

planning  
transport  
design  
environment  
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Planning Statement for Land Adjacent to Hillboro,  
Sunnyside Road, Sandgate

November 2021 EAH/14803



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# 1 Introduction

## 1.1 Purpose of this Report

- 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 emerging 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 Application Documents

- 1.2.1 This statement should be read in conjunction with the following plans and documents which are submitted as part of this application.

Ref.	Description	Author
Documents		
18.070_V1	Design and Access Statement	Hollaway
18.070_V1	Sunlight and Daylight Note	Hollaway
14803/EAH	Planning Statement	DHA
8799	Land Stability Report	KSI Ltd
J20613_Arb REV A	Arboricultural Impact Assessment	GES
J20613_P2_ A	Preliminary Ecological Appraisal	GES
Drawings		
08.070_101	Site Location Plan	Hollaway
08.070_102	Existing Site Plan	Hollaway
08.070_103	Existing Block Plan	Hollaway
08.070_104	Proposed Site Plan	Hollaway
08.070_105	Proposed Roof Plan Site Plan & Landscape Plan	Hollaway

08.070_106	Proposed Ground Floor Plan Site Plan & Landscape Plan	Hollaway
08.070_107	Plot 1 Floor Plans and Roof Plan	Hollaway
08.070_108	Plot 1 Elevations	Hollaway
08.070_109	Plot 2 Floor Plans and Roof Plan	Hollaway
08.070_110	Plot 2 Elevations	Hollaway
08.070_111	Plots 1 & 2 Site and Building Sections	Hollaway
08.070_112	Plot 3 Floor Plans and Roof Plan	Hollaway
08.070_113	Plot 3 Elevations	Hollaway
08.070_114	Plot 4 Floor Plans and Roof Plan	Hollaway
08.070_115	Plot 4 Elevations	Hollaway
08.070_116	Plots 3 & 4 Site and Building Sections	Hollaway
08.070_119	Existing and Proposed Street Scene	Hollaway
08.070_120	Fire Access	Hollaway
J20612_Arb_TSS	Tree Survey	GES
J20612_Arb_TCP	Tree Constraints Plan	GES
45456/5501/009	Vehicle Tracking Fire Vehicle	Stantec
45456/5501/007	Vehicle Tracking Refuse Vehicle	Stantec
45456/5501/008	Vehicle Tracking Car Vehicle	Stantec

**Table 1.1:** Submitted Documents 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, which is accessed from the property 'Wellington' to the west of the site. The site is steeply sloped southwards towards Sunnyside Road, which provides a shared private access with three other dwellings. The existing property on site is in an increasingly state of disrepair.
- 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 A small portion of the site to the northern boundary is identified as being within an Area of Archaeological Interest and 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.

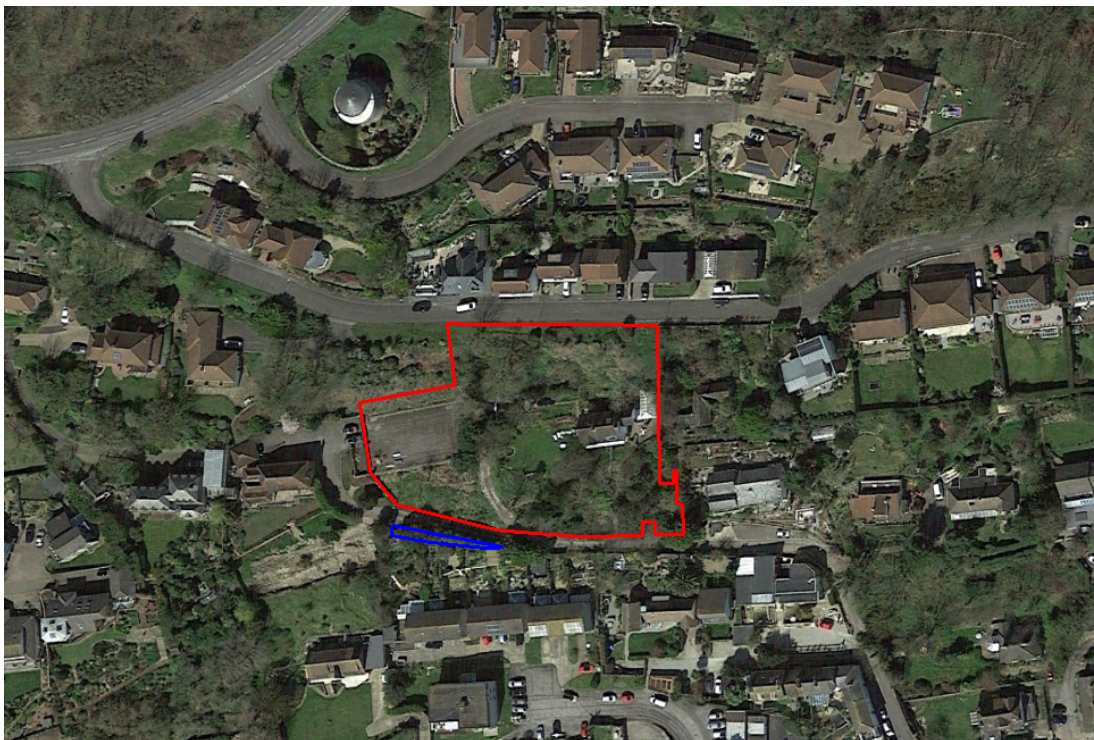


Figure 2.1: Aerial View of the Site and Surroundings (Courtesy of Google Earth 2021)

