

- a) **DOV/21/01618 – Erection of a detached dwelling with associated parking (existing garage to be demolished) - 44 Millais Road, Dover**

Reason for report: Number of objections

- b) **Summary of Recommendation**

Approve planning permission subject to conditions

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010) (CS)

DM1, DM11 and DM13

National Planning Policy Framework (NPPF) (2021)

7, 8, 11, 60, 69, 110, 111, 119, 120, 124, 130, 174, 180, 185

Draft Dover District Local Plan

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.

The Kent Design Guide (KDG)

The Guide provides criteria and advice on providing well designed development that considers context as part of the evolution of the design.

Other

Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006

Technical Housing Standards – nationally described space standards

- d) **Relevant Planning History**

21/01223 - Erection of 2no. residential dwellings (existing garage to be demolished) - Withdrawn

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

Dover Town Council – Objects. Density of housing is too great in an already constrained area. Loss of amenity through reduction in garden space.

Third-Party Representations:

- Existing parking and highways issues.
- No room for additional housing on the street.
- No space for parking and turning at the end of the road.

- Millais is a narrow cul-de-sac road.
 - The area at the end of the cu-de-sac currently marked as double yellow lines is essential for turning.
 - Parking congestion.
 - Fire access.
 - Garage/parking for 44 Millais will be lost.
 - Removal of tree.
 - The street currently has approx. 15% disabled parking bays which take up more space.
 - Access for refuse collection.
 - Previous application was withdrawn.
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- Fully support.
 - Good option for the end of the street.
 - Parking arrangements will be an improvement.
 - Parking at the front of the house would have a positive impact on the street.
 - Plans look like lovely houses.
 - Looks like a nice development
 - Would be lovely to see a building here overlooking the alley at the end of the road.
 - A property watching over the alley would improve safety.
 - Would help tidy up the area.
 - Within walking distance to local facilities.
 - Will improve the road.

1. The Site and the Proposal

The Site

- 1.1 The application site comprises residential garden land located in the urban area of Dover. The site is located at the end of Millais Road which is a cul-de-sac and is characterised by two-storey terrace houses on both sides of the road. 44 Millais Road is an end of terrace property with an attached single-storey garage behind access gates fronting onto the road. The site forms the side garden of 44 Millais Road.
- 1.2 The site backs onto the rear gardens of residential properties fronting Balfour Road located to the north of the site. The adjoining site to the northwest is amenity garden land associated with a residential property located on Alexandra Place. This parcel of land is laid to grass with a garage and hard surface parking area fronting onto Alexandra Place.

The Proposal

- 1.3 Erection of a detached two-storey dwelling. Following negotiations with the applicant amended plans have been submitted making changes to the design of the proposed house. The proposed house would be two-storeys high with the same ridge and eaves level as 44 Millais Road. Two bay windows are proposed at ground floor level on the front elevation with a front door with an arched brick course above. Facing bricks and roof tiles would match the existing properties in Millais Road. The existing single-storey attached garage at 44 Millais Road would be demolished to facilitate the proposed development.

2. Main Issues

2.1 The main issues for consideration are:

- Principle of development
- Design and visual amenity
- Impact on residential amenity
- Highway safety and parking
- Living standards
- Other matters
- Appropriate Assessment

Assessment

Principle

2.2 The application site is located within the Dover urban area, therefore the principle of residential development is considered acceptable in terms of its location subject to other material planning considerations.

Design and Visual Amenity

2.3 Following negotiations with the applicant the design has been amended to reflect the character of the properties along Millais Road. The proposal would utilise facing bricks and roof tiles to match the existing houses and the ridge and eaves level would be the same as 44 Millais Road. Further, two front bay windows have been introduced and a central front door with an arched brick course above. The proposed design would be visually attractive and would be sympathetic to the existing character of the street in accordance with paragraph 130 of the NPPF.

2.4 The proposal is for a detached dwelling and Millais Road is characterised by terrace properties. However, given the set back behind the established building line, end of cul-de-sac location and design aspects identified above, the introduction of a detached dwelling into the streetscape would not appear significant out of keeping or visually harmful.

