

PLANNING STATEMENT

Proposal: Replacement of chalet bungalow with two-storey dwelling
(Resubmission of 23/1903/FH)

Site Address: 2 Encombe, Sandgate, CT20 3DE

1. Overview

This application is submitted following the refusal of planning application 23/1903/FH, which was refused by the Council on two grounds:

1. The proposed dwelling, by virtue of its mass, bulk, height, design and position in a prominent location, coupled with falling land levels in Encombe, would result in an unacceptable and incongruous form of development that fails to make a positive contribution to its location and surroundings, would be out of keeping with the prevailing character of the area and would fail to accord with the general pattern of development within the streetscene.
2. The replacement dwelling, by virtue its close relationship with no. 3 Encombe, coupled with its increased bulk, mass and height when compared to the existing, would result in an unacceptable level of overbearing and loss of outlook for the neighbours to the east (3 Encombe), which would be detrimental to their amenity, contrary to policy HB1 of the Places and Policies Local Plan which seek to avoid adverse impact on the amenity of neighbours.

Reviewing the reasons for refusal and Officer Report it is clear that the Council considered that the previous proposal was too large resulting in visual harm to the streetscene and a harmful amenity impact to No.3 Encombe.

The amended scheme has been scaled down significantly to address the reasons for refusal as summarised below:

- The external footprint has been reduced to 150m² and would now only be 35m² larger than the existing footprint.
- Reducing the ridge height. The replacement dwelling would now only be 30cm higher than the existing dwelling.
- Reducing the depth/length of the proposal adjacent the boundary shared with No.3.
- Reducing the number of bedrooms from 5 to 4.
- The replacement dwelling would be located approx. 1.1m further away from the boundary adjacent No.3 Encombe than the existing dwelling.

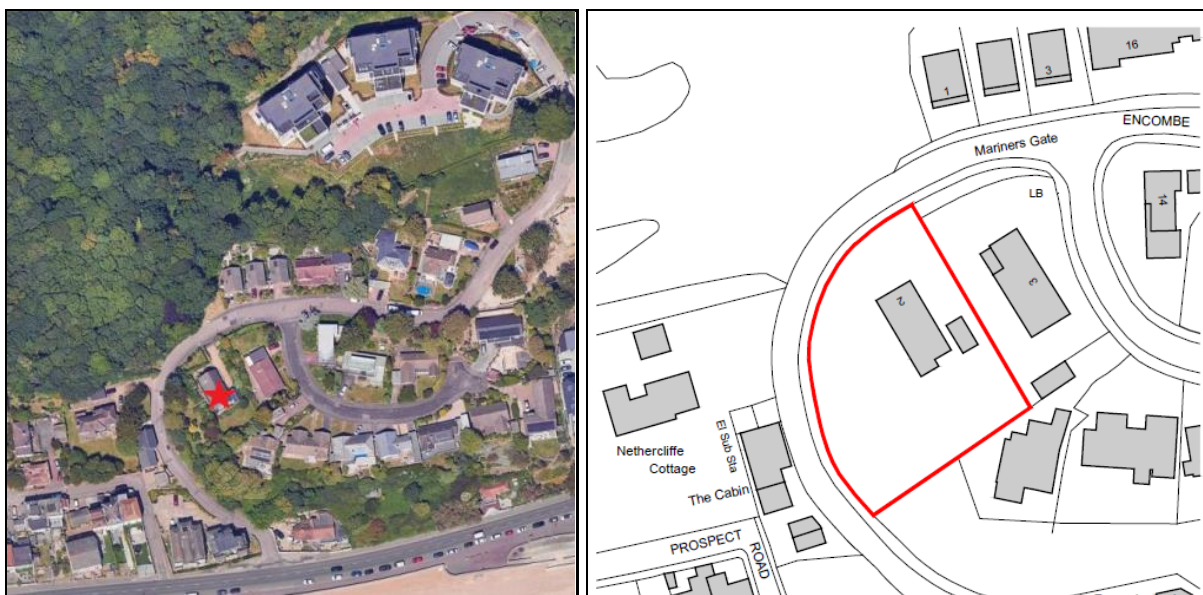
We believe the previous reasons for refusal have been successfully overcome as set below:

- The scale and footprint of the replacement dwelling would be wholly in keeping with the character of Encombe which exhibits two and three-storey dwellings, many of which are located on significantly smaller plots and much closer to the road than the proposal and are therefore significantly more prominent within the streetscene.
- By reducing the height, depth and footprint the amenity of No.3 would be maintained, including their outlook and views. In particular, there would be no greater significant overbearing impact compared to the existing house as demonstrated on the comparison drawings, Nos. 23.12.04.P1, 23.12.15.P3 and 23.12.16.P1.

2. Site Location

The application site comprises a residential plot located within the urban residential area of Sandgate on the lower slopes of Encombe. The existing property is a traditional pitched roof chalet bungalow of no particular architectural merit and is located on a spacious corner plot on the east / south site of Encombe. The application plot benefits from a good degree of mature landscaping along the north, west and south boundary and there is further mature landscaping / tree planting on the adjacent site to the south which screens the application site from Sandgate Esplanade.

Encombe is characterised by a variety of residential properties including single-storey bungalows, chalet bungalows, two and three-storey detached dwellings and five-storey flat roof apartment blocks on the higher slopes of Encombe. Encombe has historically been characterised by pitched roof dwellings, however there are several examples of newer flat roof residential developments on the upper slopes of Encombe to the northeast of the site and a 1960's detached flat roof dwelling just to the east of the application site.



Google map and OS plan showing the location of 2 Encombe. Note the existing dwelling has a smaller footprint than No.3 Encombe and other properties located to the southeast. In addition, No.2 benefits from a much larger plot size than the other properties nearby.

As can be seen from the above map 2 Encombe is located toward the lower end of Encombe and the properties to the east and northeast comprise large, detached houses on relatively small and constrained plots compared to the application site, which is large and spacious. The three five-storey apartment buildings can be seen to the northeast of the site.

The area to the west and southwest of the site comprises a more close-knit pattern of development and includes Sandgate West Conservation Area. A revised conservation area boundary has moved the conservation area slightly further away from the application site. The site is also located in a land stability area and Archaeological Notification Area.

