

planning  
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## Planning Statement

Land adjacent to Hillboro, Sunnyside Road, Sandgate

CLIENT: CoastPro Ltd

November 2023  
EAH/Q22001



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# 1 INTRODUCTION

## 1.1 PURPOSE OF THIS STATEMENT

- 1.1.1 This statement has been prepared by DHA planning on behalf of our client, CoastPro Ltd, in support of a full planning application for the residential redevelopment of the site at Hillboro, Sunnyside Road, Sandgate.
- 1.1.2 The proposal would see the demolition of the existing dwelling and its replacement with 4 no. new dwellings with associated parking and landscaping.
- 1.1.3 This statement provides an overview of the application site, its context and planning history; and a review of all applicable development plan documents and policies.
- 1.1.4 The merits of the proposed development are discussed having regards to its context and policy framework and subsequently concludes the proposal is acceptable in planning terms. Accordingly, we request that planning permission is granted.

## 1.2 BACKGROUND

- 1.2.1 This application is submitted following planning permission being successfully granted for a similar 4 dwelling development in May 2022, (Ref. 21/2369/FH). This application is essentially a re-submission of the application with minor changes to the layout of the dwellings and internal road configuration to reduce the amount of cut and fill required and minimise retaining elements during construction.

## 1.3 APPLICATION DOCUMENTS

- 1.3.1 This Statement is to be read alongside the suite of application documents listed below:

| DOCUMENT REF.    | TITLE                            | AUTHOR   |
|------------------|----------------------------------|----------|
| 18.070_V1        | Design and Access Statement      | Hollaway |
| 18.070_V1        | Sunlight and Daylight Note       | Hollaway |
| EAH/Q22001       | Planning Statement               | DHA      |
| 8799             | Land Stability Report            | KSI Ltd  |
| J20613_Arb REV C | Arboricultural Impact Assessment | GES      |
| J20613_P6        | Preliminary Ecological Appraisal | GES      |

| DRAWING REF. | TITLE              | AUTHOR   |
|--------------|--------------------|----------|
| 08.070_201   | Site Location Plan | Hollaway |
| 08.070_202   | Existing Site Plan | Hollaway |

|                                        |                                                  |          |
|----------------------------------------|--------------------------------------------------|----------|
| <b>08.070_203</b>                      | Existing Block Plan                              | Hollaway |
| <b>08.070_204</b>                      | Proposed Site Plan                               | Hollaway |
| <b>08.070_205</b>                      | Proposed Roof Site Plan & Landscape Plan         | Hollaway |
| <b>08.070_206_P0</b>                   | Proposed Ground Floor Site Plan & Landscape Plan | Hollaway |
| <b>08.070_207</b>                      | Plot 1 Floor Plans and Roof Plan                 | Hollaway |
| <b>08.070_208</b>                      | Plot 1 Elevations                                | Hollaway |
| <b>08.070_209</b>                      | Plot 2 Floor Plans and Roof Plan                 | Hollaway |
| <b>08.070_210</b>                      | Plot 2 Elevations                                | Hollaway |
| <b>08.070_211</b>                      | Plots 1 & 2 Site and Building Sections           | Hollaway |
| <b>08.070_212</b>                      | Plot 3 Floor Plans and Roof Plan                 | Hollaway |
| <b>08.070_213</b>                      | Plot 3 Elevations                                | Hollaway |
| <b>08.070_214</b>                      | Plot 4 Floor Plans and Roof Plan                 | Hollaway |
| <b>08.070_215</b>                      | Plot 4 Elevations                                | Hollaway |
| <b>08.070_216</b>                      | Plots 3 & 4 Site and Building Sections           | Hollaway |
| <b>08.070_219</b>                      | Existing and Proposed Street Scene               | Hollaway |
| <b>18.070_220</b>                      | Fire access drawings                             | Hollaway |
| <b>J20612_Arb_TSS</b>                  | Tree Survey                                      | GES      |
| <b>J20612_Arb_TCP</b>                  | Tree Constraints Plan                            | GES      |
| <b>332610574-STN-HGN-SW-DR-H-0001B</b> | Vehicle tracking – refuse vehicle                | Stantec  |
| <b>332610574-STN-HGN-SW-DR-H-0002A</b> | Vehicle tracking – car vehicle                   | Stantec  |
| <b>332610574-STN-HGN-SW-DR-H-0003A</b> | Vehicle tracking – fire vehicle                  | Stantec  |

TABLE 1.1: PLANNING APPLICATION DOUMENTS AND DRAWINGS

## 2 SITE AND SURROUNDING AREA

### 2.1 THE APPLICATION SITE

- 2.1.1 The site is located within the settlement boundaries of Sandgate, lying to the north of Sunnyside Road, and to the south of The Corniche.
- 2.1.2 The site comprises the property 'Hillboro', a detached two-storey property with its associated garden amenity space and a tennis court towards its western boundary. The property sits on a flat terrace on an otherwise steeply sloped embankment and is accessed via a private drive from Sunnyside Road, which provides access to three other dwellings.
- 2.1.3 In terms of planning policy, the site is located close but not within, the Sandgate Esplanade Local Landscape Area, with the Sandgate Village Design Statement 2013 identifying the site as falling within 'The Esplanade' Character Area.
- 2.1.4 The site also lies within an area of known land instability. Two blanket Tree Protection Orders (TPO No. 04 of 1975 and TPO No. 12 of 2012) cover the entire site. The site is located within Flood Zone 1 and is not subject to any other environmental designations or restrictions.

