

*Chapter Eight*

# **DEVELOPMENT AND DESIGN**

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## DEVELOPMENT AND DESIGN

### INTRODUCTION

**8.01** The Council is committed to improving the overall quality of the District's built environment. It is supported by the Government through, in particular, PPG1, which requires the Council to consider design matters. This chapter sets out the general criteria for the design of new development in the District. Development affecting buildings and areas of historic or architectural interest is considered in Chapter 9, while additional design policies for the planned expansion of Aylesham are considered in Chapter 14.

### Applying the Plan's Aims and Objectives

**8.02** The siting and design of development can further sustainability (Aim 1) in several ways. For example, the orientation of buildings and materials used can save energy through lower heating costs (Objective 5), design flexibility can lengthen the useful life of a building (Objective 7) and consideration of the amenity value of open space is a design issue (Objective 3).

**8.03** An attractive built environment not only provides a better quality of life for local people, it also encourages visitors and investors. In this way, design can support Aim 2, especially Objective 21.

**8.04** Physical access to buildings and the spaces between buildings affect people's ability to use the environment. In line with Aim 3, design can be used to help achieve greater accessibility (Objective 22) and create a better quality environment (Objective 23).

### Development and Design Strategy

**8.05** Based on the Aims and Objectives, the Plan's Development and Design Strategy will seek to:-

- (a) create a more sustainable pattern of development;
- (b) improve the general attractiveness of the District's built environment, by encouraging a high standard of design for all development;
- (c) promote the issues of safety and accessibility in all development;
- (d) encourage energy efficient development; and
- (e) use design to help minimise the harmful environmental impacts of development.

**8.06** The ability of the Plan to fully implement this Strategy is limited. For example, improving the overall quality of development is a very long term goal, and planning control over matters such as energy and accessibility standards for new buildings are limited. Nevertheless, the Plan can directly influence the design of new development and, together with other Council functions, especially Building Control, encourage developers to adopt good practice to meet accessibility and energy efficiency objectives.

### GENERAL DESIGN CRITERIA FOR NEW DEVELOPMENT

**8.07** This set of design criteria is not intended to stifle originality and initiative. Rather, it forms a broad framework within which ideas can be developed. This will help places evolve, improve and benefit the local community. In order to protect, enhance and create an attractive built environment, the Council will expect proposals to take account of the following:-

- (a) The pattern and role of space between buildings should be considered. Existing functions and activities must be respected where they contribute to environmental quality and sense of place. Introducing beneficial new functions and activities should also be considered.
- (b) The siting and scale of new buildings in relation to those existing.

- (c) Architectural styles should respect the surroundings. Mixing different styles successfully is extremely difficult and should normally be avoided.
- (d) Functional needs of new development such as accessibility, particularly for people with physical or sensory disabilities, future adaptability to lengthen a building's life, car and cycle parking and playspace must be taken into account and should be considered an integral part of the design.
- (e) Hard and soft landscaping should be considered an integral part of the design.
- (f) Landscape character should be respected. This includes the prevailing landform as well as landscape features such as trees and hedgerows. For example, using sloping or undulating ground as an element in the creative process rather than levelling inconvenient changes in height.
- (g) External materials should be appropriate to their surroundings.
- (h) The layout of buildings, private gardens and grounds, open spaces, footpaths, cycleways, parking and roads should be both functionally and aesthetically well designed and made to help reduce the fear and risk of crime.
- (i) Environmental impacts such as air, water, light and noise pollution should be anticipated and overcome.
- (j) Privacy and general amenity should be safeguarded from, for example, overlooking or overbearing impacts.
- (k) Energy efficiency measures should be considered in the design and layout of development. Opportunities for maximising solar gain should be achieved through the use of solar panels, glazing and orientation. High wind speeds around development, which can contribute to heat loss, should be minimised by considering the landform and prevailing landscape features including the need for new landscaping.



*The character of this area of Sandwich owes much to the spaces between the buildings*

**3.08** Further design guidance will be provided in a 'Dover Design Guide'. Once adopted by the Council, this document will be supplementary to the policies in this chapter. 'Kent Design', produced jointly by Kent County Council and the District Councils provides design guidance, the DTLR and CABE's 'Better Places to Live' and the former Department of the Environment's and Department of Transport's 'Places, Streets and Movement - a Companion Guide to Design Bulletin 32', which considers residential roads and footpath layouts.

## **Policy DD1**

**Proposals for development will not be permitted unless they are acceptable in terms of:-**

- (i) layout and functional needs of the development;**
- (ii) siting, massing and scale of new buildings;**
- (iii) architectural style and materials;**
- (iv) spatial and visual character of the surrounding area;**
- (v) landform and landscaping;**

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- (vi) **privacy and amenity, including the avoidance of pollution;**
- (vii) **crime prevention measures; and**
- (viii) **energy efficiency.**

### ***Environmental Appraisal***

*The policy strongly supports the Objectives of limiting increases in pollution levels, energy efficient development and the generation of energy from renewable resources. No Objectives are adversely affected.*

## **Energy**

**8.09** Energy conservation and the use of renewable energy sources will help reduce global warming and the demand for non-renewable energy (see also Chapter 7). New dwellings and conversions to dwellings are required to meet an energy rating standard - known as the Standard Assessment Procedure (SAP). An acceptable SAP rating, which is administered as part of the Council's Building Control function, depends on a range of energy conservation measures being adopted.

**8.10** The layout, and design of new development can make a positive contribution to energy conservation. For example, the main renewable energy source is heat from sunlight. Through careful positioning and design, the sun's heat can be trapped. Similarly, the micro-climate around buildings needs to be considered, as the use of windbreaks in exposed locations saves heat. Energy saving and lighting is considered in Chapter 7.

