

a) **DOV/15/01100 – Erection of 15 care units (Use Class C2), comprising of 9 terraced houses and 6 apartments; conversion and extension of Goose Barn to provide communal facilities to include manager's office, guest suite and activities room; provision of vehicular and cycle parking together with internal access arrangement works and junction improvements; and associated landscape and tree works - Land to the South of Hawarden Place, Canterbury Road, Wingham**

b) **Summary of Recommendation**

Planning permission be Refused.

c) **Planning Policy and Guidance**

Legislation

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the planning authority should pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses.

Section 72 of the Act 1990 requires that the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Dover District Core Strategy

Policy DM1 states that development will not be permitted on land outside the urban boundaries and rural settlement confines, unless justified by other development plan policies of is ancillary development.

Policy DM11 considers the location of development and managing travel demand. Development that would generate travel outside of rural settlement confines will not be permitted unless justified by development plan policies.

Policy DM13 sets out parking standards and identifies that it should be a design led process.

Policy DM25 seeks to protect open space unless there is overriding justification for its development.

Policy CP1 identifies Wingham as a local centre, suitable for scale of development that would reinforce its role as a provider of services to its home and adjacent communities.

Policy CP2 identifies the requirement for allocating land for houses and employment.

Policy CP3 identifies the distribution of housing allocations, stating that land to be allocated to meet the housing provisions of CP2 will include land for 1,200 homes in rural areas.

Policy CP6 requires infrastructure to be in place or provision for it to be provided to meet the demands generated by the development.

Policy CP7 seeks to protect and enhance the existing network of Green Infrastructure, and states that integrity of the existing network of green infrastructure will be protected and enhanced.

Land Allocations Local Plan (LALP)

Policy DM27 sets out standards for providing open space to meet the additional need generated by residential development of 5 or more dwellings. It also requires that a minimum of 15 years maintenance be demonstrated. Where it is impractical to provide open space on site, consideration will be given to accepting a commuted payment to providing and maintaining improvements to existing facilities.

National Planning Policy Framework (NPPF)

The NPPF states that at its heart is a presumption in favour of sustainable development, to be seen as a golden thread running through decision-taking. It sets out three dimensions to achieving sustainable development: economic, social and environmental. These should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out-of-date development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or, specific policies in the NPPF indicate that development should be restricted.

Paragraph 50 states that local planning authorities should plan for a mix of homes based on current and future demographic trends, market trends and the needs of different groups in the community, including older people and people with disabilities.

Paragraph 56 states that the “Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 stresses the importance of the achievement of high quality and inclusive design for development including individual buildings, public and private spaces and wider area development schemes.

Paragraph 58 states that planning decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development, respond to local character and history and are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 60 stresses that local planning authorities should not stifle innovation however stresses the importance of reinforcing local distinctiveness.

Paragraph 61 stresses that planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 131 relates to the desirability of new development contributing to or enhancing the significance of heritage assets.

Paragraphs 132 require local planning authorities to make an assessment of harm caused to designated and non designated heritage assets.

Paragraph 134 stresses that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

National Planning Policy Guidance (NPPG)

Provides guidance on matters relating to main issues associated with development.

Other documents

- East Kent Strategic Housing Market Assessment, 2009- identifies population trends and how housing should respond to these.
- The Kent Design Guide sets out design principles of development.
- Dover Heritage Strategy: an objective of the Strategy is to “*ensure the intrinsic quality of the historic environment is protected and enhanced and that these assets are used to positively support regeneration*”.
- Historic Environment in Local Plans; Good Practice Advice (GPA) (2015) and The Setting of Heritage Assets; Historic Environment Good Practice Advice in Planning 3: the GPA’s provides information to assist in implementing the policies in the NPPF and the NPPG in respect of alterations to listed buildings and development affecting their setting.

Relevant Planning History

Planning history for this site is extensive. The most relevant and recent applications are as follows:

DOV/97/0364- Renewal of permission DOV/92/0532 for conversion of outbuildings to 4 dwellings, ancillary accommodation and garages, and erection of new garages on site of former outbuilding-Granted 1992

DOV/99/00562- Conversion of existing granary building to single dwelling, erection of detached garage and alterations to existing vehicular access Granted 1999

DOV/99/0563- Listed building consent for the refurbishment, alteration and extension of existing granary building in association with conversion to single dwelling. Granted 1999

Permission was granted at the Chicken House, within the grounds of Wingham Court for the erection of a canopy extension, enlargement of window opening for the insertion of French doors and relocation of flue vent to South East elevation including the removal of a kitchen wall and a new partition constructed to create a larger kitchen under reference 15/01114 in January 2016.

Consultee and Third Party Responses

Kent Highway Services

“I refer to the amended plans submitted for the above on 10th June and note that the pedestrian connection to School Lane has been removed. This must be reinstated as it

provides a pedestrian route to the wider footway network and bus stops/services/amenities in the village. I would also ask the applicant to clarify the proposed refuse collection arrangements, particularly in relation to access by a refuse vehicle and the existing refuse collection arrangements for the existing dwellings served off the access.”

Kent County Council Development Contributions

Requested that a contribution of £720.24 based on a development of this scale towards additional bookstock required to mitigate the impact of the new borrowers from this development and request a condition to submit details of and to secure high speed fibre optic broadband.