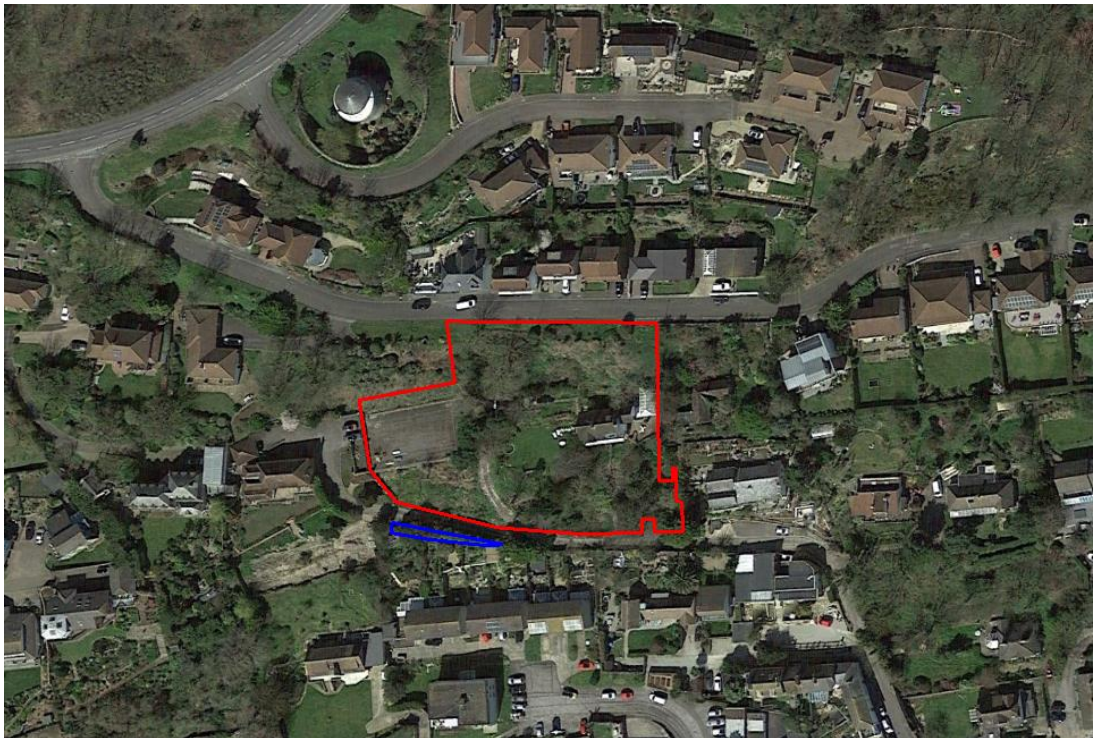


FIGURE 2.1: AERIAL VIEW OF THE SITE AND SURROUNDINGS (GOOGLE EARTH 2021)

## 2.2 SURROUNDING AREA

- 2.2.1 The surrounding area is characterised by residential development, comprising a mix of both terraced, detached, and semi-detached dwellings of various architectural types and styles. The density of residential development surrounding the site is also considerably larger, as demonstrated by figure 2.1 above.
- 2.2.2 The site is located in a highly sustainable location and is within walking distance of a variety of facilities and services including a convenience shop, pubs and eating establishments. Furthermore, the site is located in close proximity to a number of primary and secondary schools. In terms of public transport, the site lies 200m from the nearest bus stop which provides regular services between Hythe, Littlestone and Lydd and Dover, Folkestone, and Canterbury.
- 2.2.3 The site lies a short distance from Folkestone itself, which provides a variety of shops and services and two train stations which provide regular services between London Charing Cross and Dover and Ramsgate.

## 2.3 PLANNING HISTORY

- 2.3.1 According to Folkestone and Hythe District Council's online search facility, the application site has been subject to the following relevant planning applications:

| APP REF.       | DESCRIPTION                                                                                                                                                                                                       | DECISION              |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>21/2369</b> | Proposed 4no new dwellings and associated external areas within the curtilage of Hillboro (proposed to be demolished) and accessed from Sunnyside Road via a new private shared drive (re-submission of 20/1356). | Approved<br>May 2022. |
| <b>20/1356</b> | Proposed 4no new dwellings and associated external areas within the curtilage of Hillboro (proposed to be demolished) and accessed from Sunnyside Road via a new private shared drive.                            | Refused<br>July 2021  |
| <b>16/0450</b> | Erection of a detached house together with parking and terracing on the existing tennis courts associated with the property at Wellington.                                                                        | Approved<br>May 2017  |
| <b>88/1127</b> | Outline application for the erection of a single detached dwelling.                                                                                                                                               | Refused<br>Nov 1988   |

TABLE 2.1: SITE PLANNING HISTORY (FHDC)

- 2.3.2 Application 88/1127 for the erection of a new dwelling on the tennis courts associated with the property Wellington, was refused in 1988 on the grounds that the site fell within an area characterised by low density development with large houses in spacious gardens and that the development constituted an intensification of the pattern of development to the detriment of the character of the area.
- 2.3.3 The subsequent application 16/0450, for a detached dwelling on the tennis courts was however, approved in 2017. The previous grounds of intensification were found to carry less weight given that the area had been significantly redeveloped since the time of the 1988 application. Residential redevelopment of the site was therefore found to be acceptable in principle.

- 2.3.4 Application 20/1356 for the erection of 4no. new dwellings, following the demolition of Hillboro was refused planning permission by the Planning Committee in July 2021 for a single reason relating to the increase in built form within the site, and the bulk and scale of the proposed dwellings failing to protect the special character of the Sandgate Escarpment Local Landscape Area.
- 2.3.5 Subsequent application 21/2369 was submitted with minor revisions to the 20/1356 application layout and house types to address Members concerns and reflect the important characteristics of the Sandgate Escarpment Local Landscape Area. It was considered to be acceptable in all respects and planning permission was approved in May 2022.
- 2.3.6 This application is submitted following the successful approval of application 21/2369, with minor changes to the layout of the dwellings and internal road to reduce the amount of cut and fill required and minimise retaining elements during construction.

## 2.4 PRE-APPLICATION ADVICE

- 2.4.1 Pre-application advice was sought from Folkestone and Hythe District Council prior to the submission of this application (ref. 23/0918/PREAPP), based on the proposed site layout plan below.



