

- a) **DOV/22/00749 - Change of use and conversion of existing building to create three terraced dwellings and erection of one pair of semi-detached dwellings with associated parking (part demolition of existing building) - Deal Police Station, 43 London Road, Deal**

Reason for referral – number of contrary views (17)

b) **Summary of Recommendation**

Planning permission be granted for application reference DOV/22/00749, subject to conditions.

c) **Planning Policy and Guidance**

Development Plan

The statutory development plan comprises:

- Core Strategy (2010) (“**the Core Strategy**”)
- Land Allocations Local Plan (2015)
- Saved Policies of the Local Plan (2002)
-

Relevant policies of the Core Strategy include:

- CP2: Provision for Jobs and Homes
- CP4: Housing Quality, Mix, Density and Design
- CP5: Sustainable Construction Standards
- CP6: Infrastructure
- DM2: Protection of Employment Land and Buildings
- DM11: Location of Development and Managing Travel Demand
- DM13: Parking Provision

As is the case with the development plan, where existing policies were adopted prior to the publication of the National Planning Policy Framework (July 2021) (“**the Framework**”), the weight to be given to them depends on their degree of consistency with the policies of the Framework (paragraph 219).

Other Material Considerations

Other information material to the consideration of the applications includes:

National Planning Policy Framework

Paragraphs 11, 38, 60, 93, 111, 119, 126, 131, 152 and 180

Draft Dover District Local Plan

The draft Dover District Local Plan sets out planning policies and proposals for new development in the District over the period from 2020 to 2040 and when adopted will replace the existing development plan. The emerging Local Plan is at Regulation 19 consultation stage and is a material planning consideration in the determination of this planning application. The weight to be afforded to its policies depends (in accordance with paragraph 48 of the Framework) on the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the relevant policies and their consistency with the Framework. Relevant policies of the emerging Local Plan include:

- Policy SP4: Residential Windfall Development

- Policy CC4: Water Efficiency
- Policy PM1: Achieving High Quality Design
- Policy PM2: Quality of Residential Accommodation
- Policy PM6: Community Facilities and Services
- Policy TI1: Sustainable Transport and Travel
- Policy TI3: Parking Provision on new Development

Legislation

The combined effect of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) is that planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

d) Relevant Planning History

There is no planning history directly relevant to the determination of the current application.

e) Consultee Responses and Third-Party Representations

Deal Town Council: Objection. Overdeveloped site. Insufficient access for emergency services. Inappropriate parking and lack of green space.

DDC Environmental Protection Officer: No objections

KCC Highways: No objection to the reduction in dwellings, however independently accessible parking spaces are preferable as tandem parking is often under-utilised. Refuse collection points are not shown. These should be within 25m of the highway.

Kent Fire & Rescue: points out the restricted vehicular access

Southern Water: No objection

Public Representations

A total of 17 letters of objection to the proposed development have been received, which raise the following comments:

- Overdevelopment
- Possible loss of sunlight, loss of privacy
- Insufficient parking
- Bungalows would be better suited on the site
- Lack of school places
- Narrow access – concern over the fire service access
- Excess traffic
- Site on a dangerous corner

Two letters of support have been received stating:

- Proposals in keeping with the original building and locality
- Keeps Deal police station in history
- Much needed living space provided
- A good mix of homes

f) The Site and the Proposal

The Site

- 1.1 The site comprises the former Deal Police Station located on the southern side of London Road, Deal just south of where Albert Road and Beechwood Avenue join London Road.



Figure 1: Application Site

- 1.2 The existing police station is a significant presence on the street scene. At the rear of the building is a two-storey flat roof extension 'T' shaped and attached to this a small single storey flat roof structure. The remainder of the site is hard standing previously used for parking when the police station was operational.



Figure 2: Street Scene

- 1.3 There is a dwarf brick wall across the site frontage; gaps are retained for the pedestrian access and vehicular access. A 1.8m high brick wall runs adjacent to the length of the vehicular access to the rear of the site.

Surrounding Area

- 1.4 Located on a busy road within the urban confines, the site is within walking distance to local amenities. There is a fuel station adjacent to the site.
- 1.5 Opposite the site is a terrace of 4 storey dwellings; adjacent are two storey dwellings and at the rear is a detached garage and the side elevation of a single storey dwelling in Beechwood Court.

Proposed Development

- 1.6 Planning permission is sought for the conversion of the main police structure into 3 residential units – the two storey and single storey extensions would be demolished as would a pre-fabricated garage in the rear of the site.
- 1.7 The building would be divided vertically, with:
- unit 1 (three bed) on the southern end of the building, over two floors;
 - unit 2 (four bed) in the centre, over three floors including a small basement; and
 - unit 3 (three bed) on the northern end of the building, over two floors.
- 1.8 Externally the existing building will be upgraded in terms of materials, additional openings at ground and first floor level and a small extension to unit 3 will provide a

utility room. The exterior materials will comprise a mix of cladding, brick and painted render.