## 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:

Ref.	Description	Decision
20/1356	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 July 2021.
16/0450	Erection of a detached house together with parking and terracing on the existing tennis courts associated with the property at Wellington.	Approved May 2017.
88/1127	Outline application for the erection of a single detached dwelling.	Refused November 1988.

**Table 2.1:** Site Planning History (Courtesy of 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 falls 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 this part of Sandgate had been significantly redeveloped since the time of the 1988 application. Residential redevelopment of the site is therefore acceptable in principle.



## 2.4 Application 20/1356/FH

### Pre-application Advice

2.4.1 Pre-application advice was sought from Folkestone and Hythe District Council prior to the submission of refused application 20/1356/FH.

2.4.2 A conference call meeting was initially held with a Planning Officer on 27 March 2020 to discuss the potential to demolish the existing building (Hillboro) and its replacement with two detached dwellings and a block of 7 flats; see figure 2.2 below.



Figure 2.2: First pre-application scheme (Hollaway)

2.4.3 Written advice from the Council was received on 11 May 2020 based on this proposed layout drawing. The comments received are summarised below:

- Removal of the 'green' landscaping, would have a negative impact upon the character of the area and Special Character Area;
- The Sandgate Design Statement seeks to specifically protect areas of green space from infill development which this application is proposing;
- The proposal is considered to be overdevelopment of the site, particularly when considering the size of surrounding plots, which are of singular dwellings in large plots;
- The proposal would change the character of the skyline from one single dwelling on the site to two three-storey flat roofed dwellings and a large flat roofed three-storey block of flats;

- The buildings would be three-storeys on a steep site and therefore would have a large mass when viewed from Sunnyside Road, Castle Bay and Sandgate Esplanade, particularly the block of flats;
- The large expanse of parking would have an invasive appearance by being grouped together and would be visible from The Corniche;
- The balconies would likely cause direct overlooking, and a cross section would need to be provided to demonstrate that this was not the case, however notwithstanding this, there would be the perception of overlooking due to the three levels of balconies/amenity areas on an already elevated site; and
- The room sizes and internal overall size of the dwellings and flats would need to comply with policy HB3 of the PPLP.

2.4.4 Following these comments, a revised scheme was subsequently submitted for review which proposed 6no. residential units on site. The following comments were received in response to the amended scheme:

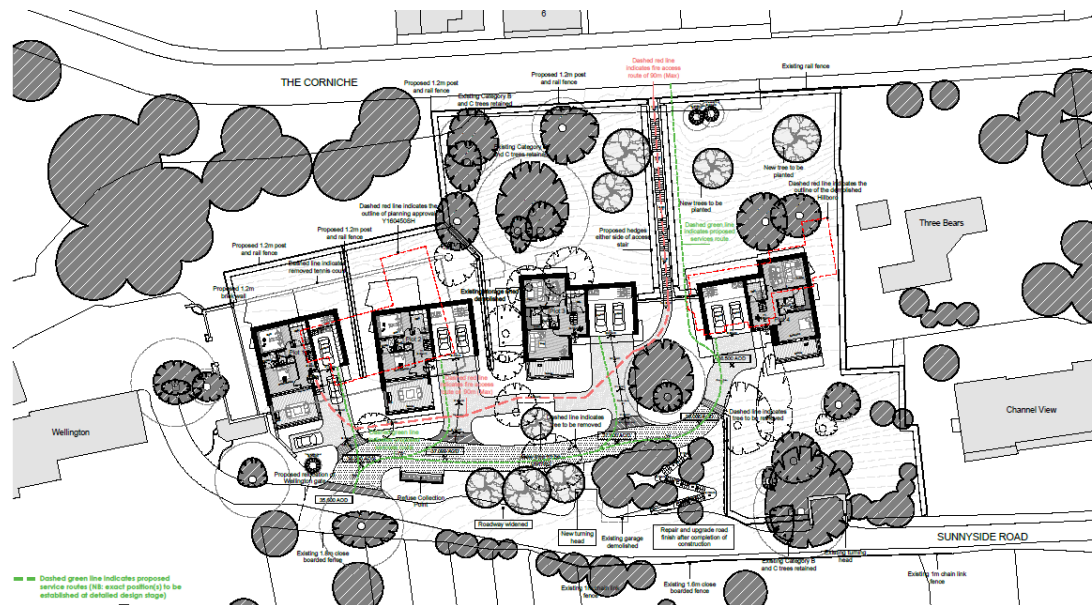
- The proposal is for regularly spaced dwellings on the site which is out of character with the irregularity of the plots within the surrounding area;
- It is considered the proposal would infill some of the green areas that are part of the character of the area and which the Sandgate Design Statement seeks to specifically protect;
- It is considered that this would be over-development of the site. There is an existing dwelling on site, the principle of replacing this dwelling would be acceptable but infilling the green site with further development is of concern given its widely visible location from The Corniche and from Castle Bay and the Sandgate Esplanade;
- Notwithstanding the loss of greenery, the plot sizes are too small and there are too many dwellings proposed. Current character is of singular houses in large plots; and
- There is an irregularity to the architectural styles and sizes of dwellings within the area and the proposal in contrast would provide a regimented layout of 6 dwellings which appear to show the same layout, size and design. As such, the proposal would not be appropriate as it would be too regular and different from the underlying character of the area. The units should be individually designed and respond more to the existing ad-hoc urban grain.