3. Proposal

Replacement of chalet bungalow with a two-storey pitched roof dwelling.

The proposal would combine a contemporary design with a slate roof and a muted natural palette of materials to reflect the predominant character of the area and accord with the Sandgate Design Statement.

The proposed materials would comprise aluminium fenestration, stonework walls at ground level, vertical natural timber cladding at first floor and slate tiles which can incorporate integrated PV panels into the roof. The design incorporates an integral double garage and a first-floor side balcony on the west elevation (facing the road).

4. Comparison with refused scheme:

Careful consideration has been afforded to the amended scheme to ensure the previous reasons for refusal have been successfully overcome. By reducing the footprint and ridge height the overall bulk, scale and mass of the proposal has been significantly reduced.

The below table provides a size comparison of the existing house, previous scheme and current proposal to demonstrate how the size and scale of the proposed dwelling has been reduced. The table also demonstrates that the proposed footprint and height of the replacement dwelling would not be significantly larger than the existing house.

	Existing Dwelling internal Floor Area m ² (GIFA)	Current proposal internal Floor Area m ² (including integral garage)	Previous Scheme internal Floor Area m ² (including integral garage)
Ground Floor Area	106	131	156
First Floor Area	59	134	153
Total	165	265	309

As demonstrated above, the proposed internal ground floor area (GIFA) of the current proposal would only be 25m² larger than the existing dwelling, which is only a 23% increase. This is not a significant increase and the large plot is clearly capable of accommodating a larger footprint without appearing cramped or out of keeping with the other properties in Encombe, which is generally characterised by detached dwellings on much smaller and cramped plots.

In addition, the proposal would not appear prominent within the streetscene due to the reduced height, set back from the road and mature boundary screening. In contrast, the majority of the other properties in Encombe are located closer to the road and are therefore significantly more prominent than the replacement dwelling would be.

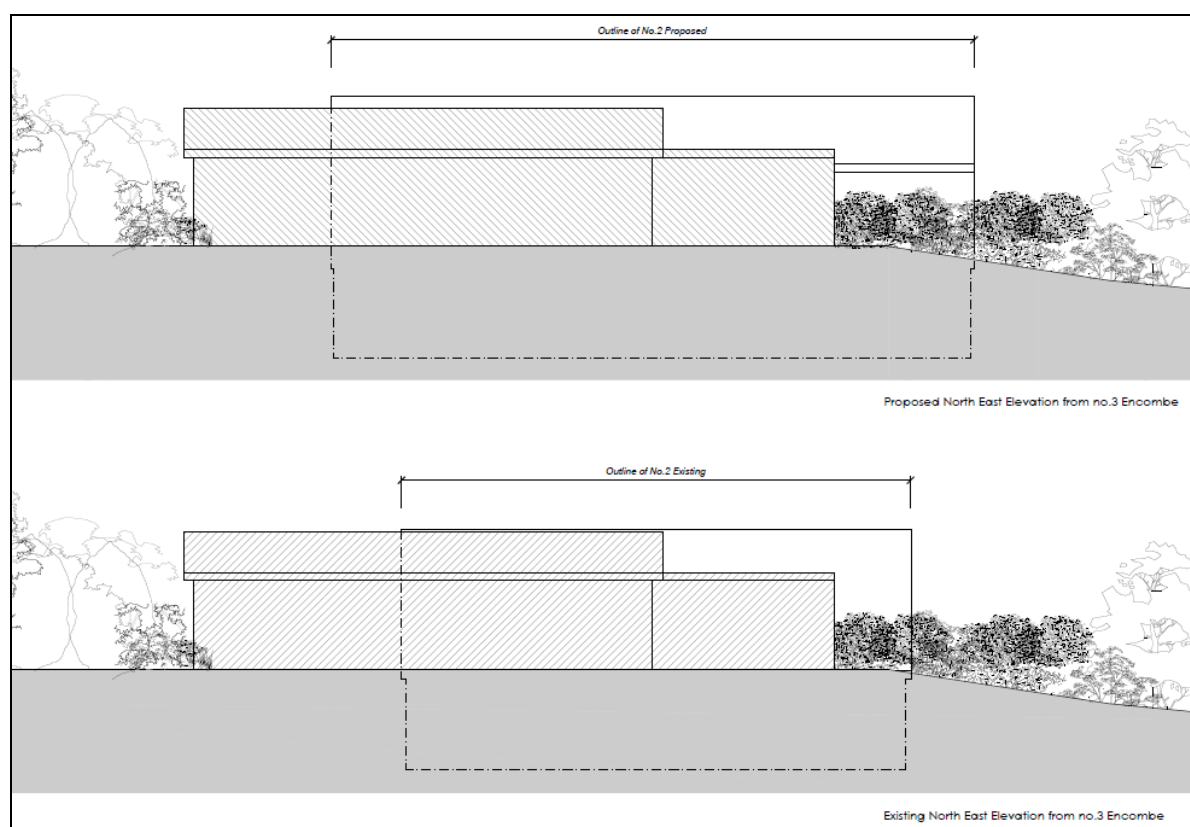
The ridge height of the current proposal has also been reduced and would now only be 300mm higher than the existing ridge height, as demonstrated on the below table.

Existing ridge height (m)	Current proposal ridge height (m)	Previous Scheme ridge height (m)
6.9	7.2	8.3
Height difference	0.3	1.4

The combined reduction in the ridge height, footprint and overall floor area results in a significant reduction in the overall mass, scale and bulk compared to the refused scheme, which in our opinion successfully overcomes both reasons for refusal.