**8.11** A more active means of tapping the sun's energy store is provided by the use of solar panels (see also Chapter 7). Their wider use is encouraged, particularly in new buildings where panels are incorporated at the design stage. Planning permission is not always required but, when it is, the Council will have regard to conservation, design and amenity considerations. In conservation areas and on listed buildings, solar panels will only be acceptable if they are located either behind a parapet on a flat roof or within hidden valley slopes of pitched roofs - so that the panels cannot be seen from the ground.

**8.12** Heat loss from buildings also needs to be minimised. This can be achieved by using particular construction methods and materials. However, the Council's Building Control function will encourage the adoption of higher insulation standards than the required minimum.

**8.13** In large schemes, the Council will expect applicants to consider the feasibility of introducing Combined Heat and Power/District Heating and heat recovery/ventilation systems at the design stage.

### **Policy DD2**

**Permission for the installation of solar panels will be granted provided that the proposal does not result in a change in the appearance of the property which is detrimental to its character or to the character of the surrounding area.**

### ***Environmental Appraisal***

*The policy strongly supports the Objectives of more energy efficient development, the generation of energy from renewable resources, limiting increases in pollution levels and protecting and enhancing the historic environment. No Objectives are adversely affected.*

**8.14** Access affects everyone, not just those with a physical or sensory impairment. PPG1 firmly establishes accessibility as a planning issue, and affirms that its concern extends beyond entry to buildings to include the ease of movement within them and the spaces between them. Consequently, the Council will seek to ensure that 'mobility features', such as dropped kerbs, are included in development proposals. Chapter 4 considers access and mobility in more detail. Such measures not only help the disabled but ease the movement of all, ensuring that everyone in the community has equal access to, and use of, the full range of facilities being planned. The Council's Access Officer will be pleased to advise on best practice.



*Wheelchair/pushchair ramp*

**8.15** Current legislation on access is designed to benefit the disabled and is concerned with buildings. Developers have a statutory responsibility to provide for disabled people under the Chronically Sick and Disabled Persons Act 1970 (as amended) and Building Regulations when carrying out particular types of development.

**8.16** Where these provisions do not apply, the Council will follow the advice of its Access Officer and DETR Circular 10/82 in forming a view on applications for planning permission. The Circular enables the Council to require facilities for the disabled in developments for use by the public. These facilities are also much appreciated by the elderly, and by people with prams and pushchairs. Planning permission will normally be refused if these facilities are not provided. However, the Council recognises that historic sites may have particular constraints which restrict the level of access possible. Chapter 10 considers the housing needs of the disabled.

### **Policy DD3**

**Proposals for development, which involve public use, will only be permitted if adequate arrangements are made to allow access by all people, unless the historic environment would be adversely affected.**

### ***Environmental Appraisal***

*The policy strongly supports the Objective of protecting and enhancing the historic environment.  
No Objectives are adversely affected*

## **RESIDENTIAL DEVELOPMENT**

**8.17** A major part of anyone's life is spent in or around the home. Dwellings take more land than any other use and comprise the bulk of any built up area. Accordingly, the siting, layout and design of new dwellings, the spaces around them, and proposals for alterations and additions play a very important role in the quality of life of local people. The following specific guidance supplements the general design principles set out in paragraphs 8.07-8.16.

### **Private Garden Space**

**8.18** The Council considers that a private garden makes a vital contribution to family leisure activities and quality of life. Private garden space is also important to the visual quality of an area. An attractive and distinct residential character can be formed wholly or in part by the size, form and layout of the gardens surrounding the properties. As well as providing spaces between buildings, they can also provide opportunities for landscaping and planting all of which can enhance the appearance of an otherwise built up area. All family dwellings, defined as dwellings with two or more bedrooms, must have adequate private garden space. The Council will adopt the following criteria in assessing private garden space in proposals for family housing:-

- (a) Privacy. This is achieved through a combination of remoteness and screening. Remoteness refers to the separation of dwellings from each other to prevent significant overlooking, while screening up to eye-level can be achieved by the use of design elements and landscaping. Trees help screen above eye-level.
- (b) Enclosure. Whereas a certain amount of enclosure is necessary for privacy and security, this should be done in moderation to prevent a visually oppressive or compound-like space. Similarly, an excessive sense of enclosure should not result from neighbouring property or natural features such as trees.
- (c) Accommodating domestic activities. Sufficient space must be available to provide an area for drying clothes, storage space and an usable amenity area. The last should be large enough to enable people to sit outdoors in privacy, grow plants, house pets and allow children to play.
- (d) Respecting and enhancing visual quality. Garden space should be provided which respects the prevailing character of the area as shaped by the size, form and layout of garden areas. This includes the role of garden space in providing gaps between dwellings and between the front of the dwelling and the highway. Gardens should also be of a sufficient size to allow for landscaping and new tree planting without the risk of damage by tree roots to the foundations of dwellings.

**8.19** The size of private garden space will need to reflect the size and needs of the dwelling concerned, its relationship with existing and proposed neighbouring properties and the character of the surrounding area. The Council will produce further guidance, which will be a material consideration when determining proposals under Policy DD4.

### **Policy DD4**

**Proposals for family dwellings will only be permitted where private garden and amenity space is provided commensurate with the size of the dwelling, the character of its surroundings and the protection of amenity interests of prospective and neighbouring occupiers.**

### ***Environmental Appraisal***

*The policy supports the Objective of protecting and enhancing the historic environment. No Objectives are adversely affected.*

### **Playspace**

**8.20** Children's playspace requirements are considered in Chapter 12 and Appendix 2.

### **Small Sites and Infilling**

**8.21** Small sites often become available for development in urban areas. They are difficult to define precisely but may be seen as filling gaps in an otherwise complete residential environment. In villages (as identified in Chapter 10), infilling is defined by the Structure Plan as the completion of an otherwise substantially built up frontage by the filling of a narrow gap capable of taking only one or two dwellings.

**8.22** However, this does not mean that all gaps falling within these broad definitions are suitable for development. Indeed, not all sites within identified village confines will be appropriate for development. Spaces in built up areas are fundamental to environmental quality and identity. In rural areas, gaps may emphasise a village's rural location and character by giving views of the countryside.