2.4.5 Having taken this advice on board, the scheme was reduced in size to enable the retention of green areas and additional high quality to reflect the character of existing development. The access point was further altered, with access taken from Sunnyside Road rather than The Corniche in order to protect the north green buffer of the site.



Determination of application 20/1356/FH

2.4.6 Application 20/1356/FH was submitted for the erection of 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; see figure 2.3 below.



**Figure 2.3:** 20/1356 Submitted Site Plan and Landscaping Plan (Hollaway)

2.4.7 It is clear from the above narrative that the appeal scheme was considered to have addressed the previous concerns as it was found acceptable by Council Officers and subsequently recommended for planning approval.

2.4.8 was refused planning permission by Members at Planning Committee for the following reason:

1. *The proposed development by virtue of the increase in built form within the site, the proposed layout, and the bulk and scale of the dwellings proposed, would fail to protect or enhance the special character of the Sandgate Escarpment Local Landscape Area and would give rise to significant and demonstrable harm to the visual amenities of the area in a manner contrary to Policies HB1, HB2, HB10 and NE3 of the Folkestone and Hythe District Local Plan 2020.*

2.4.9 This current application has sought to fully address these grounds for refusal and amendments have been made to the scheme to address the issues raised.

2.4.10 The scheme has been updated and re-designed to create a high-quality residential scheme which will positively contribute to the surrounding area. This updated design has been developed to reflect the important characteristics of the Sandgate Escarpment Local Landscape Area through a reduction in scale and mass. This will limit impact on the surrounding character and appearance of the area, maintaining the characteristic spacing between dwellings found here, and alleviate impact on visual amenities of the area as was a concern with the previous scheme. The

following sections of this Statement set out in detail the revised proposals and submitted information, and consider the proposed development (as revised) in light of the adopted planning policies.

### 3 Proposed Development

#### 3.1 The Proposal Scheme

3.1.1 This application seeks full planning permission for the erection of 4 no. detached dwellings following the demolition of the existing residential dwelling 'Hillboro' at Sunnyside Road, Sandgate.

3.1.2 Whilst full details of the proposal and its evolution from the refused scheme are set out in the accompanying Design and Access Statement, the following provides a summary of the proposed development.

- 4 no. detached, 4-bed properties are proposed, in-keeping with the pattern of plot sizes within the area and comparable with surrounding building sizes. This is a reduction from the previous scheme which proposed a mix of 4 and 5 bedroom properties.
- The dwellings are 2 storeys in height, with some accommodation proposed in the roof space. This presents a reduction in height from the 3 storey dwellings of the previous application. Being partially set into the slope of the terrain, ensures the dwellings are comparable with the roof heights of neighbouring plots.
- The reduction in scale is demonstrated in figure 3.1 below. The red dotted line indicates the extents of the previously refused scheme and the blue dotted line indicates the size of the existing Hillboro dwelling.

