

- a) **DOV/22/01400 – Extension of existing vehicle access, installation of bollard and security lighting to front and side elevations (part retrospective) - Trinity Methodist Church, Union Road, Deal**

Reason for report – Number of contrary views (7)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010): CP1, DM1, DM2

Land Allocations Local Plan (2015): DM27

Local Plan (2002) Saved policies:

Draft Dover District Local Plan to 2040

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 (Regulation 19) the policies of the draft can be afforded some weight, but this depends on the nature of objections and consistency with the NPPF. Policies

National Planning Policy Framework (NPPF) (2021): Paragraphs 7, 8, 11, 130, 194-202

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

- d) **Planning History**

DOV/14/00800 – Erection of barbed wire fencing with supports to the roof area - Granted.

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

Representations can be found in the online planning file, a summary is provided below:

Deal Town Council – object due to light pollution causing distress to local residents

DDC Environmental Protection – I am now able to confirm that lighting lux levels have been submitted by the applicant's agent and are included in Drawing No. 221013-S-001 Rev A (CAD Solutions – revised). Levels into windows in residential properties in both Union Road and West Street are shown to be below guidelines published by the Institute of Lighting Professionals. Environmental Protection have no further observations or objections to the application.

KCC Highways – 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.

Heritage – it is not considered that this application requires specialist input in respect of the built historic environment.

Third party Representations: _ objections have been received and are summarised below:

- Unacceptable level of light into residential households.
- Light levels lead to road safety issues.

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

1.1 The application site comprises a car park which serves the Trinity Methodist Church, which lies within the urban boundary of Deal. The site and surrounding area are flat and Union Road is a one-way street with no on-road parking. There are pavements on either side of the street. The street comprises of a mixture of terraced houses and a detached house as well as another car park at the other end of the street. The main access to the site is located on West Street.



Figure 1 – Site location plan

1.2 The site is bounded by 28 Union Road to the northeast and 33 – 53 Union Road to the south. The site is adjacent to both the Middle Street Deal conservation area and the Nelson Street Deal conservation area.

- 1.3 The application is for new low-level lighting which has already been installed to safeguard the parking of vehicles and movement of users around the parking area especially in the winter months. Blood donor sessions are held frequently and the loading and unloading equipment from the vehicles is often completed in early/late hours of the day and lighting is required for health and safety reasons. The lighting is installed on the southeast and southwest elevations.
- 1.4 The proposed lights are black circular units with LED 18 Watt output installed at 0.375m height above the car park level. The lights are turned off at 10:00pm.