**8.23** In sustainability and strategic terms, where a greater density of development is possible in an urban area, the best use should be made of urban land. However, it is undesirable to overcrowd an area, or destroy its visual harmony and character through ill-conceived building - a process known as town-cramming. Development of public and private open space, including the subdivision of an existing private garden space, will not be permitted where the prevailing spatial character of the area is harmed or environmental quality adversely affected.

**8.24** Where infilling or development of a small site is allowed, respect must be given to the character of the immediate surroundings.

### **Policy DD5**

**Proposals for infilling or development of a small site will be permitted provided they:-**

- (i) are consistent with the spatial and visual character of the area; and**
- (ii) respect the style, scale and amenity of adjoining properties.**

### ***Environmental Appraisal***

*The policy supports the Objective of protecting and enhancing the historic environment. No Objectives are adversely affected.*

## **Backland Development**

**8.25** Backland development typically involves subdividing the curtilage of an existing dwelling to create a site at the rear. The new site may share its access with the existing dwelling and is often such a distance from the highway, that adequate arrangements for refuse collection and emergency vehicles cannot be made.

**8.26** This type of development can result in unacceptable levels of noise, disturbance and loss of privacy. This is due to inadequate separation between the existing and proposed dwellings, and over-concentration of activity. New buildings can cause a loss of visual amenity, as they seldom relate to the existing pattern and style of development. The loss of private garden space can also detract from the visual and spatial character of the area. However, with careful design, there may be instances when these problems can be overcome.

### **Policy DD6**

**Backland development will not be permitted unless:-**

- (i) proposed and existing properties will not suffer a loss of amenity through noise, disturbance, overlooking, an unacceptable sense of enclosure or degree of overshadowing;**
- (ii) the proposed development would not adversely affect the visual or spatial character of the area; and**
- (iii) adequate access arrangements can be made, including that for refuse collection and service vehicles.**

### ***Environmental Appraisal***

*The policy works towards the Objective of protecting and enhancing the historic environment. No Objectives are adversely affected.*

## **Replacement Dwellings in the Countryside**

**8.27** To protect rural areas from general development, replacement dwellings will not be acceptable unless the existing dwelling is a permanent structure in lawful residential use, is capable of continued residential use with the benefit of permitted development rights and is neither of architectural nor historical interest.

**8.28** If all the above tests are satisfied, the size and prominence of the replacement dwelling need to be considered. The siting, scale or site coverage of new buildings must not dominate or be unduly prominent in the local landscape. The proportions and footprint of the existing dwelling will be taken as a guide. The Council will also consider the possible effect of several replacement dwellings being built in the area, as the countryside's appearance could be significantly changed by cumulative development. These considerations are particularly important in the Area of Outstanding Natural Beauty and Special Landscape Areas.

**8.29** Ancillary buildings often accompany the existing dwelling. These can be in a poor state of repair and in positions which detract from the appearance of the countryside. To remedy this, the Council will seek measures to ensure that this type of building is removed from the site before any replacement dwelling is occupied.

### **Policy DD7**

**Proposals for replacement dwellings in the countryside will not be permitted unless the existing dwelling is:-**

- (i) a permanent structure in lawful residential use;**
- (ii) capable of continued residential use with the benefit of permitted development rights; and**
- (iii) of no architectural or historical value.**

**And its replacement:-**

- (iv) will not detract from the character of the surrounding area;**
- (v) is appropriate in its siting, scale and site coverage having regard to the existing dwelling; and**
- (vi) is acceptable in the materials, style and form of construction.**

**Legal agreements will be sought or conditions imposed to secure the removal of the existing dwelling and any existing unsightly ancillary buildings.**

### ***Environmental Appraisal***

*The policy strongly supports the Objective of protecting the countryside from development. It works against the Objective of recycling redundant resources before new resources are exploited*

### **Domestic Extensions and Ancillary Development**

**8.30** Domestic extensions and free standing buildings, which are closely related, make up a high percentage of all development. Such development must be well-designed to protect residential character and amenity. Although the wide variety in design, size and location of dwellings means that each needs to be considered individually, the following general principles apply to all proposals:-

- (a) the proposal must be sympathetic in scale, massing and form to the existing dwelling and the surrounding properties;
- (b) materials for walls and roof, and the window pattern must, as far as practicable, be consistent with the existing dwelling;
- (c) the conversion of roof spaces into living accommodation will only be acceptable if dormer windows do not exceed the ridge height and are in proportion with the existing roof form;



- (d) replacement of roof structures to permit living accommodation may be acceptable if the finished ridge height reflects adjoining dwellings and is in keeping with the proportions of the rest of the existing dwelling;
- (e) extensions to dwellings with pitched roofs should also have a pitched roof unless specific circumstances warrant otherwise, for instance, if it is an extension to an existing flat roofed extension, or the extension is very small or unobtrusive;
- (f) a significant loss of privacy through overlooking must not result;
- (g) an unacceptable degree of overshadowing or sense of enclosure to other property must not result - a 45° Code will be used to assist in assessing this and will be detailed in the 'Dover Design Guide'; and
- (h) there must not be a significant loss of garden space so as to adversely affect the spatial character of the area.

**8.31** Extensions or ancillary building must not adversely affect the appearance and amenity of the surrounding area. In the countryside, Structure Plan Policy RS5(iv) allows for the modest extension of a dwelling. The definition of modest will depend on individual circumstances and advice on this is found in the supporting text to that Policy. Therefore, in addition to the design requirements set out in paragraph 8.30, proposals for extensions in the countryside must also have particular regard to the:-



*Domestic extension giving appearance of a 3rd cottage*

- (a) present size of the dwelling;
- (b) degree to which extensions may result in intensification of use;
- (c) effect on the dwelling's appearance, and its setting and prominence in the landscape;
- (d) need to conserve the landscape;
- (e) adequacy of the existing accommodation; and
- (f) role of the extension in the reasonable enjoyment of the dwelling and any other special needs the occupant may have.