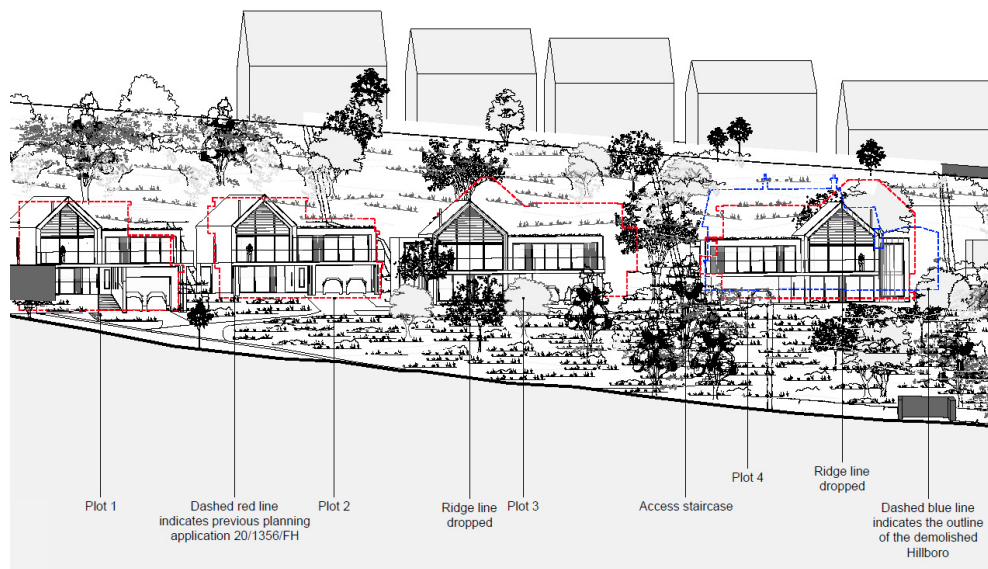


Figure 3.1: Existing and Proposed Street Scene (Hollaway)

- 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 has 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, metal fascia, vertical timber louvres and cladding 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.
- Each property is provided with its own private driveway and ample parking in accordance with KCC standards.
- 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

- 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 Shepway Core Strategy Local Plan (2013) and the Place and Policies Local Plan (2020).
- 4.1.3 The Core Strategy is currently under review to reflect progress on its delivery and recent changes to national policy and guidance and was submitted to the Secretary of State on 10 March 2020 for its Examination in Public. It is currently undergoing consultation on its Main Modifications and therefore is a material consideration in the determination of this planning application.
- 4.1.4 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 Shepway Core Strategy (2013)

- 4.2.1 The Shepway Core Strategy was adopted in 2013. The Core Strategy sets out the overall vision and objectives for the delivery of Shepway's Statutory Development Framework for planning guidance until the new local plan is adopted.
- 4.2.2 The Core Strategy includes a number of relevant policies to the current proposal, but does not however provide highly detailed policies. Its role is limited to setting out strategic guidance and principles for development in the District. Where appropriate, more detailed policies are to be provided through subsequent parts of the Statutory Development Framework or in Supplementary Planning Documents (SPDs).
- 4.2.3 **Policy DSD** discusses delivering sustainable development. When considering development proposals, the Council will take an appropriate approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 4.2.4 **Policy SS1** discusses the District's Spatial Strategy. Major new development will be delivered with priority given to previously developed land in the Urban Area. Additional development should be focused on the most sustainable towns and villages as set out in policy SS3.
- 4.2.5 **Policy SS2** outlines Housing and the Economic Growth Strategy. The core long-term objective is to deliver a minimum of 350 dwellings per annum on average until 2030/31.

- 4.2.6 **Policy SS3** states that development within the District will be directed towards existing sustainable settlements to protect the open countryside and the coastline, in accordance with policy SS1. The principle of development is likely to be acceptable on previously developed land, within defined settlements, provided it is not of high environmental value. The application site is located between Folkestone and Hythe in an area which will “accommodate substantial residential, commercial and social development. To provide improved (inter-) national transport links, and a good choice of employment, retail, cultural/leisure and public services for the whole of Shepway, adjoining districts and visitors.”
- 4.2.7 **Policy CSD1** discusses 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 in Shepway) where it contributes to the creation of balanced and popular neighbourhoods through high-quality design proposals which address identified affordable housing needs. Developments of 5 units and above should provide affordable units on site.
- 4.2.8 **Policy CDS2** sets out how new residential development and new accommodation should be designed and located in line with the Spatial Strategy’s approach to managing demographic and labour market changes and meeting the specific requirements of vulnerable or excluded groups existing with the district. Development should maintain the vitality and mix of activity in the local economy and neighbourhoods, or alternatively accommodation should directly contribute to meeting the long-term flexible living or care requirements of residents.
- 4.2.9 **Policy CDS4** states that improvements in green infrastructure (GI) assets in the district will be actively encouraged as will an increase in the quantity of GI delivered by Shepway District Council working with partners and developers in and around the sub-region, including through pursuing opportunities to achieve net gains in biodiversity, and positive management of areas of high landscape quality or high coastal/recreational potential.

### 4.3 Places and Policies Local Plan (2020)

- 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 HB2** outlines cohesive design and sets out how the proposal should integrate into the neighbourhood, create a place, create streets and homes:

Integrates into the Neighbourhood

- (1) Integrates into its surroundings by reinforcing existing connections and creating new ones where appropriate; while also respecting existing buildings and land uses along the boundaries of the development site;
- (2) Provides (or is located close to) community facilities such as shops, schools, workplaces, parks, play areas, pubs and cafés;
- (3) Has good access to public transport to help reduce car dependency; and
- (4) For housing development, provides a mix of housing types and tenures that meet local requirements.