FIGURE 2.2: PRE-APPLICATION SITE LAYOUT PLAN (HOLLAWAY)

2.4.2 The pre-application proposal was essentially a re-submission of the previous consented application with minor changes to the layout of the dwellings and internal road configuration to reduce the amount of cut and fill required and minimise retaining elements during the construction period. The access to the site would be in the same position, but the internal access road would be rerouted to be at the rear of the properties.

2.4.3 The following comments summarises the Council's formal advice:

- The principle of development at the site is established by the recent planning permission;
- The scale and massing of the buildings appears comparable with the previously approved submission, maintaining a maximum of two storeys, with areas of escarpment visible between and around the properties to allow the verdant surroundings to be appreciated in long-range views;
- The dwellings remain of a compact form of development that nestles into the hillside in an unobtrusive manner without being prominent or causing harm to the character or appearance of the area; and
- The routing of the road to the rear would move the properties forward, but it is considered that this would have little discernible effect upon the visual prominence of the proposed development relative to the approved and would be acceptable in the context of the landscape. This would also 'hide' the roadway.

## 3 PROPOSED DEVELOPMENT

### 3.1 THE PROPOSAL SCHEME

3.1.1 The description of development is as follows:

*"Proposed 4no. new dwellings and associated external areas within curtilage of Hillboro (proposed to be demolished) and accessed from Sunnyside Road via a new private shared drive (re-submission of 21/2369/FH)."*

3.1.2 Whilst full details of the proposal and its evolution following granting of application 21/2369 are set out in the accompanying Design and Access Statement, the following provides a summary of the proposed development. An excerpt of the proposed site layout plan is provided below as figure 3.1.



FIGURE 3.1: PROPOSED SITE LAYOUT PLAN (HOLLAWAY)

- 4no. detached, 4-bed properties are proposed, in-keeping with the pattern of plot sizes within the area and comparable with surrounding building sizes.
- The positioning of the properties on site have been amended slightly from application 21/2369, along with the configuration of the internal road to

reduce the amount of cut and fill required and to minimise retaining elements.

- Whilst the house types have had minor design revisions the dwellings are still 2 storeys in height, with some accommodation proposed in the basement space. Being partially set into the slope of the terrain, ensures the dwellings are comparable with the roof heights of neighbouring plots.
- The differences in design and location are demonstrated in figure 3.2 below. The red dotted line indicates the positioning of the dwellings consented under application 21/2369.

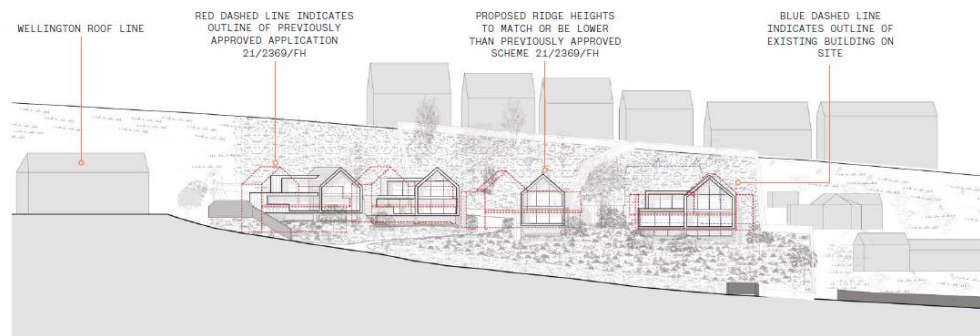


FIGURE 3.2: PROPOSED STREET SCENE (HOLLAWAY)

- The dwellings are set back on site in line with the existing pattern of built form in the area and have been carefully located and orientated utilising a Nolli Plan, to reflect the irregularity of the grain of surrounding development.
- Dwellings have been placed on site to ensure significant separation distances between them, allowing views through the development towards the wooded escarpment and down to the sea, which is characteristic of this area. This also protects the residential and visual amenity of existing neighbours and future occupiers.
- The dwellings have been located broadly on the footprints of the existing property, Hillboro and the existing tennis court to reduce the impact of development on the character of the area.
- The dwellings are of an innovative design and represent high quality architecture which responds positively to and enhances the character of the area.
- The dwellings have been designed to reduce energy demand and to provide suitable sustainable environmental conditions for the occupants, whilst also consuming little energy as practical.
- Materials include Kentish ragstone, dark brick, standing seam metal cladding, vertical timber louvres, black metal louvres and sedum flat roofs to enhance biodiversity.

- Existing trees and landscape character has been retained and enhanced through substantial landscape buffers to the north and south of the site, integrating the dwellings into the surroundings.
- Access is provided by a new shared tarmacked bellmouth off Sunnyside Road, providing access for each property. This access previously gained planning consent under application 21/2369.
- Each property is provided with its own private driveway to the rear with ample parking provided in car ports in accordance with KCC standards.
- An emergency fire access is proposed from the Corniche via a stepped pathway. This was considered acceptable by Kent Fire and Rescue during the determination of application 21/2369.
- Localised road widening is proposed to enable the provision of passing spaces on Sunnyside Road with a new turning head to alleviate residents' previous concerns about access.
- Whilst outside the remit of this planning application, the appellant also agrees to repair and upgrade Sunnyside Road after completion of construction.

## 4 PLANNING POLICY FRAMEWORK

### 4.1 OVERVIEW

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- 4.1.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), applications for planning permission are required to be determined in accordance with the development plan in force unless material considerations indicate otherwise.
- 4.1.2 In this case the Development Plan comprises the Core Strategy Review (2022), the Place and Policies Local Plan (2020) and the Kent Minerals and Waste Local Plan (2016).
- 4.1.3 In addition to the development plan there are other material considerations including the National Planning Policy Framework (NPPF), and other supplementary planning guidance and standards.