**8.32** Particular care must be taken within the Area of Outstanding Natural Beauty, where Policy DD20 also applies.

### **Policy DD8**

**Proposals for extensions and ancillary buildings to residential property will be permitted provided they:-**

- (i) are acceptable in design, scale, massing and form;**
- (ii) are constructed from materials respecting the existing dwelling;**
- (iii) are of an acceptable site coverage; and**
- (iv) do not result in the loss of residential amenity to neighbouring property.**

**Additionally, proposals in the countryside should not adversely affect the character or setting of the countryside.**

## ***Environmental Appraisal***

*No Objectives are affected.*

### **Accommodation for Dependent Relatives**

**8.33** In cases of dependency, there is often a need for people to live as an extended family and/or for special facilities to be provided as part of the home. This is often accompanied by a desire to retain some level of independence.

**8.34** Assuming that the extension meets the criteria in paragraphs 8.30-8.32 and is of a size appropriate to the needs of the occupier, accommodation for dependent relatives would be acceptable, provided an entirely independent dwelling does not result once the need has ceased. An independent dwelling would require its own private garden space, access arrangements and car parking, and would be likely to result in an over-intensive use of the site. Occasionally, it is proposed to erect or convert a free standing building within the curtilage of a dwelling to meet the needs of a dependent. This is more likely to result in an independent dwelling, which could be injurious to the character and amenities of the area in which it is situated. Where such accommodation is proposed, it should first be established that an appropriate level of accommodation cannot be provided as an extension to the main dwelling.

#### **Policy DD9**

**Accommodation for dependent relatives will not be permitted unless:-**

- (i) it is acceptable within the terms of Policy DD8;**
- (ii) it is of a size and design appropriate to the needs of the intended occupant; and**
- (iii) it is designed and located so as to revert to single family accommodation as part of the main dwelling once the need has ceased.**

**Conditions will be imposed on any planning permission to ensure that an independent dwelling does not result.**

## ***Environmental Appraisal***

*The policy supports the Objective of restricting development in rural settlements other than very limited housing development or development to meet proven local social and employment needs. No Objectives are adversely affected.*

**8.35** A caravan or mobile home can be sited in a dwelling's garden and used as ancillary accommodation to that dwelling without the need to make a planning application. However, if the caravan or mobile home is used in a significantly self-contained way an application will be needed; but only in very exceptional circumstances will permission be granted. This exception may be made if the occupation of the mobile home would only be for a short period, for example, if the occupant will be moving to alternative accommodation or medical evidence indicates that the need is unlikely to be long-term. Any such accommodation must be carefully sited to prevent it being visually intrusive and causing disturbance to nearby residents.

#### **Policy DD10**

**Self-contained temporary accommodation for dependent relatives will only be permitted if:-**

- (i) a need can be established;**

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- (ii) it would not be practicable to extend the main dwelling house on the site;
- (iii) it would be of a size appropriate to the needs of the intended occupant;
- (iv) the temporary accommodation would not adversely affect the character of the area in which it is situated;
- (v) a loss of amenity to nearby residents would not result; and
- (vi) the temporary accommodation is removed as soon as the need ceases.

### ***Environmental Appraisal***

*The policy supports the Objective of restricting development in rural settlements other than very limited housing development or development to meet proven local social and employment needs. It is likely to work against the Objective that development be more energy efficient*

### **Crime Prevention**

**8.36** Crime prevention has been established as a planning matter by Circular 5/94. The layout and design of residential development must take the security of people and property into account.

**8.37** In assessing the security aspects of a proposed residential development, which incorporates a new road, the Council may consult the Kent Constabulary Architectural Liaison Officer. The Police's 'Secured by Design' initiative provides guidance on good practice. For example, residents should be able to see visitors and control access to their premises, and footpaths and roads should be open to view, lit at night and should not provide hiding places. However, such measures should be incorporated without compromising other design principles.

### **Policy DD11**

**Proposals for new dwellings will not be permitted unless the layout incorporates measures to protect the security of people and property. Such measures must be acceptable in design, historic environment and transport terms.**

### ***Environmental Appraisal***

*No Objectives are affected.*

### **COMMERCIAL DEVELOPMENT**

**8.38** The appearance of commercial buildings can be a cause for concern because of their:-

- (a) favoured locations being on prominent sites close to major roads;
- (b) scale, simple and regular geometry and lack of detailing;
- (c) finishes complying rigidly with a corporate image;
- (d) need for large areas of car parking and sometimes open storage/workspace; and



*Commercial building designed in keeping with rural setting*

- (e) street elevations, which do not always incorporate windows and doors, and the effect of this on street activity.

**8.39** In addition to the design considerations set out in paragraphs 8.07-8.16, the following specific criteria will apply to proposals for commercial development:-

- (a) the scale and character of the building should be carefully considered against the area in which it is set;
- (b) efforts should be made to break up the geometry of the building to avoid visual monotony by, for example, varying roof lines, landscaping, screening, earth bunding, and careful use of detailing and different finishes;
- (c) detailing should be used to avoid large expanses of featureless wall;
- (d) large areas of cladding, such as steel sheeting, must be avoided as they can cause the same problems as the lack of detailing on external walls. Cladding is generally unacceptable as a means of advertisement and can be unnecessary if not an integral part of the building's design. Brightly coloured materials may also be unacceptable if the building occupies a visually sensitive position, for example, near residential property, on a prominent site or in a conservation area; and
- (e) large areas of car parking, open storage or workspace are likely to be visually intrusive. Therefore, it is important to screen them and, in the case of car parking areas, to break them up by landscaping. Such landscaping should be an integral part of the design process.

**8.40** In addition to these considerations, commercial development must not otherwise prejudice the amenity of nearby residential property through noise and other forms of pollution, proximity or design. Crime prevention measures should be incorporated and developers are advised to take advantage of the Police's 'Secured by Design' initiative, which provides advice on best practice.