Creates a Place

- (5) Creates a place with a locally inspired or otherwise distinctive character, well related to the local landscape character;
- (6) Takes advantage of existing topography, landscape features (including water courses), trees which contribute positively to the landscape; wildlife habitats, existing buildings, heritage assets, site orientation and micro-climates;
- (7) Integrates buildings with landscaping to define and enhance streets and spaces and turn street corners well; and
- (8) Makes it easy for residents and visitors to find their way around.

### Creates Streets and Homes

- (9) Creates streets that encourage low vehicle speeds and social interaction;
- (10) Provides well integrated parking that does not dominate the street;
- (11) Clearly defines public and private spaces and ensures they are attractive, can be well managed and are safe; and
- (12) Provides adequate external storage space for refuse and recycling as well as storage for vehicles and cycles.

4.3.4 **Policy HB3** outlines space standards for the district which comply with nationally described technical housing space standards.

4.3.5 **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.

4.3.6 **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.

4.3.7 **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.

4.3.8 **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.

#### **4.4 Emerging Core Strategy Review (2020)**

4.4.1 The emerging Core Strategy Review was submitted for the Secretary of State for examination on 10<sup>th</sup> March 2020. The Inspector considers as of July 2021 that the Core Strategy meets the Government's requirements and is 'sound' subject to modifications. Consultation on the Main Modifications is now until 15<sup>th</sup> November 2021. Given the relatively advanced stages of the examination this plan can be afforded moderate weight.

4.4.2 **Policy SS1** outlines the District's spatial strategy. Housing will be delivered through a new sustainable, landscape-led settlement, with supporting town centre and community uses, based on garden town principles in the North Downs Area, in accordance with policies SS6-SS9. The garden town will maximise opportunities arising from the location, access to London and continental Europe and strategic infrastructure. Housing and supporting community uses will also be delivered through growth in Sellindge (policy CSD9). 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, with opportunity for increased densities within the town centre and maximisation of employment opportunities at key locations.

Remaining development needs should be focused on the most sustainable towns and villages as set out in policy SS3. Development outside the new settlement and identified centres in the open countryside and on the coast (defined as anywhere outside settlements within Table 4.3 Settlement Hierarchy) will only be allowed exceptionally, where a rural or coastal location is essential (policy CSD3).

4.4.3 According to **policy SS2** the core long-term requirement is to deliver 738 dwellings a year on average from 2019/2020 to 2036/2037.

4.4.4 **Policy SS3** outlines that Development within the district is directed towards existing sustainable settlements and a new sustainable garden settlement south of the M20 near Westenhanger to protect the open countryside and the coastline, in accordance with policy SS1. Change in settlements will be managed to contribute to their role within the settlement hierarchy and local place-shaping objectives, to promote the creation of sustainable, vibrant and distinct communities. 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.

4.4.5 **Policy CSD1** addresses balanced neighbourhood. 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.

#### 4.5 National Planning Policy Framework (NPPF) (2021)

4.5.1 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.

4.5.2 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.

4.5.3 **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.
- 4.5.4 So that sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development.
- 4.5.5 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.
- 4.5.6 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.

#### Local Need

- 4.5.7 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**.
- 4.5.8 **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

- 4.5.9 **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.
- 4.5.10 **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.
- 4.5.11 **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.

#### High Quality Design

- 4.5.12 **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.
- 4.5.13 **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.

- 4.5.14 **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.
- 4.5.15 **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.

#### **4.6 Shepway District High Level Landscape Appraisal (2017)**

- 4.6.1 Shepway District Council (now Folkestone and Hythe District Council) commissioned AECOM to undertake a High Level Landscape Appraisal (HLLA) of the whole of Shepway District in 2017.
- 4.6.2 The purpose of the HLLA is to inform a strategic review of the likely relative impacts of strategic level development in various locations. It is intended that the HLLA will inform opportunities and constraints for growth with regard to landscape character and visual amenity, alongside other key evidence based documents.

#### **4.7 Sandgate Village Design SPD (2013)**

- 4.7.1 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'.
- 4.7.2 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.
- 4.7.3 The Sandgate Village Design Statement was subject to fairly extensive public consultation over the course of approximately 6 months. Overall, the document will be afforded some weight in the determination of planning applications in the Sandgate area.

## 5 Planning Considerations

### 5.1 Introduction

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

5.2.1 The principle of residential development is acceptable on the site as a whole, in that Policy SS3 of the Core Strategy (2013) permits new residential infill development within the established settlement hierarchy subject to material planning considerations which are set out in this Statement.

5.2.2 As previously stated, the site is located between Folkestone and Hythe and sits within the Sandgate character area. Policy SS3 of the Core Strategy identifies Folkestone as the Sub-Regional Town, which will '*accommodate substantial Folkestone residential, commercial and social development. To provide improved (inter-) national transport links, and a good choice of employment, retail, cultural/leisure and public services for the whole of Shepway, adjoining districts and visitors*'. 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, especially where available sites could be used more effectively.

5.2.4 The proposals seek to demolish a dwelling in an increasing state of disrepair and replace this with 4 no. 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 an additional dwelling on the

footprint of the tennis courts under reference 16/O450 and so it has already been accepted in principle that the site is suitable for redevelopment.