Figure 3: Proposed front elevation of converted building

- 1.9 At the rear of the site, planning permission is sought for the erection of one pair of 4 bed semi-detached dwellings (previously a terrace of 3 was proposed). The dwellings would have a full hip at either end of the pair of dwellings and the first floor would be recessed in the central section above the entrance canopy.

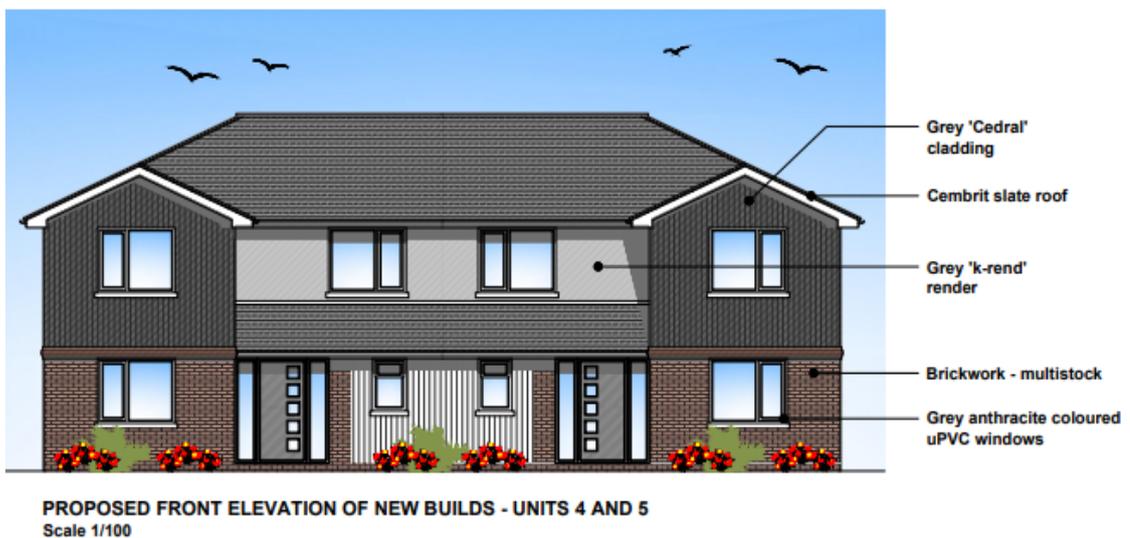


Figure 4: Proposed front elevation of new build

- 1.10 Existing vehicular access to the site would be retained, off street parking would be provided at 2 spaces per dwelling. Units 5 and 6 at the rear of the site would have a small shed at the rear of their gardens. There is now a separation distance of approximately 12.5m from the rear elevation of units 5 and 6 to the rear boundary of Beechwood Close (previous scheme was 9m). All units would benefit from private amenity space either at the front or rear of their property.



Figure 5: Proposed site layout

- 1.11 Supporting information for the application includes:
- Design & Access Statement

Main Issues

- 2.1 The Council's emerging Local Plan has been published for consultation at Regulation 19 stage, with increased weight now being applied to its draft policies. That weight is informed by the extent to which there are unresolved objections and the degree of consistency of that policy to the Framework.
- 2.2 Against this background the main issues in the consideration of this application are:
- The principle of the development
 - The impact upon the character and appearance of the area
 - The impact upon residential amenity

- The impact upon highway safety
- Other matters
- Planning balance/conclusion

Assessment

Principle of Development/Loss of the Existing Use

- 2.3 The proposed loss of the police station use is outside the control of the local planning authority and the site was disposed of as it was no longer required by the Police Force. Police stations are considered to be a *suis generis* use. Due to the nature of the building and its siting it is not considered appropriate to withhold the principle of an alternative use of the site. Being within the settlement confines, the principle of residential use is considered to be acceptable.

Impact on the Character and Appearance

- 2.4 The proposed development is two-fold; conversion and partial demolition of the existing building set towards the front of the site, and, new build development towards to the rear. There will be no significant change to the existing building when viewed from the front of the site and from the rear or oblique angles the unsightly two storey extension will be demolished. The amendments undertaken from the original submission have seen a reduction in the scale of the proposal at the rear of the site. The design takes elements from the existing building with the use of hipped roof and gable elements. The proposed use of materials will be replicated between both the new and existing build.
- 2.5 When viewed from London Road, the primary impact of the site is from the existing building at the front of the site, the rear extensions that are unsightly are generally less visible. These additions are to be demolished as part of the proposal. The existing building contributes to the character of the street scene and whilst not significant in terms of architectural merit it is a substantial building capable of conversion. The changes to the front elevation see the insertion of larger openings, including glazed doors, that open onto the private garden area. Chimney stacks would be removed as not functionally required. The change in materials would also alter the visual appearance having a modernising effect on the building. The changes do alter the character of the existing building but are not considered unacceptable visually. Care will need to be taken to ensure sensitive front boundary treatment. The private garden areas for Units 1 -3 will unusually be fronting London Road and therefore a balance will need to be struck between a boundary that respects the street scene and also the amenity of the residents. A condition is proposed to secure appropriate details.
- 2.6 It is noted that opposite the site is a terrace of 4 storey high dwellings, properties to the northern boundary are two storey in height and to the rear is a detached garage and a small development of bungalows. There are a number of outbuildings in the rear gardens of the dwellings on Beechwood Avenue that back onto the site. Therefore, the current proposal is considered to have been designed around the site constraints.
- 2.7 Public views of the proposed new build dwelling pair from London Road would be limited to oblique sightings down the access or across from the service station. The scale and form of development would not be out of character with the pattern of development and it is considered that in this locality against the backdrop of existing built form that the proposal would not appear intrusive or unduly harmful to the