**8.41** Policy DD12 applies to the design of new commercial development. Chapter 3 considers the locations where such development may be acceptable.

### **Policy DD12**

**Where development is acceptable, proposals for commercial buildings will be permitted provided they:-**

- (i) **respect the scale and character of the surroundings;**
- (ii) **avoid monotonous geometry and / or finishes, particularly to elevations in prominent positions;**
- (iii) **incorporate comprehensive landscaping, particularly to screen car parking and any outdoor storage/works areas;**
- (iv) **incorporate crime prevention measures, including the avoidance of dead street frontages; and**
- (v) **do not prejudice the amenity of nearby residential occupiers.**

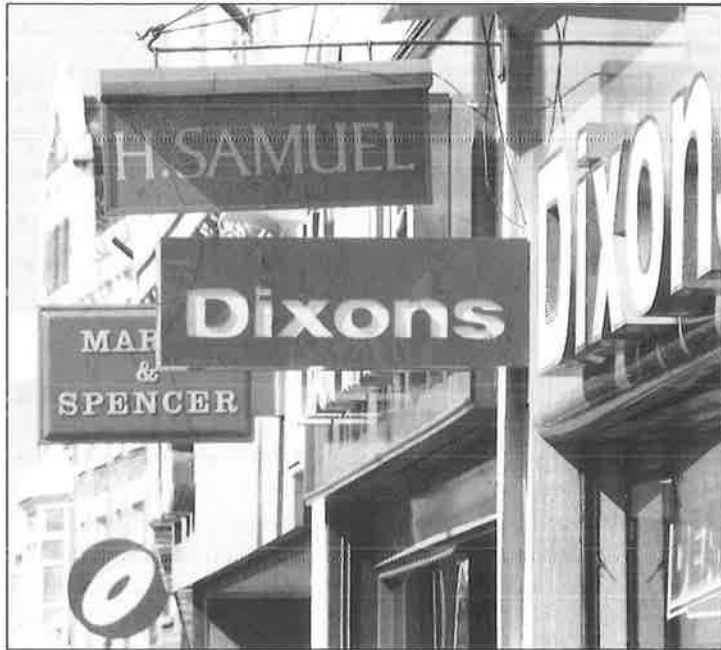
### ***Environmental Appraisal***

*No Objectives are affected.*

## ADVERTISEMENTS

**8.42** Advertisements are a major part of the street scene. They influence an area's character by drawing attention to a building, service, product or other activity. As a result, there is great potential for ill-conceived ideas to detract from the quality of the environment.

**8.43** The Town and Country Planning (Control of Advertisements) Regulations 1992 exempt a variety of advertising material from the need for the Council's consent. These categories are given in Schedule 3 of the Regulations (the Specified Classes). However, the Council can take action against advertisements which are detrimental to amenity or are dangerous. When the Council's consent is required, control may only be exercised 'in the interests of amenity and public safety'.



*High Street advertisements*

**8.44** Advertisement proposals are covered by the Advertisement Regulations and not the Town and Country Planning Act. Therefore the reference in paragraphs 1.15 and 1.16 to decisions having to be made in accordance with the development plan unless material considerations indicate otherwise, does not apply to policies DD13 to DD16. Their inclusion in the Plan as Council policy however, accords them greater weight as a material consideration.

### Business Premises

**8.45** Signs on business premises serve an important commercial purpose but must respect the area in which they are to be displayed. Signs must also respect the architectural composition, style and materials of the building to which they are attached and any features and detailing. These criteria will dictate size and placing, and will apply to fascia signs in particular.

**8.46** Projecting signs should not hang below a point 2.5m. (8 ft.) from footway level, be sited laterally less than 0.6m. (2 ft.) from the carriageway or conceal traffic signs. In general, signs should be restricted to ground floor level unless they relate to a business operating solely from upper floors.

**8.47** As a rule, the form and content of advertisements should be kept to a minimum. Large numbers of signs should also be avoided since they are likely to cause an unsightly clutter on a building. Equally, forecourt advertising should be kept to a minimum and be of a size and prominence appropriate to the area.

**8.48** Special care is required for advertisements on, or associated with, listed buildings and in conservation areas. In some cases, listed buildings are used for commercial purposes, such as shops and offices, and signs or other forms of advertisement will be needed. Advertisements must be designed and attached in a way that respects the building's character and the area in which they are located. Traditional materials should be used when dealing with traditional buildings. Modern approaches, such as internally illuminated perspex box signs will not be acceptable.

**8.49** In conservation areas, it is particularly important that designs and materials reflect the character of the particular conservation area. There is no standard pattern for this as the District's conservation areas vary widely in their character. Nevertheless, detailed guidance is desirable and the Council has published a leaflet entitled 'Design Guide No. 2: Shop Signs in Conservation Areas'. Contemporary approaches, such as perspex, may be unacceptable. Where illumination is appropriate, halo, trough or spot-lighting may be acceptable. This Guidance will be a material consideration when considering proposals under Policy DD13.

### **Policy DD13**

**Proposals for advertisements on business premises will only be granted express consent provided they:-**

- (i) respect the architectural style, composition and materials of the building to which they are attached;**
- (ii) respect any features or detailing of the building to which they are attached;**
- (iii) do not detract from the character of the area in which they are situated; and**
- (iv) do not prejudice public safety.**

**In addition, advertisements will not be granted express consent if they would detract from the particular character of conservation areas and listed buildings by virtue of their design, size, position, material, method of illumination and cumulative impact.**

### ***Environmental Appraisal***

*The policy is likely to work towards the Objective of reducing pollution. It also supports the Objective of more energy efficient development. No Objectives are adversely affected.*

**8.50** Illuminated advertisements generally require consent. These signs can be intrusive, and cause distraction and nuisance, depending on their location and level of luminance. They are especially inappropriate on listed buildings, in residential areas or close to residential property in other locations. The method of illumination chosen is also important, since some types of sign may be inappropriate to the character of the building to which they are attached. The Council will apply the standards for luminance set out in the Association of Public Lighting Engineers Technical Report No. 5 'Brightness of Illuminated Advertisements'. Other aspects of light pollution are considered in Chapter 7.

