are in regard to the occupants at 38a The Droveaway and 9 Salisbury Road; and to 7 Salisbury Road and 34a The Droveaway.

2.10. **DOV/21/00284**: Under DOV/20/01316, the key concern was about the dwellings incrementally moving closer to neighbouring dwellings, notably those on Salisbury Road (east, to the rear). This was combined with the increased height of the proposals, in absolute terms, and in terms of their relationship with the street. Subsequent comparison of drawings submitted under DOV/20/01316, with on site measurements, shows that these drawings were in error, showing the dwellings to be at approximately the same distance from the neighbours as approved under DOV/17/01137 and DOV/19/01130.

2.11. Therefore, in terms of the neighbours to the rear, the concern in relation to an overbearing impact was no longer substantiated to the same degree (accepting that the height is still proposed to increase) – this remains the case with the dwellings as proposed under DOV/21/00284. Although additional windows are proposed on the rear elevation, these would be obscure glazed, which with an appropriate condition, and dwellings remaining sited, in terms of separation distance, as previously approved, is not expected to unduly harm privacy.

2.12. At 38a The Droveaway, the dwelling to the north, the resident has raised concern about overshadowing to their single storey kitchen room. This is noted in particular in relation to the increased eaves height of the northern dwelling, where a hipped roof would not assist with reducing shadows. Overshadowing was not included as a reason for refusal under DOV/20/01316, but was noted as a potential concern. One further element in regard to this will be illustrated in the committee presentation where overlay drawings show the relative positions of the dwelling footprints in the extant permissions, the refusal under DOV/20/01316, and the on-site constructed footprint/applications as now proposed.

- 2.13. The resident at 38a has requested a shadow study and submitted engineering comments to support this request. The applicant was requested to provide drawings in order to confirm whether there would be an impact but declined. Therefore, consideration must be made without such a study. Given the nature of side elevations relating to side elevations, where these are usually in closer proximity, and the neighbouring kitchen incorporating a range of windows including roof lights and rear doors, allowing light from a number of sources, it is considered that on balance, the increase in eaves height would be unlikely to create an unduly harmful effect in respect of overshadowing or loss of light.
- 2.14. In respect of 7 Salisbury Road, while there remains an impact from the proposed southern dwelling, it is not considered to be more harmful under this application than with the permission granted under DOV/19/01130, which allowed a rear facing dormer window, but with obscure glazing and restricted opening. Subject to imposing appropriate conditions in relation to the proposed additional windows, privacy should be maintained.
- 2.15. In respect of 34a The Droveaway, it is considered that the decreased garage height, combined with an appropriate condition restricting access to the roof of the garage, means that any consideration in regard to potential overlooking should be addressed adequately, albeit it is accepted that the neighbour at this location retains concerns. There is a side window proposed, serving the kitchen which potentially raises concern about the prospect of overlooking to the rear garden of 34a. The nature of the window could potentially give rise to standing and looking, while at the kitchen sink – accordingly a condition is recommended to obscure glaze and top hang the window, with restricted opening.
- 2.16. Accordingly, this proposal is not considered to result in undue harm to the amenity of neighbouring occupiers, to a degree that would substantiate refusal, particularly when considered in the context of the extant permissions, and the use of planning conditions.
- 2.17. **DOV/21/00567**: The key differences in respect of residential amenity are the proposed second floor windows in the front and rear gables. The front facing glazed apex window has the potential to result in overlooking from a raised position into the front of 39 The Droveaway (opposite, west). However, this is a front garden which is semi-private, and the separation distance is approximately 25 metres. Taking into account a notable appeal decision at the land rear of Palmerston on Sea View Road/Lighthouse Road in St Margaret's Bay, refusal based on front to front overlooking tends not to be particularly strong. The rear gable windows, facing toward 9 and 7 Salisbury Road, while potentially giving rise to overlooking and/or the perception of overlooking are of a small size and can be adequately conditioned in relation to opening and obscure glazing, such that this concern is properly addressed. A number of additional rooflights are proposed, but it is not considered that these would result in overlooking due to internal heights, but were it considered necessary the lower of the rooflights in each case could be conditioned to be fixed shut or obscure glazed.
- 2.18. There is some concern about the use of the garage roofs under this proposal, which would be kept at their as built height, being used as sitting out areas, and allowing overlooking and loss of privacy. While not at the preferred height, particularly for visual amenity reasons, the garages could nevertheless be conditioned such that any access to their roofs is for maintenance or emergency purposes only. The impact of the increased height garage immediately adjacent to number 34a The Droveaway would be regrettable in terms of its potential to create an overbearing effect, however, as a primary reason for refusal on

residential amenity grounds, this is likely to be unsatisfactory. Accordingly, and very much on balance, DOV/21/00567 is considered to be acceptable in terms of residential amenity.

2.19. Highways Impact

Both proposals would incorporate the same access arrangements i.e. central access, with a visibility strip secured by condition, as approved under DOV/17/01137 and DOV/19/01130. There is some concern about the extent to which the footprint of these garages encroaches on the visibility strip, however, having visited the site and considered the site boundary relative to the garages as constructed, it appears that safe access and egress could still be achieved. Therefore, access, and the impact on highways, is considered to be acceptable.

2.20. Ecology/Appropriate Assessment

DOV/17/01137 was permitted prior to a ruling by the European Court of Justice, which determined that mitigation measures in relation to ecological sites could not be taken into account at the habitat regulations assessment screening stage. DOV/19/01130 was permitted after this ruling and incorporated the following appropriate assessment to consider the impact of the two dwelling on this site, in regard to the Thanet Coast and Sandwich Bay SPA and Ramsar sites. The appropriate assessment is considered to remain relevant, and there have been no subsequent changes in ecological terms. The following appropriate assessment therefore applies to the consideration of **both DOV/21/00284 and DOV/21/00567**.