prevailing visual quality of the street scene or the character and appearance of the area.

- 2.8 As such, it is considered that the proposals and their impact upon the immediate area would meet the requirements for good design as set on in the NPPF.

Impact on Residential Amenity

- 2.9 Objections have been received from residents regarding the impact of the proposal on the enjoyment of their dwellings. The proposed converted police station is not considered to have a greater impact than existing. Whilst not previously in residential use, the police station was capable of views across the rear private gardens of dwellings in Beechwood Avenue.
- 2.10 The proposed pair of semi-detached dwellings are sufficiently separated from the property no.4 Beechwood Court not to give rise to any loss of light or overbearing impact. There is a distance of 12.5m from the rear of the proposed dwellings to the boundary at the rear of the site. No.4 Beechwood Court is set further south (south-east) of the proposed dwellings and has a buffer from the detached garage, rear boundary treatment and the side elevation relationship with the new dwellings. Furthermore, the siting of the pair of semi-detached dwellings has been moved a further 3.6m north of the bungalow given further separation. Overlooking would be extremely difficult between the sites. The rear private garden of no.4 would not be readily visible from the upper floor of the new dwellings as it would be such an oblique angle
- 2.11 The change of design from a terrace of 3 dwellings to one pair of semi-detached has also facilitated a greater distance from the boundary with the dwellings to the north. The reduction in the roof height by approximately 2m, loss of one floor of accommodation and amendment to a fully hipped roof has also mitigated the impact on nearby dwellings.



Figure 6: Aerial photo

- 2.12 In conclusion, it is considered that overall, the living conditions of the occupiers of nearby dwellings would not be unduly harmed by the proposal.

Highway Safety

- 2.13 A number of objections have highlighted concerns regarding traffic and parking. The proposed development will accommodate ten parking spaces on the application site. This provision of on-site parking is considered to be acceptable, according with the requirements of policy DM13 and the sustainable location of the site within an urban area.
- 2.14 The proposal uses an existing access and area that has previously been used for parking in conjunction with the use of the site by the police. The proposal is not considered to cause harm to the safe functioning of the highway network.
- 2.15 The NPPF advises 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”. It has been concluded that the development would not harm highway safety and it is considered that the proposal is acceptable, subject to suitably worded conditions to secure car parking, EV charging and cycle parking.

Other Matters

- 2.16 There is no objection from Southern Water regarding foul drainage, with general infrastructure demand being similar or no greater than the existing use.
- 2.17 The fire officer raised the issue of access to the rear of the site. In light of this it is proposed to provide a domestic sprinkler system in all the dwellings within the site. This matter can be regulated through building control but with the imposition of a planning condition to ensure compliance.

3. Conclusion

- 3.1 By virtue of the relevant Development Plan policies not being up-to-date, it is considered that the ‘tilted balance’ (Paragraph 11, NPPF) must be applied. Relevant to the circumstances of this application, this indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies of the NPPF as a whole.
- 3.2 There is a need for new housing development that is in a sustainable location, with good access to public facilities and amenities. The application site is located within the settlement confines within reasonable walking and cycling distances of the Deal’s facilities and amenities. Its location would meet the requirements of the Development Plan and is supported by the NPPF.
- 3.3 With regard to the objective of achieving good design, it is considered on balance that the proposed development would not have an unduly adverse impact on either the character and appearance of the area or the living conditions of the occupiers of adjacent properties, to the extent that this would warrant a refusal of planning permission.

g) Recommendation

- I PLANNING PERMISSION BE GRANTED subject to the following conditions:
1. Standard time limit
 2. List of approved plans
 3. Material samples
 4. Removal of PD rights for means of enclosure and extensions (including to roofs)
 5. Fencing details for internal gardens and site frontage
 6. Surface water drainage details (Deal)
 7. Parking spaces – provision and retention
 8. Bin and cycle storage
 9. EVC points
- II Powers to be delegated to the Head of Planning 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

Amanda Marks