- 5.2.5 Part of the site is residential garden land, the redevelopment of which is supported by Policy HB10 of the Places and Policies Local Plan, subject to specific criteria which is considered in section 5.4 below.
- 5.2.6 For the reasons given above, the principle of providing additional residential accommodation is in accordance with the policies contained within the development plan and the net gain of three residential dwellings on the site would contribute toward the District's housing target. This was supported by the case officer during the determination of the previous application. Therefore, it is considered that the proposed development of additional housing in this location would be acceptable in principle.

### **5.3 Sustainability**

- 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. The development is considered to bring economic, social and environmental benefits that would outweigh any perceived harm the proposal may bring.

#### Economic Role

- 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

- 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

- 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;

- 1m deep window reveals to south facing windows along the top storey to reduce solar gain;
- Black 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 Design and Impact on the Character and Appearance of the Area

- 5.4.1 It is important to firstly note that whilst both the submitted Planning Statement and the Case Officer's committee report for refused application 20/1356/FH state that the appeal site lies within a Special Character Area, this Local Plan 2003 policy has since been superseded by the adoption of the Places and Policies Local Plan 2020 and therefore carries no weight in the determination of this application.
- 5.4.2 It is however acknowledged that the description of this area contained within the policy is still relevant; the area being characterised by expanses of trees on the hillside falling down to the sea with dwellings apparent to a greater or lesser extent bedded against the trees on the wooded hillside.
- 5.4.3 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.

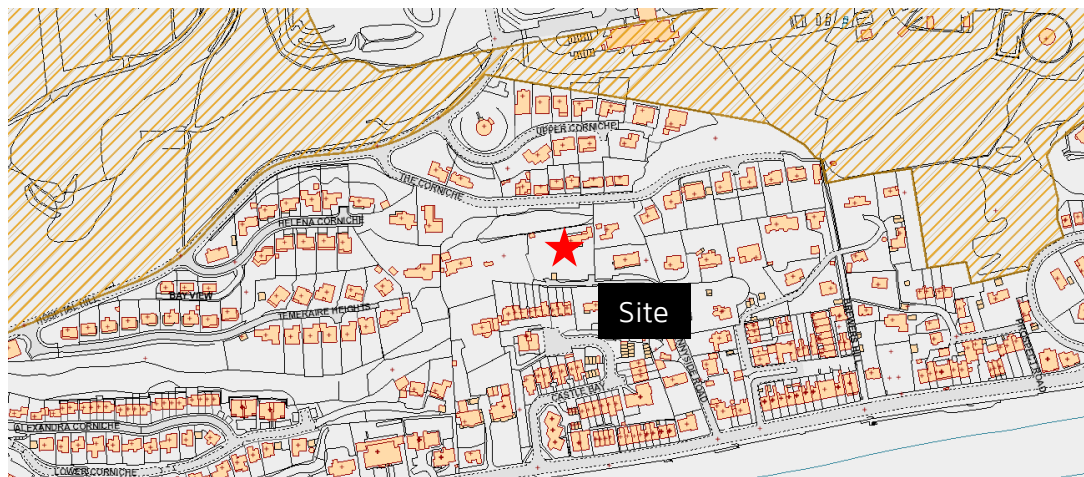


Figure 5.1: Planning Policy Map (FHDC website)

- 5.4.4 Application 20/1356/FH was refused on the grounds that the layout, bulk and scale of the development would fail to protect or enhance the special character of this LLA, despite being supported by planning officers. This section therefore seeks to set out how the amended scheme is acceptable in terms of design and impact on the character of the area and the wider LLA.
- 5.4.5 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. As such, the scheme proposed as part of this re-submission has been substantially reduced in size and scale in order to protect this area of local landscape character.
- 5.4.6 A High Level Landscape Assessment was carried out for the whole district in February 2017 by Aecom for the Council; and the site is included within the 'Hythe Wooded Hills' character area. The assessment states that the character area is almost entirely made up of housing, all of which is on hills with views out towards the sea. The overall landscape sensitivity has been ranked as medium (+1) with a note that development in the area could 'potentially' result in the loss of the characteristic wooded nature of the hills.
- 5.4.7 The Sandgate Village Design Statement 2013 also identifies the site as falling within 'The Esplanade' Character Area, which is a long linear area, contained by the lower escarpment slopes on its northern side and the sea. The Statement sets out that the scale of development in this area is three+ storey, terraced and detached with vertical emphasis in style and building form
- 5.4.8 As set out in the planning history section, it is recognised by both Planning Officer's and the applicant that this part of Sandgate has been significantly redeveloped over time. Indeed 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.
- 5.4.9 In terms of the impact of the proposal on the character of this area, it was agreed by planning officers during the determination of application 20/1356/FH that the site is on an appropriate size to accommodate 4 no. detached dwellings and is comparable in terms of scale, layout and spacing to existing development in the surrounding area.
- 5.4.10 The pattern and grain of development in the surrounding area was analysed during the design process, through the preparation of a Nolli Plan and the proposed layout has been designed to reflect the existing building line and the irregularity of plot shape and size, as set out in figures 5.2 and 5.3 overleaf.