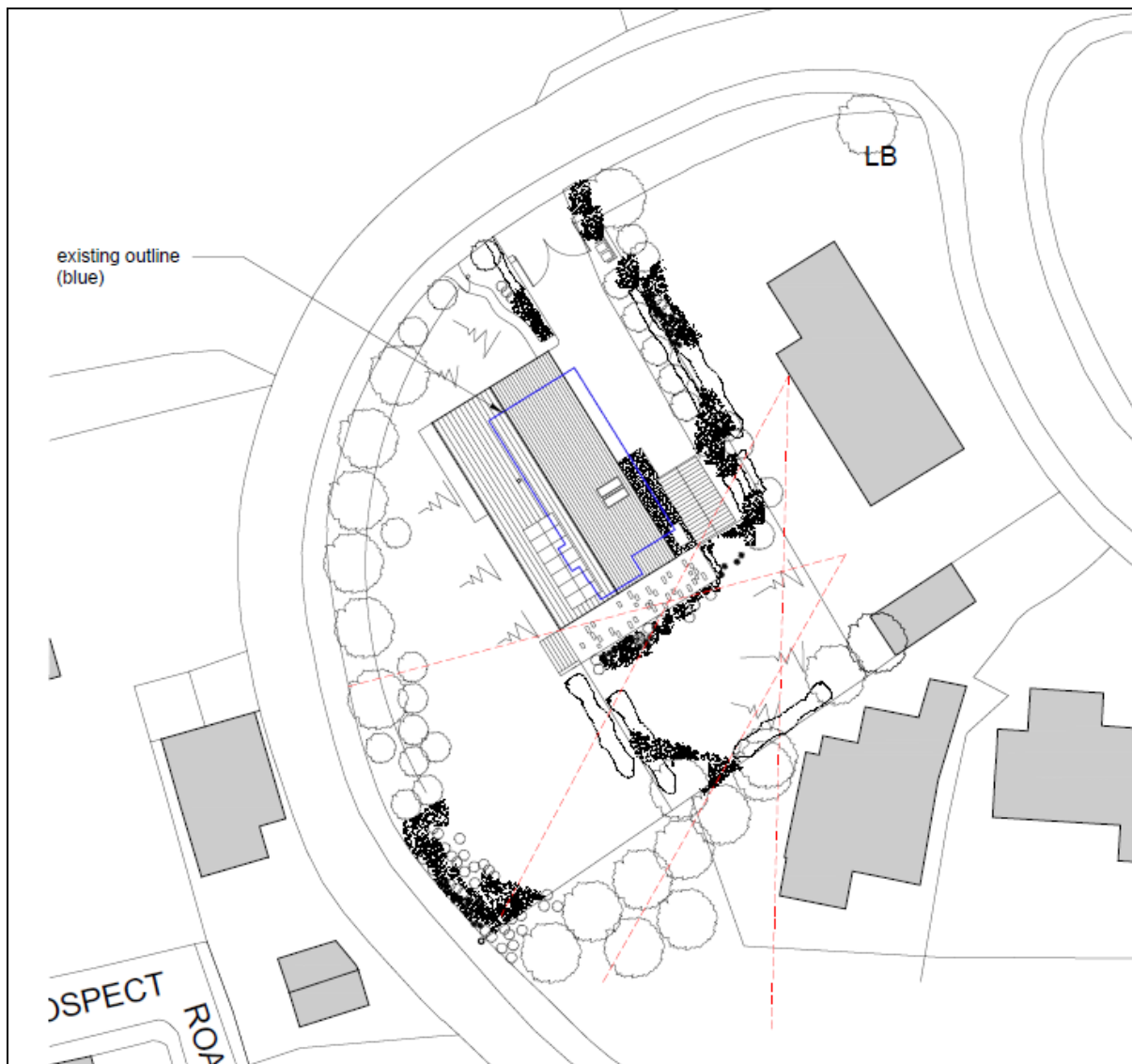
The current outlook (and views) from No.3 would now be maintained and the replacement dwelling would have no significant greater impact on the amenity of No.3 compared to the existing dwelling. In particular, the ridge level would now only be 300mm higher than the existing house, which would not be readily discernible and, the length of the flank wall adjacent No.3 has been reduced by 3.4m. This very small increase in height coupled by the marginal increase in footprint of 25m² would be offset by positioning the replacement dwelling 1.1m further away from the boundary shared with No.3 than the existing dwelling.

Drawing No. 23.12.16.P1 provides a comparison between the existing and replacement dwelling from the perspective of No.3.

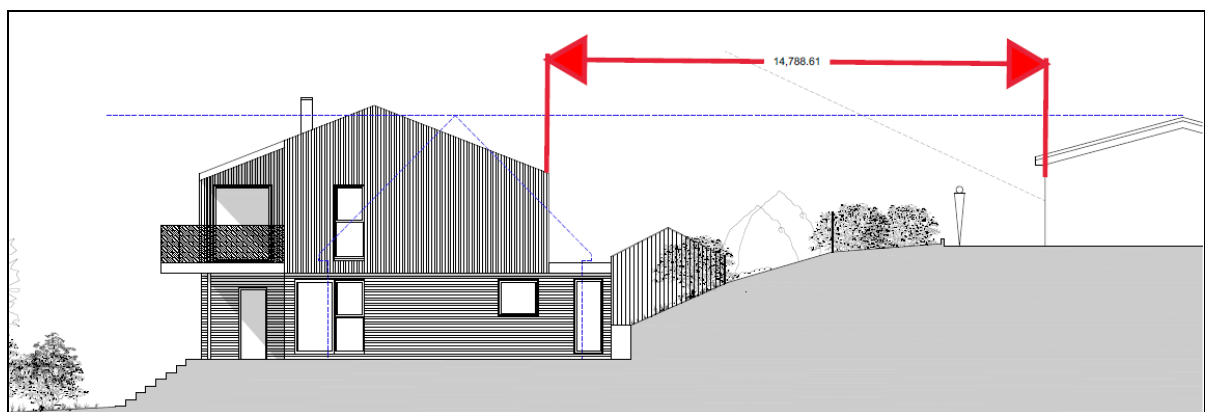


Elevations comparing the height and size of the existing and replacement dwelling from No.3

In addition, the rear elevation of the replacement dwelling would be located in broadly the same position as the rear elevation of the existing dwelling. This would ensure that the outlook from the rear windows and garden area of No.3 would be maintained, as shown on drawing No. 23.12.04.P1.



Site plan (drawing No. 23.12.04.P1) comparing the footprint of the existing and replacement dwelling demonstrating that the outlook from No.3 would be maintained. The replacement dwelling would project a max. 1.8m further back than the existing dwelling.



Elevation demonstrating the separation distances (approx. 15m), drop in ground level and ridge height of the existing and proposed dwelling in relation to No.3.