### 4.2 CORE STRATEGY REVIEW (2022)

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- 4.2.1 The Core Strategy Review was adopted in March 2022. It sets out the spatial vision, objectives, development strategy and a series of over-arching strategic policies that will guide the scale, location, and type of development in the district until 2037.

**Policy SS1** outlines the District's spatial strategy, with new housing to be delivered through a new sustainable, landscape-led settlement, with supporting town centre and community uses. Housing and supporting community use will also be delivered through growth in Sellindge. Elsewhere in the district, priority will continue to be given to previously developed land in the Urban Area in Folkestone, for main town centre uses and housing, to enhance the town's role as a sub-regional centre. Remaining development needs will be focused on the most sustainable towns and villages and development outside the new settlement and identified centres in the open countryside and on the coast will only be allowed exceptionally, where a rural or coastal location is essential.

- 4.2.2 According to **policy SS2** the core long-term requirement is to deliver 738 dwellings a year on average from 2019/2020 to 2036/2037.
- 4.2.3 **Policy SS3** sets out the place-shaping and sustainable settlement strategy. It outlines that development within the district is directed towards existing sustainable settlements and a new sustainable garden settlement south of the M20 near Westenhangar. The principle of development is likely to be acceptable on previously developed land within defined settlements, provided it is not of high environmental value and subject to a set of requirements.
- 4.2.4 **Policy CSD1** addresses balanced neighbourhoods. Development resulting in new housing (class C3) will be allowed in line with policy SS3 (optimising distinctiveness, appeal, sustainability, and accessibility of places) where it contributes to the creation of balanced neighbourhoods through high-quality design proposals which address identified affordable housing needs.

- 4.2.5 **Policy CSD5** sets out that development should contribute to sustainable water resource management which maintains or improves the quality and quantity of surface and ground water bodies, and where applicable, the quality of the coastal environment and bathing waters.
- 4.2.6 All developments should incorporate water efficiency measures appropriate to the scale and nature of the use proposed. Planning applications for the construction of new dwellings should include specific design features and demonstrate a maximum level of usage to meet the higher water efficiency standard under Regulation 36(3) of the Building Regulations to achieve a maximum use of 110 litres per person per day (including external water use). Proposals should demonstrate that water efficiency and water re-use measures have been maximised and should seek to significantly exceed this standard.

### 4.3 PLACES AND POLICIES LOCAL PLAN (2020)

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- 4.3.1 The Folkestone and Hythe Places and Policies Local Plan was adopted in September 2020 and sets out detailed development management policies for the District.
- 4.3.2 **Policy HB1** addresses quality places through design. Planning permission will be granted where the proposal:
- (1) Makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses, particularly with regard to layout, scale, proportions, massing, form, density, materiality and mix of uses so as to ensure all proposals create places of character;
  - (2) Facilitates circulation and ease of movement within the locality for all users, promoting low vehicle speeds, integrated resident and visitor parking and prioritising active forms of travel with roads, footways and paths appropriately located to allow for natural surveillance while maximising legibility;
  - (3) Creates, enhances, and integrates areas of public open space, green infrastructure, biodiversity and heritage and other public realm assets;
  - (4) Does not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. In assessing the potential impacts of new build residential development on neighbouring dwellings, the Council will apply the same guidelines as for alterations and extensions set out in Policy HB8;
  - (5) Provides a clear definition between the public and private realm, incorporating high quality hard and soft landscaping, boundary treatments, public open spaces, and lighting, including details of future maintenance and management; and

- (6) Complies with other relevant policies within the development plan and responds positively to the design policies and guidance contained within relevant Town and Village Design Statements and Neighbourhood Plans.
- 4.3.3 **Policy HB3** outlines space standards for the district which comply with nationally described technical housing space standards.
- 4.3.4 **Policy HB10** discusses development of residential gardens. Development proposals involving the complete or partial redevelopment of residential garden land within settlement boundaries will be permitted provided that:
- (1) The proposal responds to the character and appearance of the area, as well as the layout and pattern of the existing environment, taking into account views from streets, footpaths, and the wider residential and public environment;
  - (2) The plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of nearby buildings, the amenity of adjoining residents and the requirements for living conditions set out in Policy HB3: Internal and External Space Standards;
  - (3) Adequate access and parking is provided; and
  - (4) The proposal incorporates established trees wherever possible. Any loss of biodiversity value on the site is mitigated, and where practicable, measures to enhance biodiversity through habitat creation or improvement are incorporated.
- 4.3.5 **Policy T2** sets out that planning permission will be granted for schemes providing residential parking where the resident and visitor parking is sufficient and well-integrated so that it does not dominate the street.
- 4.3.6 **Policy T5** requires cycle parking at 1 space pr bedroom for individual residential developments. Cycle parking should be provided either within the curtilage of a residential dwelling or in a secure communal facility, where a suitable alternative is not available.
- 4.3.7 **Policy NE2** sets out that all new development will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value (whether or not they have statutory protection) and all legally protected or priority habitats and species.
- 4.3.8 **Policy NE3** addresses protecting the District's landscapes and countryside. The site lies within the Sandgate Escarpment and Seabrook Valley Local Landscape Area. Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas. The Council will not permit development proposals that are inconsistent with this objective unless the need to secure economic and social wellbeing outweighs the need to protect the area's local landscape importance.
- 4.3.9 **Policy NE6** discussed land stability. Planning permission will be granted for development within the area defined on the Policies Map, or as identified by the British Geological Survey, only if investigation and analysis is undertaken by a

competent accredited authority which clearly demonstrates that the site can be safely developed. This analysis should also demonstrate that the proposed development will not have an adverse effect on the slip area in part or as a whole. Where proposals affect land where instability is suspected, any planning application must be accompanied by a Phase 1 desktop land stability or slope stability risk assessment report which:

- (1) Identifies and assesses the degree of instability;
- (2) Identifies the measures required to mitigate against any risk identified in point 1 (above);
- (3) Specifies routine monitoring (as appropriate); and
- (4) Addresses the need for formal environmental assessment arising from any stabilisation works.