Figure 5.2: Nolli Plan - Existing Site (Hollaway)



Figure 5.3: Nolli Plan - Proposed Site (Hollaway)

- 5.4.11 The existing site Nolli Plan shows that the density of existing development in the surrounding area is much higher to the north and south of the site and in line with the findings of the Council's High Level Landscape Assessment which states that the area is almost entirely made up of housing.
- 5.4.12 The proposed Nolli plan demonstrates that the proposed layout is in keeping with the pattern of irregularly spaced plots within the area and the footprints of the proposed dwellings are comparable in size with those nearby. When viewed in



comparison to the residential developments to the north and south, the application site has accommodated a similar layout to those surrounding it, with large areas of open space retained. The development can therefore be appropriately accommodated on site without appearing cramped or causing harm to the character and appearance of the surrounding area. It is also further submitted that the proposal protects the special character of the Sandgate Escarpment LLA.

- 5.4.13 In terms of green space, the proposal differs significantly from the refused scheme. Whilst the number of units remains the same, these units have been reduced in scale and height from 3 to 2 storeys and carefully designed to be set into and blend with, the vegetated slopes of the site.
- 5.4.14 Whilst some green space has inevitably been lost through the placement of the dwellings themselves, significant openings between the buildings have been retained; achieved through reduction in scale) to ensure green views though the development towards the wooded escarpment and therefore retain the characteristic wooded nature of the hills in the Sandgate Escarpment LLA to the north of the site.

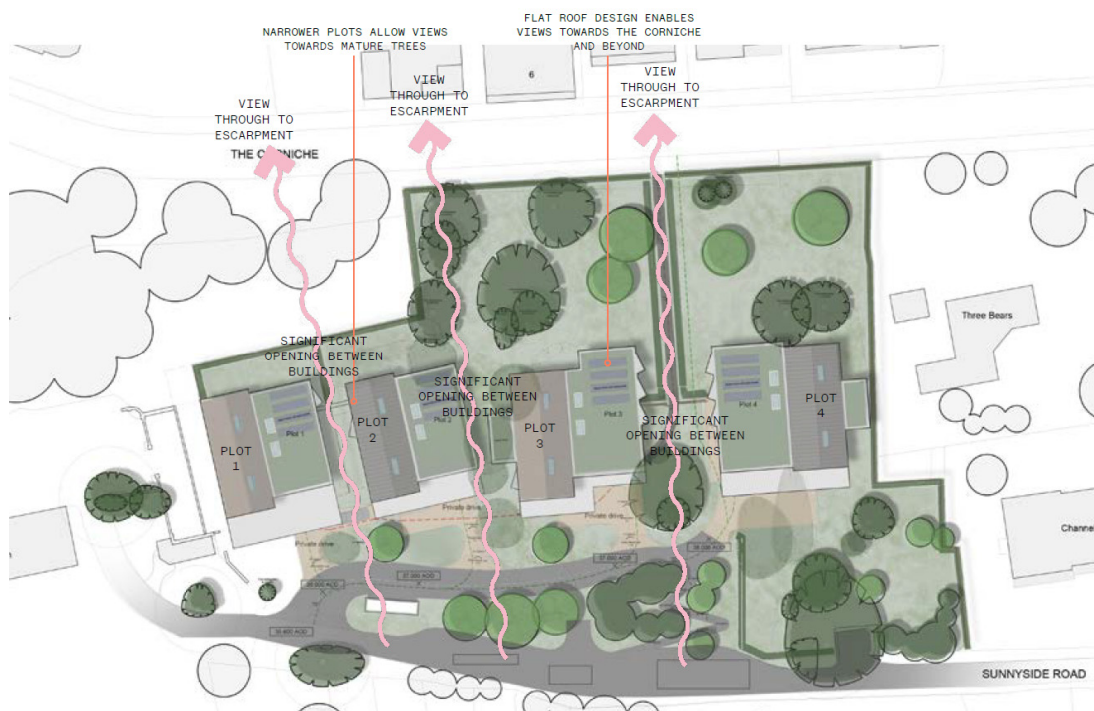


Figure 5.4: DAS extract demonstrating the proposed green spaces and views (Hollaway)

- 5.4.15 A high quality landscaping scheme is also proposed 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.

- 5.4.16 In terms of appearance, the dwellings are to be two storeys in height 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.
- 5.4.17 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 be appear visually intrusive or dominant from Sunnyside Road, Castle Bay or Sandgate Esplanade, (see figure 5.5 below).