5. Consultation responses to the refused scheme:

Sandgate Parish Council: 7 Councillors supported. 0 Councillors objected.

The refused application gained unanimous support from Sandgate Parish Council when the application was reviewed in detail by the Parish Councillors at their meeting on 8th January 2024. Viewing the video recording of the Parish Council meeting on the 8th of January 2024 some key comments made by the Parish Council are highlighted below:

- The design has been guided by the Sandgate Design Statement.
- The proposal looks like a substantial improvement on what is already there.
- High standard of design.
- The existing chalet bungalow is on a big site and the replacement dwelling fits in well.
- Encombe lacks a single style and the proposal would be in keeping in this setting.
- A usual combination of finishes is proposed.
- The replacement dwelling comes forward but not hugely.
- Only glimpses of the proposal will be afforded.
- Seem to have addressed potential issues of overlooking.
- Not significantly higher than existing.

KCC Highways: Raised no objection.

Neighbours: Four neighbour objections were received during the consultation period. Since the application was determined a further objection has been uploaded to the website.

3 Encombe

Prior to resubmitting this application the applicant has consulted with the owners of 3 Encombe to get a better understanding of their concerns. The revised scheme has been carefully designed following these discussions with the aim of overcoming the concerns raised by No.3, in particular to ensure there is no unacceptable loss of outlook from the rear / side garden area and rear windows, as demonstrated on drawing No. 23.12.04.P1 above.

1-3 Mariners Gate

Three objections came from 1-3 Mariners Gate located to the northeast of the application site on the opposite side of Encombe. These objections raised issues regarding loss of outlook, overbearing impact and loss of a sea view. The Council's Officer Report confirmed that the proposal would not cause any harm to the amenities of these properties and confirmed that the loss of a particular view is not a material planning consideration.

4 Encombe

A fifth objection was added to the Council's website after the application was determined and comes from 4 Encombe which is located to the south of the site. The Council's Officer Report does not raise any objections or reasons for refusal regarding negative amenity impacts at this property. The replacement dwelling would be located approx. 15m away from the rear

boundary which is shared with No.4 and there would be no unacceptable amenity impacts as a result.

Neighbours also raised objections regarding the scale and mass of the previous scheme which we believe have been successfully overcome by reducing the footprint and ridge height which in turn has reduced the scale, bulk and massing of the replacement dwelling.

We are therefore of the view that the amended scheme has overcome the objections to the previous scheme and the replacement dwelling would not result in any significant adverse amenity impacts when compared to the existing house.

6. Planning Policy Context

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

Development Plan

The adopted development plan for Folkestone & Hythe District Council comprises the Core Strategy Review (2022) and the Places and Policies Local Plan (2020), along with the St Mary in the Marsh Neighbourhood Plan (2019); and the Kent Minerals and Waste Local Plan (2016)

Core Strategy Review 2022

The Core Strategy Review 2022 provides the strategic policies to guide development in Folkestone and Hythe for the next 15 years.

Policy SS1 (District Spatial Strategy)

Policy SS3 (Place-Shaping and Sustainable Settlements Strategy)

Places and Policies Local Plan (2020)

Policy HB1 (Quality Places Through Design) states 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.

Policy HB3 (Internal and External Space Standards) requires housing development to meet nationally described technical housing space and provide private open space for new flats (balconies) and dwellinghouses (10m x 10m gardens) as well as accessible storage for bins and bicycles.

Policy T2 (Parking Standards) states 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. The Council will use the standards in Table 13.1 while also taking account of local context.

Policy T5 (Cycle Parking) states planning permission will be granted for residential development subject to the provision of cycle parking at the quanta of 1 space per bedroom for individual residential developments. Any external residential cycle parking should be secure, covered and preferably constructed from the same materials as the main structure.

Policy NE2 (Biodiversity) requires development to safeguard and protect all sites of European and Global, designated as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites as well as nationally important sites, including Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR) and Local sites, including Local Nature Reserves (LNR), Key Wildlife Sites (KWS) and Regionally Important Geological and Geomorphological Sites (RIGS).

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. The Council will support development that:

- i. Enhances, retains and protects existing sites and features of nature conservation value including wildlife corridors, ancient woodland and geological exposure that

- ii. contribute to the priorities established through the Biodiversity Action Plan and the Green Infrastructure Plan;
- iii. Does not reduce, and where feasible, improves species' ability to move through the environment in response to predicted climate change, and to prevent isolation of significant populations of species; and
- iv. Incorporates features that enhance biodiversity as part of good design and sustainable development, including the creation of new pollinator habitat suitable to the scale of development.

Policy NE6 (Land Stability) states that 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.

Policy CC2 (Sustainable Design and Construction) requires proposals for new dwellings to achieve a higher water efficiency standard; minimises energy demand through passive design and layout and landscape; designed to be flexible towards future adaptation in response to changing life needs; include measures to adapt to climate change, such as the provision of green infrastructure and sustainable drainage systems (SuDS); and provide discretely designed and accessible storage for waste, recycling and composting.

National Planning Policy Framework 2023

The overarching principle of the NPPF is a clear presumption in favour of sustainable development. In terms of determining applications this means approving development proposals that accord with the development plan without delay.

Paragraph 8 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic objective – contributing to building a strong, responsive and competitive economy;
- a social objective – supporting strong, vibrant and healthy communities; and
- an environmental objective – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 38 states local planning authorities should approach decisions on proposed development in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 47 advises that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 123 advises that planning policies and 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.

Paragraph 131 advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development 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.

Paragraph 135 states (inter alia) that development should be visually attractive, add to the overall quality of the area, be sympathetic to local character and safe, inclusive and accessible.

Paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Paragraph 185 seeks to protect and enhance biodiversity.

Paragraph 200 states local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 212 states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Other relevant documents and guidance:

Sandgate Design Statement

SDS1 (Compliance with the Sandgate Design Statement) advises that all planning applications for new development in Sandgate parish should include a statement demonstrating how they have complied with the Principles of the Sandgate Design Statement.

SDS2 – (Compliance with the Development Plan Planning) advises that applications will show an understanding of an area's defining characteristics and demonstrate that proposed changes improve and enhance the area. NPPF 2019 is strongly supportive of community driven design codes. Sandgate Parish Council will seek to ensure that all applications comply with NPPF 2019 and the District Council's Development Plan.