The Council will look favourably on schemes that can bring unstable land back into use, subject to other planning and viability considerations.

4.3.10 **Policy NE7** states that development will be permitted subject to the identification, and commitment to the implementation of, practicable and efficient measures to treat, contain and/or control any contamination so as to protect the occupiers of the development and neighbouring land users, including in the case of housing the users of gardens, from unacceptable risk and ensure the structural integrity of any existing or proposed structure on or adjoining the site.

4.3.11 **Policy CC2** regards sustainable design and construction. Proposals for all new dwellings or for new non-domestic buildings will be permitted where:

- (1) All new build housing is built to the higher water efficiency standard under Regulation 36(3) of the Building Regulations so as to achieve a maximum use of 110 litres per person per day including external water use where technically feasible and viable. Proposals should demonstrate that water efficiency and water re-use measures have been maximised;
- (2) For non-residential development, the development achieves BREEAM 'Very Good' standard including addressing maximum water efficiencies under the mandatory water credits, where technically feasible and viable;
- (3) The development minimises energy demand through passive design and layout and landscape mitigation measures with an aspiration for new major residential developments to achieve zero carbon homes;
- (4) The development is accessible to all and is designed to be flexible towards future adaptation in response to changing life needs;
- (5) The development includes measures to adapt to climate change, such as the provision of green infrastructure, sustainable drainage systems (SuDS) in accordance with Policy CC3, suitable shading of pedestrian routes and open spaces and drought resistant landscaping; and
- (6) The development provides discretely designed and accessible storage for waste, recycling, and composting.

- 4.3.12 **Policy CC3** sets out criteria relating to Sustainable Drainage Systems.
- 4.3.13 **Policy HE2** states that important archaeological sites, together with their settings, will be protected and, where possible, enhanced. Development which would adversely affect them will not be permitted.

#### 4.4 NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (2021)

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- 4.4.1 The NPPF was originally published in March 2012 to provide a single overarching policy document. A revised NPPF was published in July 2021 and is a material consideration when determining planning applications.
- 4.4.2 This framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development and can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

##### Achieving Sustainable Development

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- 4.4.3 **Paragraph 8** states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **An economic objective** – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) **A social objective** – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c) **An environmental objective** – to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.4.4 So that sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development.
- 4.4.5 As set out in **paragraph 9**, decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

- 4.4.6 The NPPF sets out at **Paragraph 11** that 'plans and decisions should apply a presumption in favour of sustainable development' whereby development proposals that accord with an up-to-date development plan should be approved without delay. It notes that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

#### **Delivering a Sufficient Supply of Homes**

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- 4.4.7 Section 5 of the NPPF sets out the governments overarching aspirations for housing design and supply. It places pressure on Local Authorities to 'significantly boost' the supply of housing by adhering to the requirements cited under **Paragraph 60**.
- 4.4.8 **Paragraph 69** identifies that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.

#### **Making Effective Use of Land**

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- 4.4.9 **Paragraph 119** sets out how planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.4.10 **Paragraph 120** sets out how planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. In addition, the development of under-utilised land and buildings should be promoted and supported, especially where available sites could be used more effectively.
- 4.4.11 **Paragraph 122** sets out how planning policies and decisions need to reflect changes in the demand for land. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan, they should support applications for alternative uses on the land where the proposed use would contribute to meeting an unmet need for development in the area.

#### **Achieving Well-Designed Places**

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- 4.4.12 **Section 12** discusses achieving well-designed places. **Paragraph 126** states that the creation of high-quality buildings and places are fundamental to what the planning 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.

4.4.13 **Paragraph 130** highlights that planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.4.14 **Paragraph 132** sets out how design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

4.4.15 **Paragraph 134** states in determining applications, significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings.

## 4.5 SANDGATE VILLAGE DESIGN SPD (2013)

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4.5.1 This document was adopted in 2013 and states there is widespread and growing local concern at the increasing threat to the highly attractive and historic built environment of Sandgate by unsympathetic new development in recent years. Therefore, one of the principal actions proposed in the Sandgate Parish Plan (2010) was the production of a Village Design Statement to 'ensure that the wishes of the Sandgate Community will have a persuasive influence on the future development of the village'.

- 4.5.2 A series of 11 design principles have been produced because of this work and therefore decisions on new development will be subject to these design principles as a material consideration. There is a section within the Village Design Statement dedicated to protecting Sandgate's natural landscape, which outlines how the importance of the natural environment and wooded escarpments is reflected in the numbers and distribution of TPO's.
- 4.5.3 The Statement puts the site into the Escarpment Character Area, characterised by narrow streets winding up the escarpment, with tall, detached properties (of no common architectural theme) set below the crest of the slope. Page 25 sets out some key design characteristics, including a mix of property scales and designs; the use of render on external walls and green, wooded backdrop to dwellings.

## 5 PLANNING CONSIDERATIONS

### 5.1 INTRODUCTION

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- 5.1.1 It is necessary to consider whether the application proposal is in line with the statutory development plan and NPPF, and if not, whether any material considerations indicate, that planning permission should nevertheless be granted,
- 5.1.2 The following planning considerations are assessed in this section in relation to the proposal:
- (1) The Principle of Development;
  - (2) Sustainability
  - (3) Design and Impact on the Character and Appearance of the Area;
  - (4) Residential Amenity;
  - (5) Highways, Parking and Access;
  - (6) Landscaping and Trees;
  - (7) Ecology; and
  - (8) Land Stability

### 5.2 THE PRINCIPLE OF DEVELOPMENT

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- 5.2.1 The principle of residential development is acceptable on the site as a whole, in that Policy SS3 of the Core Strategy Review 2022 permits new development on previously developed land within defined settlements, subject to material planning considerations which are set out in this Statement.
- 5.2.2 The redevelopment of the site would accord with the requirements of policy SS3 and would be in keeping with the spatial strategy for Folkestone, which seeks to direct the majority of new development to the urban areas.
- 5.2.3 Paragraph 120 of the NPPF sets out that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. In addition, the development of under-utilised land and buildings should be promoted and supported.
- 5.2.4 The proposals seek to demolish a dwelling in an increasing state of disrepair and replace this with 4no. high quality residential dwellings, making efficient use of a large brownfield site in line with national policy. The site has previously been granted planning permission for the creation of 4no. dwellings under reference 21/2369/FH and so it has already been accepted in principle that the site is suitable for redevelopment.