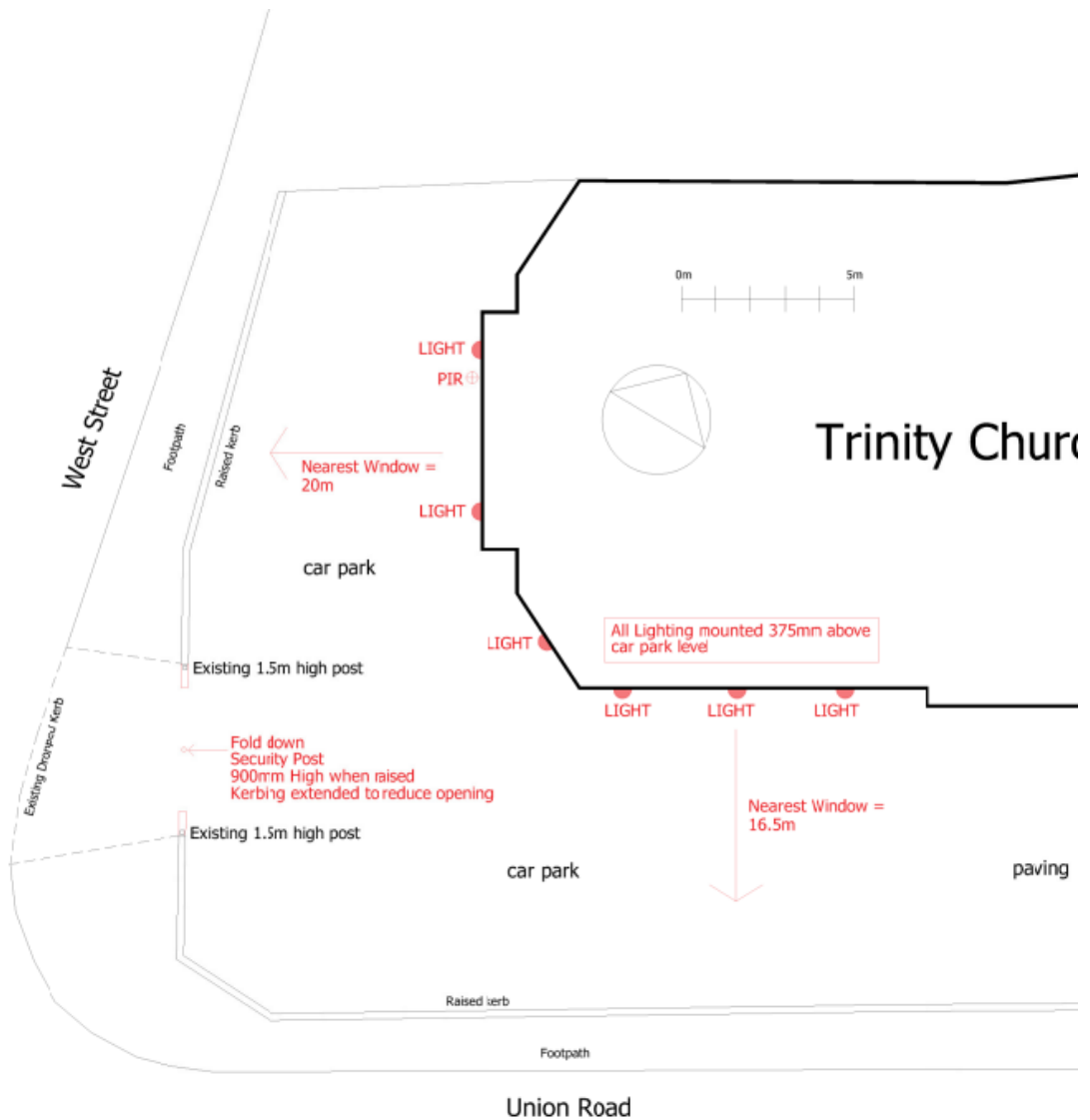


Figure 2 – Block plan

- 1.5 The bollard is a fold down security post which is 0.9m high when raised and is located on the southwest boundary of the site in the middle of the entrance.
- 1.6 No alterations to the access to the site are required within this application. A new security post will be installed to stop vehicles parking in the private car park when the car park is not in use by the Church users.

2. Main Issues

2.1 The main issues for consideration are:

- Principle of the development
- Impact on the character and appearance
- Impact on residential amenity

Assessment

Principle of Development

2.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if 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 made in accordance with the plan unless material considerations indicate otherwise.

Impact on Character, Appearance and Conservation Area

2.3 As the site lies adjacent to two conservation areas, special regard must be had for the Planning (Listed Building and Conservation Areas) Act 1990, section 72(1). The proposed lighting would be located to the front and sides of the church and therefore will be visible from the street and conservation areas.

2.4 The proposals are considered to be minor in nature and would therefore have limited impact. Due to the scale of the proposals, particularly in the context of the site, they are unlikely to have a negative impact on the street scene or surrounding countryside area. Furthermore, the lighting levels received by the agent have confirmed that the level of lighting would be acceptable. Given the scale of the proposals and its proximity to the adjacent conservation areas it is considered that these would not result in any substantial harm and would therefore comply with paragraphs 194-202 of the NPPF.

Impact on Residential Amenity

2.5 There are residential properties located opposite and adjacent to the site. Concern has been raised by the objecting comments regarding the levels of light causing issues to neighbouring residents.

2.6 Details shown on drawing 221013-S-001 Rev A illustrate the levels of lighting produced by the security lighting. A comment received by Environmental Protection has confirmed that the lighting levels into windows in residential properties in both Union Road and West Street are below the guidelines produced by the Institute of Lighting Professionals and therefore they have no objection to the application. For this reason, the impact on neighbouring properties by the lights are considered to be negligible. Consequently, the development is considered to accord with the amenity objectives of Paragraph 130 of the NPPF.

3. Conclusion

3.1 The proposals, due to their siting and scale would be unlikely to negatively impact the wider landscape and would preserve the character of the surrounding conservation areas. The proposal for lighting, a bollard and extension of existing

vehicle access are considered acceptable and accords with planning policies identified above. Consequently, the proposal accords with the aims and objectives of the NPPF and Development Plan policies and is recommended for approval.

g) Recommendation

I PLANNING PERMISSION BE GRANTED, subject to conditions:

1. Time Limit
2. Approved plans
3. Hours and luminance levels for lighting

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

Alice Pitts