SDS4 (Conservation Areas) All development proposals in or affecting the setting of the two Conservation Areas and/or heritage assets in Sandgate should preserve or enhance the character and appearance of the Conservation Area.

SDS5 (Character Areas Development) advises development should be appropriate to the scale, materials, ridge heights, boundary treatments and detailing of its Character Area.

- The Escarpment Character Area, including Encombe advises that there is no common architectural style here and a unifying approach would be desirable. It is vital ... that any development proposals here are required to address land stability issues as a part of any planning application ... a mix of single, two and three storey houses are found in Encombe.

SDS6 (Street Scene Detailing) advises that for all applications in the parish developers should provide elevation drawings to scale that accurately show the proposed development in relation to neighbouring buildings.

SDS8 (Development in areas of increased landslip risk) advises that development of areas of known and potential land instability in the parish will only be permitted to commence if the local planning authority is satisfied that the site can be developed and used safely and that the works will not add to the instability of the site or adjoining land and that stabilisation measures required are environmentally acceptable.

The Kent Design Supplementary Planning Document (SPD)

7. Planning Assessment

Principle

The Council has confirmed that the principle of a replacement dwelling is acceptable when determining the previous application.

The existing dwelling is of no particular architectural merit and its demolition is therefore considered acceptable. In addition, the application site is located within the defined settlement boundary of Sandgate where the principle of new residential development and replacement dwellings is accepted by policy.

Responding to the previous reasons for refusal

The previous application was refused on two grounds;

1. Visual impact in relation to the mass, scale, bulk and height and;
2. Overbearing impact and loss of outlook to 3 Encombe, which also relates to the mass, scale, bulk and height.

Overcoming Reason 1

Reviewing the Council's first reason for refusal and the Officer Report it is evident that the Council considered that the refused scheme was too large. The Officer Report expands on this point:

the proposed increase in height, when combined with the additional proposed length and width, would result in development that would appear overly dominant in its plot. The increased bulk, massing and height at first floor and roof level would appear incongruous within the streetscene. The additional built-form would overpower its neighbours and cause harm to the established character of the streetscene, with the ridge of the roof sitting approximately 1.2m above the ridge of the nearest neighbour to the east (3 Encombe).

As set out in Section 3 above, the amended scheme has been significantly scaled down by reducing the footprint and height. The footprint of the replacement dwelling would now only be 25m² larger than existing dwelling and the ridge height would only be 30cm higher. As a

result the scale, mass, bulk and height has been significantly reduced therefore overcoming the concerns raised by the Council in the Officer Report.

Further, the scale and height of the replacement two-storey dwelling would be wholly in keeping with the prevailing character of Encombe which contains dwellings of varying scales and height, including three-storey detached properties on the opposite side of the road and larger two-storey dwellings higher up the slope, all of which are located on much smaller plots and closer to the road than the proposal.

The majority of the properties in Encombe are in fact located very close to the road and are therefore much more prominent in the streetscene than the proposal would be. In contrast, the replacement dwelling would be set back within the spacious corner plot and would be screened by mature boundary planting on the east, west and south boundary and would therefore not appear unduly prominent or incongruous within the wider Encombe streetscene.

Assessing the visual impact on the Encombe streetscene, the Council's Officer Report confirms that the main view into the site would be from the east, directly outside the front of the property. Views of the replacement dwelling would largely be restricted to this view only. From this viewpoint the application site essentially appears as an isolated site in the streetscene by virtue of the spacious landscaped corner plot location, curved nature of road outside the site and high level mature boundary treatment, particularly along the boundary shared with 3 Encombe. In addition, there are no properties located directly opposite the site to the north and northeast. This part of the streetscene is characterised by dense woodland which increases the sense of separation between the application plot and built streetscene. As such the application site and proposed dwelling would not be readily apparent within the wider streetscene of Encombe. As a result, the proposal would not cause any visual harm to the character of the streetscene from the viewpoint directly outside the site and the replacement dwelling would constitute a high standard of design and the two-storey scale and height would be in keeping with the prevailing character of immediate area.

On further review of the Officer Report it appears to suggest that the refused scheme could not be accommodated on this site due to the staggered nature of the streetscene. In this regard the Officer Report states:

The layout of the streetscene and its built-form pattern of development currently follows the sloping nature of the highway and so the ridge heights generally appear staggered, following the form of the slope when viewed from the street.

The development would not be overly apparent on approach from the south, but the overall built-form, especially the proposed first-floor and roof level would be highly visible from the east along Encombe and when directly opposite the site and would disrupt the general staggered nature of development when viewed from the top of the hill as land levels slope from the east to the west.

We are pleased to see that the Officer Report acknowledges that the application property would not be apparent on the approach into Encombe from the south of the site.

However, the Officer Report also states that *ridge heights generally appear staggered, following the form of the slope when viewed from the street*. This assessment of the streetscene is incorrect. 1-3 Mariners Gate are three storey properties located adjacent a single-storey dwelling at No.16, which is located higher up the slope in Encombe. There is a clear increase in height between No.16 and Mariners Gate which demonstrates that the ridge heights in Encombe do not all follow the form of the slope, as suggested by the Officers Report. This relationship is demonstrated by the below photo.



Relationship between Mariners Gates & No.16 Encombe. No.16 is located higher up the slope but has a lower ridge level demonstrating the streetscene in Encombe is not staggered as suggested by the Council's Officer Report.

In addition, the above section of the Officer Report states the proposal *would disrupt the general staggered nature of development when viewed from the top of the hill as land levels slope from the east to the west*.

It is contested that there are no views of the application site from the top of the hill as suggested by the Planning Officer. The proposal cannot be seen from the top of the hill and would therefore not disrupt the streetscene, as suggested.

Other than the viewpoint directly at the front of the site there are also some close range views of the site from the internal road junction in Encombe just to the northeast, although it is noted that this view is not prominent and the existing dwelling is largely screened by No.3 Encombe. Only a small section of the roof of the existing dwelling can be seen from this viewpoint and the replacement dwelling would only be 300mm higher than the existing dwelling therefore this obscured view would not significantly change and the replacement dwelling would not interrupt the staggered nature of the streetscape or appear prominent.