## 5.3 SUSTAINABILITY

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- 5.3.1 The proposal has been assessed in terms of its sustainability in line with the NPPF and has taken into account the aims of sustainable development as required by policy DSD of the Core Strategy Review 2022. The development is considered to bring economic, social, and environmental benefits that would outweigh any perceived harm the proposal may bring.

### Economic Role

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- 5.3.2 Housing development on this site would provide employment for local construction work, provide the opportunity to use local materials and increase the gross value of the site. In addition, expenditure generated by future occupiers would support economic activity in the local area.

### Social Role

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- 5.3.3 From a social perspective, the proposal would provide an attractive residential development and make a modest contribution to the District's housing supply, helping to cater for the provision of houses in the local area, all within a sustainable location.

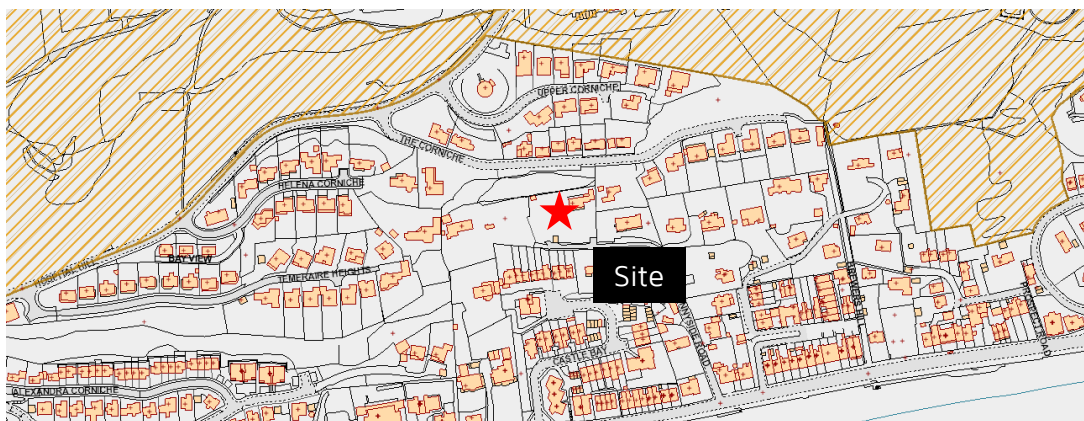
### Environmental Role

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- 5.3.4 The introduction of well-designed houses of a quality layout, appropriate design and sustainable and suitable materials would make a positive contribution to the character and appearance of the area and ensure the proposal would assimilate well on site. The new dwellings would provide flexible and adaptable living space and have been designed to be highly energy efficient and comprise the following:
- All houses are dual aspect;
  - Windows oriented to maximise the amount of natural light reducing the demand for artificial lighting;
  - Deep window reveals to south facing windows to reduce solar gain;
  - Metal horizontal louvres are proposed on the front elevation to reduce solar gain;
  - Openable windows will allow cross ventilation which will reduce summer overheating;
  - Photovoltaic panels are proposed to the flat roof of the houses, which will reduce emissions;
  - Air source heat pumps are proposed to be installed - energy use and carbon emissions minimised; and
  - Green roofs are proposed to reduce the rate of rainwater runoff and increase biodiversity on the site.

5.4.1 The site does not fall within any environmental or landscape designations, however, does lie approximately 90m from the Sandgate Escarpment Local Landscape Area (LLA) to the north (shown as a brown hatch in figure 5.1 below) as defined in the Places and Policies Local Plan 2020.

5.4.2 Policy NE3 states that proposals should protect or enhance the landscape character and functioning of Local Landscape Areas and planning permission will not be granted for proposals that are inconsistent with this objective.



5.4.3 As previously set out, this application is a re-submission of application 21/2369/FH that was consented in May 2022 and comprises minor amendments to the positioning of the dwellings and internal road layout on site.

5.4.4 It is recognised by both the applicant and the Council in the committee report for application 21/2369/FH, that this part of Sandgate has been significantly redeveloped over time. In terms of the established character of the surrounding area, it is noted that there is no common pattern of development and there has been substantial loss of green space and the infilling of larger plots. There are a variety of house types in this area including detached, semi-detached, and terraced dwellings and flats with varying plot sizes and architectural styles. There are also significant level changes within the area, with properties being set at varying heights to gain the best sea views and as such there is no uniform property height as a result.

5.4.5 Like the previous consented application, the pattern and grain of development in the surrounding area has been analysed by way of a Nolli Plan, to inform the layout of dwellings. This ensures the layout had been designed to reflect the existing building line and the irregularity of plot shape and size. The existing Nolli Plan (figure 5.2) demonstrates that the density of existing development in the surrounding area is much higher to the north and south of the site. The proposed Nolli plan (figure 5.3) demonstrates that the proposed layout is in keeping with the pattern of irregularly spaced plots within the area and that the footprints of the proposed dwellings are comparable in size with those nearby.