### **Policy DD14**

**Pursuant to Policy DD13, proposals to illuminate or for illuminated advertisements will not be granted express consent if they harm amenity and public safety, and will only otherwise be granted express consent where they comply with the standards set out in the Association of Public Lighting Engineers Technical Report No. 5.**

### ***Environmental Appraisal***

*The policy is likely to work towards the Objective of reducing pollution. It also supports the Objective of more energy efficient development. No Objectives are adversely affected.*

**8.51** To avoid a scatter of random advertising material, proposals for advertisements which are not attached to the premises with which they are associated will be controlled with particular care. This can be a particular problem in rural areas where excessive signage can spoil the appearance of the countryside. The Council considers that the interests of amenity will normally be best served by locating advertisements on the premises to which they relate. It is recognised however that some businesses, particularly those in the countryside may need to advertise their whereabouts. Where a business seeks advance or directional signs, the general considerations of amenity and public safety will be applied paying particular attention to the cumulative effect of such signs, the effect on the appearance of the countryside, if in a rural location, and any benefits or hazards to drivers of vehicles. Any advertisements displayed without consent will be subject to discontinuance action.

## **Policy DD15**

**Proposals for advertisements which are not displayed on the premises to which they relate will not be granted express consent unless they:-**

- (i) do not detract from the character of the area either in themselves or through cumulative impact;**
- (ii) do not detract from the appearance of any building to which they may be attached; and**
- (iii) do not prejudice public safety.**

**In addition, advertisements will not be granted express consent if they would detract from the particular character of conservation areas and listed buildings by virtue of their design, size, position, material and method of illumination.**

### ***Environmental Appraisal***

*The policy supports the Objectives of protecting the countryside and the historic environment. No Objectives are adversely affected.*

### **Area of Special Control for Advertisements**

**8.52** Part of the District's rural area is designated an Area of Special Control for Advertisements because very strict control is needed to ensure that its unspoilt appearance is maintained. This area was approved in 1958. New development, particularly at the urban edge of Dover together with the passing of time, has prompted its review. The designation could be extended over all the rural areas covered by the Kent Downs Area of Outstanding Natural Beauty and the North Downs Special Landscape Area. The Sandwich Bay SLA is also being considered as a new area of Special Control. Should these options be pursued, then the final approval of the Secretary of State will be required.

**8.53** In the Area of Special Control, strict limits on the type and size of advertisements apply. The Council will continue to support the Area of Special Control by refusing consent for any advertisement which would blemish the rural scene and by taking discontinuance action against unauthorised advertisements. The Council will also take discontinuance action against advertisements with deemed consent if they harm the amenities of the area.

### **Flyposting**

**8.54** Flyposting can seriously damage the appearance of an area and is a recognised problem in the District. While the proper siting of directional signs a day or so before an event may be tolerated, the random placement of advertisements is unacceptable. Such flyposting usually results in blanket coverage and is usually left in place until removed by the Council. Therefore, when it occurs, the Council may remove the offending material and will consider prosecuting those responsible for its display.

### **Hoardings**

**8.55** Advertisement hoardings will only be acceptable in specific circumstances. The 1992 Regulations expressly permit them to enclose building sites during construction work within specified limits. Elsewhere, the Council considers that hoardings should not become a permanent feature because they present a two-dimensional foreground. Moreover, such signs are likely to be out of scale with the street they front. However, short term consents may be forthcoming if a hoarding would serve to conceal an eyesore pending a scheme for a site.

## Policy DD16

**Advertisement hoardings will not be granted express consent except for a temporary period if they would serve to conceal a site awaiting or during development which would otherwise be detrimental to the street scene and are of a scale appropriate to the surroundings.**

### *Environmental Appraisal*

*The policy supports the Objective of protecting the countryside. No Objectives are adversely affected.*

## SHOPFRONTS

**8.56** Shopfronts contribute greatly to the character of shopping streets and the identity of individual buildings. In general, the design of new shopfronts should allow for people with mobility problems to gain access (see paragraphs 8.14-8.16). Design should also respect the proportions, composition and detailing of the building into which they are inserted. In particular:-

- (a) fascia boards should not encroach over the sills of first floor windows or any other detail of the building, and should also respect the scale of the building;
- (b) the detailing of doors and window frames should reflect the character of the building;
- (c) the design should incorporate a stall riser, which is in proportion to the building;
- (d) display windows should respect the scale of the building;
- (e) materials should complement the building and should not be arbitrarily mixed; and
- (f) shopfronts should be a coherent part of the general street scene so that, for example, if a shopfront extends across a long frontage or more than one building, it should respect the individuality of the building(s) into which it is inserted.



*Improved shopfronts*

**8.57** Shopfronts are particularly important in conservation areas and when they form part of listed buildings. The Council has produced a leaflet, 'Design Guide No. 1: Shopfronts in Conservation Areas', which addresses the issue in respect of historically and architecturally important areas and buildings, although its principles of good design can equally apply to shopfronts in other areas. Whenever possible, existing traditional shopfronts should be repaired and retained. When this is not possible, new windows must take account of specific features found in original shopfronts. Non-traditional additions to the shopfront will not be acceptable. In particular, the use of non-retractable 'dutch' canopies will be resisted in favour of the more traditional retractable blind. This Guidance will be a material consideration when determining proposals under Policy DD17.

## Policy DD17

**Proposals for new shopfronts and alterations to existing shopfronts will not be permitted unless proposals respect the proportion, composition, materials and detail of the building into which they would be inserted and the street in which they are located.**



## ***Environmental Appraisal***

*The policy supports the Objective to protect or enhance the historic environment. No Objectives are adversely affected.*

## **SECURITY OF PREMISES**

### **Shutters and Grilles**

**8.58** The Council recognises the concerns of shopkeepers and other commercial interests to improve the security of their premises. However, the installation of external grilles and shutters on shopfronts can be an eyesore and, in town centres, does not help the Council's efforts to improve the attractiveness of shopping areas. When shops are closed, shutters can create a hostile environment which deters local people from visiting after hours and damages the image of the District for tourists.