Views of the site from the internal road junction in Encombe to the northeast of the site. The existing dwelling is largely screened by No.3 and the very small increase in ridge height of 300mm would not be prominent or readily discernible.

The reduction in height, scale, mass bulk means that the replacement dwelling would not appear unduly prominent within the Encombe streetscene and would certainly not appear any more prominent than any of the other properties in the immediate area. Further, the 300mm increase in ridge height would not interrupt the staggered nature of the streetscene and the proposal would not cause any visual harm to the character of Encombe streetscene.

Overall, the reduction in height, mass, scale and bulk compared to the previous scheme are considered to successfully overcome the first reason for refusal. Close range prominent views of the proposal would be limited to directly outside the site to the east where the proposal would be viewed as a visually attractive new dwelling in the context of the nearby two and three-storey detached dwellings on the opposite side of the road.

Overcoming Reason 2:

As set out above the applicant has undertaken pre-application discussions with the closest neighbour at No.3 Encombe to fully understand their concerns, in particular with regard to their current levels of outlook from their rear / side garden and rear windows and privacy.

As set out in Section 3 above the mass, scale and bulk of the current proposal has been significantly reduced and the ridge height would now only be 300mm higher than the existing ridge level. In addition, the proposed footprint would now only be 35m² larger than the existing footprint and the length / depth of the replacement dwelling adjacent the shared boundary with No.3 has been reduced by 3.4m compared to the previous application. The rear elevation of the replacement dwelling would now be located in broadly the same position as the rear elevation / conservatory of the existing house and, the replacement dwelling would now only project a maximum of approximately 1.8m beyond the existing rear building line.

Further, the replacement dwelling would be located approximately 1.1m further away from the shared boundary than the existing dwelling. Therefore, the very minor increase in height of only 300mm and minimal additional rearward projection of approximately 1.8m would be offset by relocating the replacement dwelling further away from the shared boundary. As a result the replacement dwelling would not appear any more overbearing and there would be

no loss of outlook compared to the current situation. In addition, frosted glass is now proposed on all first floor windows on the flank elevation facing No.3

As indicated above thorough consideration has been afforded to the amenity of No.3 when redesigning the amended scheme and to this end the applicant has spoken to the neighbours to fully understand their concerns regarding the previous application and we feel that the amended scheme has successfully overcome their concerns. A comparison between the existing house and the replacement dwelling is now demonstrated on drawing Nos. 23.12.04.P1 & 23.12.16.P1. These two diagrams indicate that the outlook from No.3 would not be significantly affected by the replacement dwelling. In addition, the current outlook from No.3 is of the stark and unattractive concrete roof tiles of the existing dwelling. This view would potentially improve through the introduction of the replacement dwelling (located 1.1m further away from the shared boundary) due to the aesthetically pleasing mix of high quality natural materials which would have a more muted and attractive appearance than the existing roof.

Further, the replacement dwelling would be located approx. 1.1m further away from the shared boundary than the existing dwelling and there would be approx. 15m separation distance between the proposal and rear elevation of No.3. Given the separation distances, drop in ground levels and only 300mm increase in height above the existing ridge level, there would be no loss of light or unacceptable loss of outlook to No.3. The amenity impact has also been demonstrated on drawing 23.12.15.P1 which shows the relationship between the two properties and demonstrates that the replacement dwelling would not be significantly overbearing compared to the existing dwelling. In addition, the proposal passes the 25 degree vertical sky component in accordance with the BRE (Site layout planning for daylight and sunlight) guidelines.

Design

The existing property is of no particular architectural merit and we are of the view that the replacement dwelling would constitute a significant visual enhancement as a result of good architecture and would add to the overall quality of the area as required by para. 135 of the NPPF and policy HB1 of the Local Plan.

We note Sandgate Parish Council's unanimous support for the design of the previous scheme and the Council's Officer Report does not raise any concerns regarding the design, appearance or palette of materials.

Therefore, the design has not been amended from the previous application other than the introduction of a slate roof to accommodate the significantly lowered ridge height. There are examples of other slate roofs within Encombe so the change in roof material would not be out of keeping with the character of the area. In addition, the slate roof would constitute an enhancement compared to the existing concrete tiles. The slate roof would also be able to accommodate integrated solar panels achieving a clean and uninterrupted finish on the roof.

Heritage

It is noted that the Council did not raise any objections to the previous scheme in terms of the setting of Sandgate Conservation Area.

The application site is located outside but within the setting of Sandgate West Conservation Area as demonstrated on the maps below. Setting is defined (in the NPPF) as the surroundings in which a heritage asset is experienced, elements of which may make a positive, negative or neutral contribution to the significance of the asset. The setting of a heritage asset frequently contributes to its special architectural or historic interest. Paragraph 212 of the NPPF states new development within the setting of heritage assets should enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.



Character Area Appraisal map of Sandgate West Conservation Area and listed buildings. Note – No.32 Sandgate Esplanade is indicated as a listed building in the Conservation Area Appraisal. However, Historic England's Register indicates No.32 is not listed as shown below.



Historic England's Register of listed buildings

The Sandgate Conservation Area Appraisal refers to this as Area 4 - Sandgate West, and states that this area fronts onto Sandgate Esplanade, taking in Prospect Road, part of Brewer's Hill and Wellington Place. Buildings in this area are individual or terraced houses, including the weatherboarded No's 31 and 32 The Esplanade, Grade II and the early C19th Grafton and Regency Cottages, Grade II.

The Sandgate Conservation Area Appraisal assess the key views and vistas in Area 4 and states that there are many attractive, dramatic or picturesque views throughout the CA. Key views can be categorised into five distinct groups:

- a. Along the High Street and Sandgate Esplanade generally, looking in east and west directions;
- b. Along the seafront;
- c. Picturesque confined views down narrow streets and lanes;
- d. Vistas looking into or out of the village from along its approaches, inwards from higher ground or upwards from the beach towards Radnor Cliff and its steep backdrop of greenery
- e. Views in both east and west directions along Radnor Cliff and the Riviera.

Views of the site from Sandgate West Conservation Area:



View of the application from Sandgate Esplanade from the eastern edge of the Conservation Area boundary.