FIGURE 5.2: EXISTING NOLLI PLAN (HOLLAWAY)



FIGURE 5.3: PROPOSED NOLLI PLAN (HOLLAWAY)

- 5.4.6 In terms of the impact of the proposal on the character of this area, it was previously agreed by planning officers that the site was an appropriate size to accommodate 4no. detached dwellings and that the previously consented scheme (ref. 21/2369) was comparable in terms of scale, layout and spacing to existing development in the surrounding area. It was also agreed, in terms of green space, that the dwellings had been carefully designed to be set within the context of the green escarpment, with significant openings retained between the buildings to ensure green views towards the wooded escarpment and therefore retain the characteristic wooded nature of the hills.
- 5.4.7 It is considered that the very minor amendments made to the layout of the proposed dwellings as part of this application, still respect and preserve the pattern of development in the area and do not cause harm to the character and appearance of the locality.



FIGURE 5.4: DAS EXTRACT DEMONSTRATING THE PROPOSED GREEN SPACES AND VIEWS (HOLLAWAY)

- 5.4.8 A high-quality landscaping scheme is proposed, similar to that previously consented, to enhance the existing trees with additional planting, including substantial landscape buffers to the north and south of the site, integrating the dwellings into the surroundings. The incorporation of sedum roofs further greens the proposal scheme when viewed from public vantage points and retains the green character of the area in line with the requirements of the Sandgate Village Design SPD.
- 5.4.9 In terms of appearance, the dwellings remain two storeys in height as per the previous consented scheme, and are partially set into the slope of the terrain, ensuring they are comparable with the roof heights of neighbouring plots and reflect the scale of built form within the area. The mass of the development is broken up by virtue of the large separation distances between the dwellings, allowing views through to the vegetated banks they are set into.
- 5.4.10 Whilst the dwellings are of a contemporary design, they have taken cues from existing residential development in the locality and local traditional materials; comprising Kentish stone and natural timber elements that ensures the buildings will blend more with the natural surroundings. It is therefore considered that the development will blend into its surroundings and will not appear visually intrusive or dominant from Sunnyside Road, Castle Bay, or Sandgate Esplanade, (see figure 5.5 below). This approach was considered acceptable during the determination of application 21/2369/FH.



FIGURE 5.5: VISUAL EXTRACT FROM DAS (HOLLAWAY)

- 5.4.11 The surrounding development in the area is characterised by irregular architectural styles and sizes and the design responds to this through bespoke, high-quality architecture. The proposal is therefore considered to accord with policies HB1, HB2 and HB10 of the Local Plan, policy CSD1 of the Core Strategy Review 2022 as well as the guidance contained with the Sandgate Village Design SPD and the NPPF.

## 5.5 RESIDENTIAL AMENITY

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- 5.5.1 Policy HB1 sets out that development must not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area taking account of loss of privacy, loss of light and poor outlook.
- 5.5.2 The design and siting of the dwellings has been carefully considered to respect the neighbouring residential amenity. The properties would be located approximately 20m from 'Wellington' to the west and 7m from 'Three Bears' to the east. Furthermore, all proposed dwellings have been positioned and orientated with substantial separation distances between them to ensure there would be no direct overlooking.
- 5.5.3 Fenestration and balconies have also been carefully considered in order to maximise south seeking views, whilst reducing the impact of overlooking into neighbouring properties. This has been carried out through the use of angled window bays.
- 5.5.4 A Sunlight and Daylight note has been prepared by Hollaway and is submitted in support of this application. It concludes that there are no issues in terms of impacts from the development on the amenity of surrounding residents. It is therefore considered that the proposal accords with policy HB1 of the Local Plan.
- 5.5.5 The proposed layout would provide suitably sized rooms with adequate light as well as outlook to all habitable spaces. The internal floorspace of all dwellings exceeds the minimum required by the national standard and all habitable rooms receive a good level of natural daylight.
- 5.5.6 In terms of amenity for future occupiers, each of the proposed dwellings is provided with a private garden and the units have been generously spaced with similar distances to those found in the surrounding area. Further to this, the seafront and beach is roughly 0.1 miles to the south and can be accessed on foot (4–5-minute walk).

## 5.6 HIGHWAYS, ACCESS, AND PARKING

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- 5.6.1 Access to the site is proposed from the highest point of Sunnyside Road to mitigate the impact on existing trees and topography of the site. The access will take the form of a shared tarmacked bellmouth which leads to a new internal access road that provides access for each property. This access has previously been consented planning approval under application 21/2369/FH and had no objections from KCC Highways. The internal road layout differs slightly from the previous application in that it now provides access and parking to the rear of the properties to reduce the amount of cut and fill and minimise retaining elements during construction.
- 5.6.2 The access has suitable visibility splays on either side and would not give rise to unacceptable impacts in highway safety terms as the level of trips generated by three additional dwellings would be minimal.
- 5.6.3 Localised road widening is proposed on Sunnyside Road that enables the provision of passing spaces with a new turning head, to alleviate residents' concerns about

access. Whilst outside the remit of the planning application, the applicant is also committed to repair and upgrade Sunnyside Road after completion of construction.

- 5.6.4 Each property is provided with its own private driveway and car port and parking is provided in accordance with KCC standards. Additional visitor parking is also available on all respective plots.
- 5.6.5 Cycle storage will be incorporated on plot. A refuse collection point is located close to the entrance of the site and tracking drawings have been submitted that demonstrate the safe access and egress of car, refuse and fire vehicles. Any deliveries on a regular basis would be undertaken by delivery van, with the refuse collection taking place as per present arrangements to serve the existing dwellings in the vicinity.
- 5.6.6 An emergency fire access route is proposed from the Corniche via a stepped pathway. This is illustrated in submitted drawing 180.070-206-P6. Kent Fire and Rescue were consulted previously in relation to this approach and found the route to be acceptable.
- 5.6.7 Temporary construction access for materials deliveries will be managed by the site contractor, taking account of existing access constraints. The bend in the road, approximately halfway along Sunnyside Road, has a centre line radii of c.10m which accords with design guidance for residential estate roads set out in Kent Design Guide and therefore is not considered to be a constraint.
- 5.6.8 Planning permission has previously been granted for 4no. dwellings on the site, utilising the same proposed access under application 21/2369/FH. Therefore, matters relating to highways access and construction traffic have already been considered and found to be acceptable in the context of the development of the site.
- 5.6.9 Overall, it is concluded that the proposal would not give rise to unacceptable impacts in highway safety terms as the level of trips generated by two additional dwellings above and beyond the existing permission would be minimal.