2.5 The site comprises private garden land which is enclosed by close board fencing adjacent to Millais Road. As such the loss of the private enclosed garden would not have a significant visual impact on the streetscape.

Impact on Residential Amenity

2.6 The proposal would be located adjacent the blank flank wall of 44 Millais Road and would not extend beyond the established rear building line of this property. As such there would be no significant adverse loss of amenity to 44 Millais Road.

2.7 The proposal would back onto the residential rear gardens of properties fronting Balfour Road. First floor rear windows would serve a bathroom and landing area and would be obscure glazed to prevent overlooking, which can be secured by condition. Due to the separation distances involved and location of neighbouring garden buildings the proposal would not appear unacceptably overbearing or dominant from the properties fronting Balfour Road.

2.8 A first floor bedroom window is proposed in the side / northwest elevation of the dwelling. This window would overlook the grassed amenity area adjacent the site. However, this amenity area is not directly linked to a residential property and public views are currently afforded into this space from Alexandra Road, therefore the

introduction of a new first floor window looking onto this space would not result in any significant adverse loss of amenity over and above the existing arrangement.

Highway Safety and Parking

- 2.9 Two off-street parking spaces are proposed which is above the 1 parking space requirement for a two-bed dwelling stipulated in policy DM13. The proposed off-street parking would not impact / reduce the amount of on-street parking currently provided along Millais Road as there are double yellow lines in front of the site, which would remain. The submitted plans demonstrate that the proposed driveway parking could be accessed utilising the turning head at the end of the cul-de-sac.
- 2.10 The existing garage at 44 Millais Road would be demolished as a result of the proposed development. 44 Millais Road would have no off-road parking as a result and occupants would need to park on Millais Road or the surrounding roads. However, the dimensions of the existing garage fall below the minimum size requirements for a garage set by KCC Highway and the garage is therefore not considered to be large enough to accommodate a modern car. As a result, the garage does not constitute a usable parking space under current guidance and no objections can be made to the loss of the garage in terms of parking provision. As such, the proposed development would not lead to an increase in demand in on-street parking along Millais Road over and above the current situation.
- 2.11 The proposed development would not impact on the current on-street parking provision along Millais Road and the double yellow lines would be retained at the front of the site, therefore access and turning arrangements at the end of the cul-de-sac would not change as a result of this application.

Living Standards

- 2.12 The internal room sizes and overall floor area for the proposed dwelling would be in accordance with the national described space standards. An acceptable standard of living accommodation is therefore proposed. The proposal would have a modest rear garden and the loss of the side garden at 44 Millais Road would create a modest rear garden for this property. Whilst the proposed rear gardens would be relatively small, the size of the gardens would be similar to other properties in proximity to the site and the area in general is characterised by close knit residential development with small rear gardens. The size of the proposed garden and reduced garden area at 44 Millais Road would therefore not warrant a sustainable reason for refusal.

Other Matters

- 2.13 Reference has been made to a tree within the side / front garden of 44 Millais Road which is visible within the streetscape. This tree has now been removed by the applicant. The tree was not subject to a TPO and the site is not within a conservation area therefore consent was not required to remove the tree. The loss of the tree is regrettable, however there is sufficient space towards to the front of the site adjacent the driveway parking to accommodate a new / replacement tree which would benefit the visual amenity of the street and can be secured by condition.

Appropriate Assessment

- 2.14 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.

- 2.15 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.
- 2.16 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.
- 2.17 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.
- 2.18 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.
- 2.19 Having had regard to the proposed mitigation measures, were the application to be considered acceptable, 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 development complies with sustainability objectives of the NPPF, it is within the built confines and is acceptable in terms of its design, appearance, location and all other respects, subject to the appropriate conditions. As such, the proposal would comply with Paragraphs 130 of the NPPF and policy DM1 and DM13 of the CS and is recommended for approval.

f) Recommendation

- I. Approve planning permission, subject to the following conditions:
1. Time limit
 2. Approved Plans
 3. Materials to match 44 Millais Road
 4. Obscure glazing first floor rear windows
 5. Retention of parking spaces
 6. Electric charging
 7. Cycle parking and Bin storage
 8. Tree planting
- II. Powers to be delegated to the Planning and Development Manager 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 Jolly