The application site does not impact any of the key views listed in the Appraisal. However, glimpses of the application property are afforded from the above viewpoint. However, views are not prominent due to the distances involved, landscape screening, muted and traditional palette of materials. In addition, the application property sits in the foreground of the significantly larger white rendered five-storey apartment blocks located on the upper slopes of Encombe. This mid-range view was considered at the design stage when reviewing the type of roof and materials for the replacement dwelling. In this regard a traditional clay tiled pitched roof is proposed as this would reflect the existing roof form and would be sensitive to the setting of the Conservation Area. In addition, the muted palette of materials (first floor

timber cladding) would not appear overly strident from this viewpoint. The marginal increase in height of the replacement dwelling would also help to screen the rather stark and prominent five-storey apartment behind the application site.



View of the application site from Prospect Road on the eastern edge of the Conservation Area.



View of the application site from Prospect Road on the eastern edge of the Conservation Area.

The application site and proposed dwelling will be viewed in the backdrop of this two-storey pitched roof dwelling from the edge of the Conservation Area. Due to the distance from the Conservation Area boundary, together with the inclusion of a traditional pitched roof, natural muted palette of materials, and only a marginal increase in height, the replacement dwelling would preserve the existing views out from the edge of the Conservation Area.

There is a Martello Tower to the north of the site but there is no intervisibility between the site and this Scheduled Monument.

As demonstrated above there would be no prominent or harmful views of the replacement dwelling from the Conservation Area. Further, the proposed siting and footprint would ensure that the spacious and landscaped aspect of the application site would be retained adjacent to the Conservation Area boundary. As such the proposal would conserve the setting of the Conservation Area as required by policy.

Landscaping & Biodiversity enhancements

The NPPF and Local Plan policy NE2 requires that local planning authorities should preserve and enhance biodiversity and that new development should adequately mitigate against any potential harm.

The application proposes the replacement of a modern residential dwelling in an urban residential area. The existing dwelling is currently occupied and contains living accommodation in the roof space. From an external inspection the roof covering is in good state of repair and there are no signs of voids or cracks in the modern concrete interlocking tiles and the roof is effectively sealed. As such it is therefore considered that the existing property does not meet the triggers for requiring a bat survey prior to demolition.

There is already significant mature planting along the eastern boundary adjacent No.3 and landscaping on the south and west boundary of the site which would be retained.

Internal Space Standards

Local Plan policy HB3 requires new housing to meet the nationally described (internal) space standards and provide gardens of at least 10m x 10m as well as provide accessible storage for bins and bicycles.

The proposal would exceed the minimum room sizes and GIAs set out in the nationally described space standards and would provide a high standard of living accommodation for future occupants. For clarity, the room sizes are indicated on the proposed floor plans. Bins and bicycles would be stored in the integral garage.

In summary, the proposals would provide a high standard living accommodation for the future occupiers and would be in accordance with the Local Plan policy HB3 and the national space standards.

Access and Parking

The NPPF states at paragraph 115 that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

Local Plan policy T2 (Parking Standards) states 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. The Council uses the standards in Table 13.1 of the Local Plan while also taking account of local context.

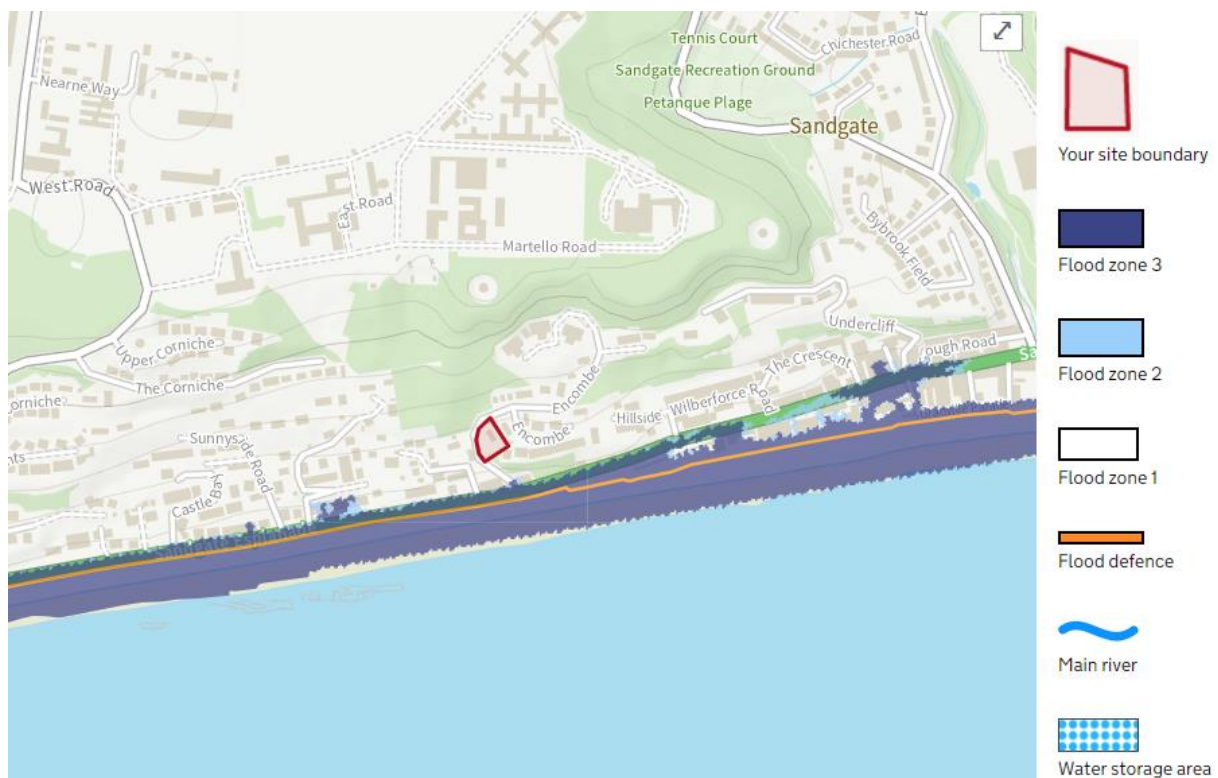
The proposal comprises the one-for-one replacement of an existing dwelling and would not result in a significant increase in vehicle trips and the existing vehicle crossover would be retained. In addition, the scheme proposes policy compliant on-site parking via a mix of driveway parking areas and garage parking.