**8.59** The Council has produced guidance (Security Measures for Retail and Commercial Premises) on the acceptability of various security measures. In particular, - 'solid' externally mounted roller shutters (including shutters which are perforated) are unacceptable on shops and listed buildings, and in conservation areas. Solutions such as using laminated glass, having a traditional shopfront rather than a floor to ceiling plate glass window or fitting internal lattice grilles are to be preferred. This will form part of the Dover District Design Guide and will be a material consideration when determining proposals under Policy DD18.

### **Policy DD18**

**Permission for external security shutters and grilles on shopfronts and other commercial buildings will not be granted if they would detract from the character and appearance of the building and the area in which they are situated.**

## ***Environmental Appraisal***

*The policy supports the Objective of protecting or enhancing the historic environment, and concentrating future investment in the urban areas. No Objectives are adversely affected.*

### **Closed Circuit Television (CCTV)**

**8.60** CCTV has become an increasingly popular method of providing security in a variety of situations. However, if badly sited, it can become an eyesore. This is also true of associated signs. The use of CCTV does not always require planning permission, but where it does, Policy DD19 will apply.

### **Policy DD19**

**Proposals for closed circuit television cameras will be permitted provided they would not harm the appearance of a building or the visual amenity of an area.**

## ***Environmental Appraisal***

*The policy supports the Objective of protecting or enhancing the historic environment. No Objectives are adversely affected.*

## DEVELOPMENT IN RURAL AREAS

### Conversion of Buildings in Rural Areas

**8.61** Existing buildings may be capable of accommodating new uses, thus reducing the need for new development and contributing to employment opportunities in rural Kent. Structure Plan Policy RS5 allows for the re-use or adaptation of existing buildings in the rural area. Conversions to employment and tourism uses are considered in Chapter 3, while conversions to residential use are dealt with in Chapter 10.

### Area of Outstanding Natural Beauty (AONB)

**8.62** Parts of the District, which have been designated an AONB, are shown on the Proposals Map. This landscape has a distinctive character and quality, which is of national importance, and demands special protection and enhancement. Strict countryside protection policies will apply and landscape considerations will be paramount. Protection of the AONB is considered in Chapter 5.

**8.63** Exceptionally, development may be justified and, in such cases, proposals will be assessed according to the extent to which:-

- (a) landscape features are altered or removed;
- (b) development involves cut and fill operations;
- (c) buildings would be visually prominent or affect the appearance of the landscape eg skyline development;
- (d) nature conservation interests are affected;
- (e) new building is related to the existing patterns of development;
- (f) new landscaping using appropriate species is introduced; and
- (g) other features of interest are affected.



*Kent Downs AONB*

**8.64** Even if new development is generally acceptable under countryside protection policies, it may be impossible to site it without damaging the AONB. Development can only be allowed if it harmonises with the landscape and conserves the character of the area. In such cases, particular attention must be paid to scale, form and the use of local materials or their equivalent.

**8.65** In order that proposals affecting the landscape within the AONB can be properly assessed, the Council will request planning applications to be made in sufficient detail. This will usually mean a fully detailed application. Development which does not fall within the designated AONB may, nevertheless, affect the character of its landscape.

### **Policy DD20**

**When proposals for development in the Kent Downs Area of Outstanding Natural Beauty can be justified, in accordance with Policies CO1 and CO2, they must respect the topography, ecology, settlement pattern, land use and natural history of the landscape and conserve the natural beauty through careful design and the appropriate use of materials.**

### ***Environmental Appraisal***

*The policy supports the Objectives of protecting the countryside from development and managing and enhancing habitats, species and landscapes. No Objectives are adversely affected.*

## HORSE-RELATED DEVELOPMENT

**8.66** Horseriding is a popular and growing activity. At the same time, changes in agriculture are encouraging farmers to diversify and many are interested in catering for this demand. This can range from setting up commercial riding establishments to subdividing fields for individual owners to keep their horses. While horseriding is largely a rural pursuit, keeping horses and horse-related development can, in particular, adversely affect landscape interests (which can, among other things, lead to sporadic development). Unless a high standard of stable management is adhered to, this can create a potential health and pollution hazard. It therefore needs to be carefully controlled.

**8.67** Planning permission is not needed for simply grazing horses. Within specified limitations, planning permission is not required to house pet horses kept within the curtilage of the owner's dwelling or for horses used solely for agricultural purposes. Planning permission will be required when these limitations are exceeded and in all other instances when horses are bred, kept or housed on land. PPG7 (Annex F) provides guidance on development involving horses. Additional advice can be obtained from bodies such as the British Horse Society, the Association of British Riding Schools and the Countryside Agency.

**8.68** Wherever possible, privately owned horses should be kept close to the owner's home - preferably in the garden or adjacent paddock - in order to provide maximum care and security for the animal without the need for frequent car journeys. Commercial stables, which meet a largely urban demand should always be located in or close to the urban area in order to reduce the need to travel. Keeping horses in the countryside will not be acceptable if any related development, such as fencing, structures and facilities, would lead to an adverse impact on the landscape. All proposals will need to demonstrate ease of access to suitable riding country, be otherwise acceptable in transport terms and meet the drainage requirements of the Environmental Health Authority and Environment Agency.

**8.69** Overgrazing and poor land management can lead to soil impoverishment and erosion, and this may become an eyesore. In such circumstances, the Council may use its powers to require the land to be restored and properly maintained (see paragraph 8.77).