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

- 2.21. 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.
- 2.22. 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.
- 2.23. 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.
- 2.24. 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.
- 2.25. Given the limited scale of the development proposed by this application, a contribution towards the Council's 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.

- 2.26. Having had regard to the proposed mitigation measures, it is considered that the proposal would not have an 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.

2.27. Policy Context and Material Considerations

Consideration has been given to whether there have been any material changes in circumstance since the previous applications were determined, including any which may lead to different conclusions being reached.

- 2.28. Whilst the council is able to demonstrate a five year housing land supply and has not 'failed' the housing delivery test (insofar as the 'tilted balance' would be applied), it accepts that some of its policies are out of date. In this instance policies DM1, DM11 and DM13 are considered to be the 'most important' policies for the determination of this application. DM1 is considered to be out of date (and attracts reduced weight) as it is significantly more restrictive than the NPPF and was devised with the purpose of delivering significantly fewer houses than are now required. DM11 is broadly in accordance with the aims of securing sustainable development, albeit the 'blanket' elements of these policies (resisting travel generating development outside of confines and resisting the loss of countryside) are in tension with the NPPF. These policies are not considered to be out of date but do attract reduced weight. Policy DM13 is generally permissive and allows a degree of flexibility based on design – nevertheless its guidance is met by the proposal. Overall, whilst DM1 is the most important policy in the determination of this application, the site is located well within settlement boundaries. Together with the conclusion that DM11 and DM13 are not out of date, or generally permissive, this leads me to conclude that the basket of most important policies are not out of date. Consequently the 'tilted balance' is not applied and the application should be determined in accordance with the development plan without delay unless material considerations indicate otherwise.

- 2.29. 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.

2.30. Other Matters

When visiting the site, the planning agent described the archaeological measures that had been agreed and undertaken on site prior to development commencing. While this may be the case, there appears to be no record of agreement with the LPA through approval of conditions. Therefore, if the recommendations are agreed, the archaeological condition will be reimposed, and formal agreement will be required.

3. Conclusion

The consideration of these applications comes with a notable amount of context provided by many other applications for similar proposals stretching back to 2015. The site, due to its raised topography, and proximity to neighbours, has meant that the proposed dwellings have evolved into a form which attempts to temper the perception of height within the street scene, while also limiting any harm on residential amenity. The outcome is a design that has evolved through many iterations and has limited tolerances for amendments – hence refusals under non-material amendment applications, as well as the aforementioned DOV/20/01316.

Some of the previous considerations have been affected by incorrect drawings and incorrect site surveys, however, following a visit to the site with the designer, measurements taken have addressed these issues.

Inevitably, there is concern from the neighbours about residential amenity and the degree to which the proposal affects them. However, taking the context into account i.e. the extant permissions; the proposals as they are now submitted, are not considered to substantiate a refusal on these grounds, particularly where planning conditions can address any unresolved issues.

Where concern does remain, is the impact of the proposal on the street scene. The former character of The Drove way at this location no longer remains. There once was a verdant bank which ran from 34a, north through the site, and across the frontage of 38a (34a and 38a were both built on the rear gardens of Salisbury Road dwellings). This has been replaced with an overengineered appearance along this stretch of the road – yet it is still proper to try and get the right design, as directed by the NPPF. The incorporation of green landscaping and reversion of the retaining wall to a grass bank, as well as improvements to reduce the vertical emphasis of the proposal means that on balance, it is considered that **DOV/21/00284** overcomes the reasons for refusal under DOV/20/01316, and is recommended for **permission to be granted**.

DOV/21/00567 takes a different approach in this regard, and as considered above, retains a harmful emphasis on height, on a site where the opposite approach is required. Therefore, the recommendation is to **refuse permission**.

While it might be said that the recommendations above have implications for sustainability, perhaps in regard to the provision of housing, there are legitimate fall back positions in terms of the extant planning permissions. Accordingly, these recommendations are considered to have been made with regard to all relevant policy and material considerations.

g) **Recommendation**

- I. DOV/21/00284 – planning permission be GRANTED, subject to conditions including the following:
 1. Drawings
 2. Reversion of retaining wall to bank.
 3. Lowering of height of garages.
 4. Materials and elevational treatment
 5. Windows
 6. Hard and soft landscaping – in accordance with approved details
 7. Refuse and recycling – in accordance with approved details
 8. Vehicle parking

9. No access to garage roofs except for maintenance or emergency
10. Bicycle parking
11. Bound surface
12. No surface water on highway
13. Visibility strip
14. Ground levels – in accordance with approved details
15. Earthworks – in accordance with approved details
16. PD removal A, B
17. Archaeology
18. Construction management plan – in accordance with approved details

II. DOV/21/00567 – planning permission be REFUSED for the following reason:

1. The proposed development, if permitted, would by virtue of its dimensions combined with its design details and siting, including increased base height to the dwellings, increased height to the dwellings and garages, proposed elevational finish, fenestration details, increased use of engineered materials and proposed retaining wall; result in an obtrusive and incongruous form of development out of context with, and causing harm to, the street scene, which taken in combination, represents poor design, contrary to the aims and objectives of the NPPF at paragraphs 8, 11, 127 and 130 in particular.

III. That powers be delegated to the Head of Planning, Regeneration and Development to settle any necessary planning conditions and/or reasons for refusal in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer

Darren Bridgett