In summary, the proposal would not unacceptably impact on highway safety and the residual cumulative impacts on the road network would not be severe.

Cycle parking would be provided in the existing garage and refuse bins would be located discreetly at the side of the property as per the current arrangement.

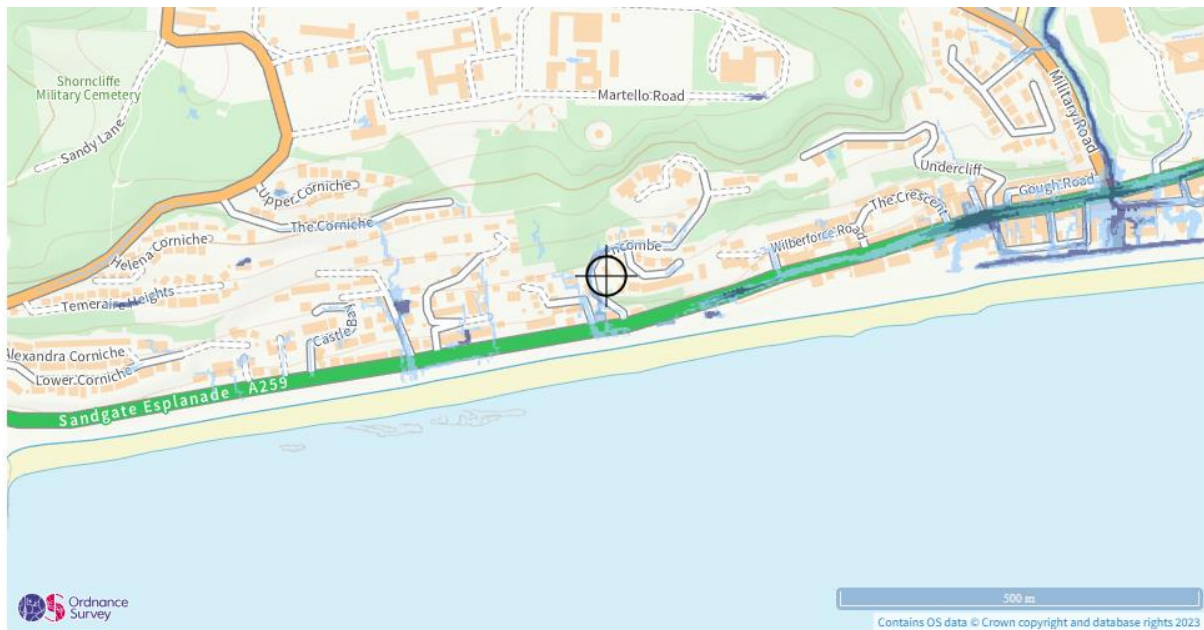
Flood Risk & Climate Change

The application site is located in flood zone 1 and in an area of very low surface water flooding according to the Environment Agency Flood Risk maps. As a result the proposals would not result in an increased risk of flooding on the site or elsewhere.



Environment Agency map showing the site is located in Flood zone 1.

The proposals comprise a minimal increase in built development on the site compared to the existing house and there would be no significant increase in surface water run-off rates and there would be no unacceptable increased risk of flooding from surface water. In addition, the surface water would be appropriately managed on-site and discharged to the existing surface water drainage systems as per the existing arrangements on this residential plot.



Extent of flooding from surface water

● High ● Medium ● Low ○ Very low ⊕ Location you selected

Environment Agency map showing the site located in a very low risk of surface water flooding.

The proposal would replace an energy inefficient property with a new energy efficient property with solar panels on the roof. The replacement dwelling would also achieve a higher water efficiency standard, minimises energy demand through passive design (balcony and roof overhangs) in accordance with policy CC2. The proposal would therefore reduce greenhouse gas emissions through the use of renewable energies in accordance with the aims and objectives of the NPPF and would constitute a significant betterment compared to the existing property.

Land Stability

The application site is located within a in a land stability area, albeit on the lower slopes of Encombe. In accordance with policy NE6 the application is supported by a land stability assessment by Peter Baxter Associates which demonstrates that the site can be safely developed and also demonstrates that the proposed development will not have an adverse effect on the slip area in part or as a whole.

Conclusion:

The scale, mass, bulk and height has been scaled down significantly compared to the previous application. In summary, the following changes have been made to overcome the Council's previous reasons for refusal:

- The external footprint has been reduced to 150m² and would now only be 35m² larger than the existing footprint.
- Reducing the ridge height. The replacement dwelling would now only be 30cm higher than the existing dwelling.
- Reducing the depth/length of the proposal adjacent the boundary shared with No.3.
- Reducing the number of bedrooms from 5 to 4.
- The replacement dwelling would be located approx. 1.1m further away from the boundary adjacent No.3 Encombe than the existing dwelling.

The site comprises a spacious corner plot and the scale and footprint of the replacement dwelling would respect the prevailing character of Encombe which exhibits two and three-storey dwellings, many of which are located on significantly smaller plots and much closer to the road than the proposal and are therefore significantly more prominent within the streetscene. The proposed footprint and two-storey scale would respect the prevailing layout, scale, massing and density in Encombe in accordance with policy HB1 and, the minimal increase in ridge height would not appear unduly prominent and would not interrupt the staggered nature of the streetscene.

By reducing the height, depth and footprint the amenity of No.3 would be maintained, including their outlook and views and there would be no greater significant overbearing impact compared to the existing dwelling.

The replacement dwelling would constitute a significant visual enhancement compared to the existing dwelling as a result of good architecture and the proposal would make a positive contribution to its location and surroundings as required by policy HB1 of the Local Plan, paragraph 135 of the NPPF and the guidance contained within the Sandgate Design Statement.

We are therefore of the view that the amended scheme has fully overcome the previous reasons for refusal and is therefore deemed to be in accordance with all relevant policies in the adopted Local Plan, the Sandgate Design Statement and accords with aims and objectives of the NPPF, and it is respectfully requested that planning permission is granted.