**8.70** Horses need protection from the weather. The conversion of existing buildings, rather than new build, is preferred. Keeping horses can harm residential amenity through noise, smell, dust and, in the case of commercial stables, disturbance. Wherever possible and subject to the advice of the Council's Environmental Health Officer, new buildings and facilities should be grouped near existing buildings. Where this is not possible, they should be sited so as to take advantage of natural screening, such as trees, hedgerows and landform. Proposals should also be acceptable in highway terms. This includes considering the level of traffic generated by the use and the suitability of the local road network to accommodate it. Wear and tear arising from vehicle movements on unmade surfaces and the likely consequences of such on visual amenity and the enjoyment of the countryside for others is also relevant.



*Horse, paddock and stables*

**8.71** A high standard of design and materials will be required, especially if the setting of listed buildings, conservation areas, the AONB or SLAs are affected. Conditions may be imposed to remove buildings or structures when the use ceases.

## **Policy DD21**

**Horse-related development will be granted provided:**

- (i) **it provides for the safety and comfort of horses in terms of the size of accommodation and land for grazing and exercising;**
- (ii) **ease of access to suitable riding country can be demonstrated;**
- (iii) **buildings are of a high standard of design and construction and they, together with the related equestrian activities, do not adversely affect the character or appearance of the countryside or areas of historic environment;**
- (iv) **where possible, existing buildings should be converted for such use in preference to the erection of new buildings but where new buildings are required these should be sited to relate visually to existing buildings; and**
- (v) **the amenities of nearby residents are not adversely affected.**

**Conditions may be imposed requiring jumps to be removed when not in use and for buildings or structures to be removed when the use ceases. Conditions may also be imposed to limit the number of horses on the site.**

### ***Environmental Appraisal***

*The policy supports the Objectives of protecting the countryside from development, reducing pollution and minimising the need to travel. No Objectives are adversely affected.*

## **DEMOLITION**

**8.72** Under the provisions of the Town and Country Planning (General Permitted Development) Order 1995, it is permissible to demolish dwellings and buildings attached to dwellings. However, the permission given by the Order cannot be implemented without first establishing whether the Council requires prior approval for the method of demolition and any proposed restoration of the site. The procedure is explained in DETR Circular 10/95.

**8.73** In deciding whether prior approval is required and, if so, whether approval should be granted, the Council will pay particular attention to the effect that demolition will have on local amenity. The Council will need to establish that, during demolition, noise and disturbance will be kept to a minimum and that demolition will take place as quickly as is reasonably possible. Once demolition has taken place, the main concerns will be to ensure that the resulting site does not become an eyesore as a result of demolition or neglect and that it does not result in a long-term gap in an otherwise complete townscape.

**8.74** It should be noted that listed buildings, buildings in conservation areas and ancient monuments are the subject of separate legislation (see Chapter 9).

## **Policy DD22**

**Details of the method of demolition of a dwelling or a building attached to a dwelling and of the subsequent treatment of the site will only be permitted where there will be no serious detriment to local amenity.**

### ***Environmental Appraisal***

*The policy supports the Objectives of reducing pollution, which includes land pollution, and the recycling of redundant resources. No Objectives are adversely affected.*

## CHALK SCARS

8.75 Owing to the chalk geology and topography of the North Downs lying within the District, development can cause unsightly scars. Therefore, proposals which would cause these scars will be resisted. Exceptionally, if building is allowed and scarring should occur, developers will be advised on after-treatments appropriate to the site's setting. This treatment may be a gradual process taking a number of years.

8.76 Additionally, large amounts of spoil can be produced, as a result of cut and fill operations, and require satisfactory disposal. Such operations can cause a great deal of disturbance over a wide area, through noise and dust. Excess spoil should not be left on or around development sites since it is visually intrusive. Policy ENV25 of the Kent Structure Plan requires a scheme for the transportation and routing of such materials, together with proposals for the disposal of surplus spoil, to be designed into relevant development proposals. In line with the objectives of this policy, developers will be required to remove excess material in accordance with a programme agreed with the Council. Calculations of surplus material will be required, and information requested on the method of disposal in order that the Council can advise on the need to contact Kent County Council, as minerals planning authority, regarding the need for separate permission for disposal of the spoil. If planning permission is given, hours of working will be strictly controlled and damping-down will be required.

### Policy DD23

**Development which would result in chalk scars will not be permitted unless an overriding need for the development can be demonstrated. In such exceptional cases, planning permission will be subject to conditions and/or prior legal agreements will be sought by the Council covering:-**

- (i) after-treatment of the scar;
- (ii) hours of working;
- (iii) damping-down of loose material and wheel washing; and
- (iv) removal of excess spoil material from the site, and its transportation.

### *Environmental Appraisal*

*The policy supports the Objectives of protecting the countryside, managing and enhancing habitats, species and landscapes, reducing pollution and using redundant resources before new ones are exploited.*

## MAINTENANCE OF LAND AND BUILDINGS

8.77 Land and buildings that are not properly maintained can become an eyesore and so affect the amenity of an area. In such cases, the Council may use its powers under Section 215 of the Town and Country Planning Act (1990) to require owners and occupiers to restore and maintain land and/or buildings adequately. Exceptionally, the Council may undertake the necessary work and recover the cost.

## ENVIRONMENTAL ASSESSMENT

8.78 European Union Directive EC/85/337, which requires the environmental assessment of specified projects, has been effected by the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 and is explained in Circular 15/88. It is intended to ensure that a full range of environmental impacts is taken into account, from creation of pollution and nuisance to impact on flora and fauna, and that adverse effects are prevented or ameliorated at source rather than subsequently trying to counteract them. Developers proposing specified major projects must submit an environmental assessment (EA) with their planning applications. The Council will advise on the need for an EA. Circular 3/95, 'Permitted Development and Environmental Assessment', advises that certain developments which would otherwise benefit from permitted development rights under the Permitted Development Order, will lose these where an EA is required by the

Regulations. In view of the sensitive nature of much of the District and the range of issues that may arise, prospective developers are advised to contact the Council at the earliest opportunity to establish whether an EA is needed. This will avoid wasted time and expenditure.