**Figure 5.5:** Visual extract from the DAS (Hollaway)

- 5.4.18 This revised design has sought to address the concerns raised by Members during the refusal of application 20/1356/FH and it is considered that through the reduction in scale and bulk of the proposed dwellings and the revised layout, that the scheme can be appropriately accommodated on site without appearing cramped or causing harm to the character and appearance of the surrounding area, including the Sandgate Escarpment Local Landscape Area.
- 5.4.19 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 considered to accord with policies HB1, HB2 and HB10 of the Local Plan, policy CSD1 of the emerging Core Strategy review as well as the guidance contained with the Sandgate Village Design SPD and the NPPF.

## **5.5 Residential Amenity**

- 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, and obscure glazing.
- 5.5.4 A Sunlight and Daylight note is submitted in support of this application and 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, Parking and Access**

- 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. The new 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.
- 5.6.2 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.
- 5.6.3 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.

- 5.6.4 A separate pedestrian staircase access is proposed from Sunnyside Road to link to the new internal road for ease of movement. 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 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.
- 5.6.5 An emergency fire access route is proposed from the Corniche via a stepped pathway.
- 5.6.6 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.
- 5.6.7 It is further noted that, planning permission has previously been granted for an additional dwelling on the site on the footprint of the existing tennis court (ref. Y16/1450/SH). 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.
- 5.6.8 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**

- 5.7.1 An appropriate and sensitive, high-quality landscaping scheme is proposed, in order to help the dwellings assimilate on site, and remain in-keeping with the character of the surrounding area.
- 5.7.2 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.
- 5.7.3 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 hedging and planting between the dwellings to soften the scheme further.
- 5.7.4 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.
- 5.7.5 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 improve insulation, and encourage the introduction of increased wildlife and biodiversity to the area.

- 5.7.6 An Arboricultural Impact Assessment and Method Statement was undertaken by Greenspace Ecological Solutions in September 2020 and updated in October 2021. The survey results found that the trees within the survey area vary considerably in terms of quality and contribution to the amenity value within the local area.
- 5.7.7 Whilst the dwellings have been carefully sited in order to minimise any impact on the existing trees, a small number of 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.
- 5.7.8 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.
- 5.7.9 Further the proposed service runs will not have any impacts on existing trees within the site.

## **5.8 Ecology**

- 5.8.1 In terms of ecology, a Preliminary Ecology Appraisal was undertaken by Greenspace Ecological Solutions in August 2020. 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, of the trees to be removed, three of these 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 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.
- 5.8.6 It is noted during the determination of refused application 20/13596/FH that residents referred to badgers living in the area. The ecological survey says no evidence of badgers was found on the site and whilst it is acknowledged that no ecology survey can express 100% confidence in the results, reasonable effort to determine the presence/ likely absence of badgers within and around the site was applied by the ecologist and no field signs or evidence of use by badgers or their setts were recorded. As a result of geological and topographical occurrences within and around the site's geographic location, the area is known to support a healthy



badger population, and consequently it is not unexpected that visual observation of badgers passing through the site has been identified.

- 5.8.7 It is noted that current legislation protects badger setts from obstruction, destruction and obstruction, and the badgers themselves from injury, cruelty and disturbance, however as development of the site would result in no direct impact to badgers or their setts, no sett closure licence from Natural England is required.

## **5.9 Land Stability**

- 5.9.1 A Land Stability Report has been prepared by KSI Ltd. and accompanies this planning application. The report reviews the proposed development on site and assesses any potential impact the development may have on the surrounding stability of the area.
- 5.9.2 Overall, the report finds that the proposed construction of four dwellings will 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 will reduce the head weighting at the backscar of the 1983 landslip.
- 5.9.3 The report suggests that the development uses piled foundations incorporating permanent concrete retaining walls, and that surface water disposal should be through positive drainage rather than soakaways. If these recommendations are followed, the proposed works are not considered to have an adverse effect on the site, surrounding land or property.
- 5.9.4 The report also states that the proposed use of shallow piled slab foundations means that no barrier to ground water running down the slope is introduced. It is therefore considered that the proposed work will have a negligible effect on the ground water within the slope and therefore will not cause any concentrations of ground water within the slope which could have an adverse effect on slope stability. Surface water is proposed to be drained to the main sewer.
- 5.9.5 Further to this, the site lies within Flood Zone 1, and therefore has a low probability of flooding. Therefore flood risk would not be considered a constraint to the proposed development.

## **6 Summary and Conclusion**

### **6.1 Summary**

- 6.1.1 The proposed development seeks to provide 4 high-quality residential dwellings with associated amenity areas, parking and landscaping following the demolition of the existing dwelling at Hillboro, Sunnyside Road, Sandgate.
- 6.1.2 The proposed design and layout has 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 initial pre-application and previous refused application.
- 6.1.3 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.
- 6.1.4 The scheme has been redesigned in terms of layout, scale and massing in order to alleviate the Council's concerns regarding the development's impact on the Local Landscape Character Area. The result is a 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 dwellings can be integrated into the area without material harm to its character.

### **6.2 Conclusion**

- 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.