## 5.7 LANDSCAPING AND TREES

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### Trees

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- 5.7.1 An Arboricultural Impact Assessment and Method Statement was undertaken by Greenspace Ecological Solutions in November 2023, which found that the trees within the survey area vary considerably in terms of quality and contribution to the amenity value within the local area.
- 5.7.2 Whilst the dwellings have been carefully sited in order to minimise any impact on the existing trees, 6 no. trees are proposed for removal. These are all C category trees, being small and easily replaced, or are in poor health. Any trees that are removed will however be mitigated through the replacement of new, high quality tree species.
- 5.7.3 The report recommends specified construction methodologies and tree protection measures in order to minimise the impact of the proposed development on the

trees to be retained. Subject to appropriate mitigation, there are no overriding arboricultural constraints which would prevent the proposed development.

- 5.7.4 Furthermore the proposed service runs will not have any impacts on existing trees within the site.

### Landscaping

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- 5.7.5 An appropriate and sensitive, high-quality landscaping scheme is proposed, not dissimilar to that consented under the previous application, in order to help the dwellings assimilate on site, and remain in-keeping with the character of the surrounding area.
- 5.7.6 The proposed development has carefully evolved around the existing landscape buffers that surround the site. The majority of the existing mature hedgerows and trees are to remain, and the dwellings have been set back on site in order to allow for sufficient landscaping, thereby maintaining the green space considered characteristic of this area.
- 5.7.7 Furthermore, the proposal will seek to enhance the existing vegetation by incorporating substantial landscape buffers to the north and south of the site with additional planting between the dwellings to soften the scheme further and to mitigate those trees proposed for removal.
- 5.7.8 The dwellings have been carefully spaced out within the plot in order to allow sufficient landscaping and green spaces between them. This adds to the visual amenity of the site, whilst further reflecting the surrounding landscape.
- 5.7.9 Each dwelling also includes a sedum grass roof which enhance the characteristic greenery of the area, creating attractive views for the neighbouring properties. Furthermore, these grass roofs will encourage the introduction of increased wildlife and biodiversity to the area.

## 5.8 ECOLOGY

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- 5.8.1 In terms of ecology, a Preliminary Ecology Appraisal was undertaken by Greenspace Ecological Solutions in October 2023. In summary, the survey found that the development resulted in no detrimental impact upon designated sites, ancient woodland, or BAP priority habitats.
- 5.8.2 Whilst no evidence of bats was recorded, five of the trees support features suitable for use by bats. Further elevated inspections prior to the first start of work are therefore recommended as a precautionary measure.
- 5.8.3 The trees, scrub and bird boxes within the site have potential to support nesting birds, and any works to these areas should be conducted outside of the core breeding period. To offset the loss of suitable breeding habitat, replacement nesting opportunities should be included within the design, either incorporated into the buildings or in suitable locations within retained trees.

- 5.8.4 The site was considered unsuitable for reptiles, however as a precautionary measure, it is recommended that vegetation within the site be cleared in a phased manner as set out in the Appraisal.
- 5.8.5 A single active badger hole with a fresh earth pile was noted in the site. Further surveys to monitor the use of the hole have been recommended and are currently being carried out. The results of the surveys will be submitted shortly.
- 5.8.6 No further surveys for other protected species are required, and in accordance with the NPPF, ecological enhancement recommendations are provided to enhance the site's suitability for wildlife.

## 5.9 LAND STABILITY

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- 5.9.1 A Land Stability Update Report is currently being prepared by KSI Ltd to assess any potential impact the development may have on the surrounding stability of the area.
- 5.9.2 A report was prepared by KSI Ltd in 2021 in support of the previous application, which found that the proposed construction of four dwellings would have no significant adverse effect on the general stability of the site and surrounding land, extending down to the beach. In fact the proposed cutting into the slope was found to reduce the head weighting at the backscarp of the 1983 landslide.
- 5.9.3 Given the changes proposed to the layout of the dwellings and internal reconfiguration of the road, this work is being updated and will be submitted shortly.

## 6 SUMMARY AND CONCLUSION

### 6.1 SUMMARY

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- 6.1.1 This application is submitted following planning permission being successfully granted in May 2022 for a similar 4 dwelling development with associated amenity areas, parking, and landscaping, following the demolition of Hillboro, Sunnyside Road, Sandgate.
- 6.1.2 This application is essentially a re-submission of the application with minor changes to the positioning of the dwellings and internal road layout to reduce the amount of cut and fill required and minimise retaining elements during construction.
- 6.1.3 The proposed design and layout have been carefully considered and informed by a thorough review of the site, and its opportunities and possible constraints and has sought to fully address the advice given by Folkestone and Hythe District Council as part of the pre-application process.
- 6.1.4 The proposal fully complies with the Council's sustainability policies and seeks to provide a modest residential development within the existing settlement boundaries of Sandgate, where the Council seeks to direct the majority of development. The site is surrounded by residential development to all sides and is therefore considered to infill the pattern of existing development.
- 6.1.5 The development of a high-quality design, which responds positively to the appearance and character of the locality, whilst maintaining the organic growth of development in the area through its high-quality architecture and landscape design. It is considered that the very minor changes proposed as part of this application would not have any negative and that the dwellings can be integrated into the area without material harm to its character.

### 6.2 CONCLUSION

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- 6.2.1 For reasons set out in this statement, it is considered that the proposal is entirely acceptable. It is therefore respectfully requested that planning permission be granted.