Principal Heritage Officer

Unable to support the scheme due to the detrimental impact it would have on the character and appearance of the conservation area and the setting of listed buildings, particularly the grade I listed church and grade II* listed Wingham Court. It was considered that the proposal had not provided any justification that the harm identified would be outweighed by any public benefits of the scheme.

In respect of the first submission, the following comments were made:

- Overcrowding of the site, impacting on its open character.
- Materials are inappropriate in the context of the established character of the conservation area.
- The design, in particular the ‘oast’ chimney feature, has no basis in the local vernacular.
- It had not been demonstrated that key views of the grade I listed church from the B2046 (Adisham Road) within its rural setting had been considered. In addition, views towards the site from within the conservation area, which contribute to the setting of the grade II* listed Wingham Court are potentially affected by the proposed development.
- Breaking through the curtilage listed wall harms the enclosed character of the space, thus harming the conservation area.
- The proposed extension of the Goose Barn, a curtilage listed building, would harm its simple character and appearance.

Further to the submission of amendments, the following comments were made:

- The amended site plan retains the open character of the space to a greater degree, but with no reduction in number of units the scheme still results in overcrowding.
- The massing of the development has increased, and due to the proposed location there is potential for even greater impact on the setting of the grade I listed church.
- The design and materials concerns have not been addressed.
- The proposed extensions to the Goose Barn, whilst reduced, would result in the loss of historic fabric. Details of the proposed works to this curtilage listed building are limited and the full implications on its character and appearance are therefore unclear.

Principal Ecologist

Ecology report is satisfactory and incorporates recommendations that should be taken forward where possible as conditions. In relation to mitigation of disturbance to bird interest for the RAMSAR/SPA sites considers that the occupants of the scheme would not generally be undertaking recreational activities and as such the development does not necessitate mitigating measure.

Environment Agency

Have "assessed this application as having low environmental risk. We therefore have no comments to make."

Environmental Health Officer

Raises concerns relating to the stacking arrangements between apartments and the transmission of noise between units. Has stated that "each room should be suitably adapted to ensure the restriction of airborne noise levels and vibration. Noise reduction in walls, floors, ceilings and stairwells should ensure occupants are protected adjoining flats. Quiet rooms should be located above and below other quiet rooms. Bedrooms, for example, should be above/below other bedrooms and should not be located adjacent to a potential noise source.

I am concerned at the stacking of the apartments for the proposal. In particular

- Unit 5 and 6 - Unit 4 and 5 floor plans are parallel which is what we prefer. However Unit 6 bedroom is above the living and kitchen area in Unit 5 and the living kitchen area of Unit 6 are above the bedrooms in Unit 5.
- Unit 10, 11 and 12 are all stacked differently. Unit 10 and 12 are stacked similarly apart from the planned area for the bathroom in Unit 12. However Unit 11 bedrooms are above Unit 10 lounge and kitchen area and Unit 12 lounge and kitchen area is above Unit 11 bedrooms.

I have concerns with the stacking arrangements as stated within the apartments; unless the stacking arrangements can be changed to ensure the apartment plans are parallel, the Environmental Health department would therefore require the sound insulation between Units 5 - 6 and 10,11,12 to be of a higher standard than specified in Approved Document E. As a guide, we would expect the level of sound insulation provided by the floor/ceiling partition to be in the order of Rw [1] 60dB. I would therefore recommend that the following additional conditions be placed on the application.

Full particulars and details of a scheme for sound insulation between the commercial and residential parts of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include details on measures to ensure that there are no flanking transmission paths for noise between the commercial and residential premises. The approved scheme shall be installed before commencement of the use hereby permitted and permanently retained thereafter.

Southern Gas Networks

State that no mechanical excavations should take place above or within 0.5m of a low/medium pressure system or within 3 metres of an intermediate pressure system. The attached plans do not show any systems within close proximity to the site.

Southern Water

“Requires a formal application for a connection to the foul sewer to be made by the applicant or developer”. Requests that a relevant informative is placed on consent. Also note that there are no public surface water sewers and alternative means of draining surface water from this development are required which should not involve disposal to a public foul sewer. In relation to SUDs advise that measures to maintain SUDs (Sustainable Urban Drainage Systems) are put in place. Request that conditions are placed on consent that details of surface and foul water drainage are submitted to the local planning authority prior to commencement of development.

Historic England

“Do not object to the principle of development of Wingham Court. As the application is within a conservation area, there is a statutory requirement for the authority to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area (s.72, 1990 Act). Under paragraph 58 of the NPPF, planning decisions should also ensure that developments: will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places; respond to local character and history, and reflect the identity of local surroundings and materials; and be visually attractive as a result of good architecture and appropriate landscaping.”

Planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (NPPF para 139). In this case, this particularly means that you should seek to ensure that building materials, building form and density promote or reinforce local distinctiveness (NPPF paragraph 60)

Wingham Parish Council

“Object to the application as 1. The proposed development is out of character with the existing dwellings and is too large for the area; 2. Despite proposed improvements to the access from the A257, the committee consider the access to be inappropriate for so many proposed dwellings and the volume of traffic using it. The access is on a bend near the edge of the village where there have been a number of accidents.”

Lead Flood Authority

Note that the application form states that a SUDs scheme would be put in place, however no details have been submitted. State that in this instance conditions requiring the details of the SUDs scheme would be acceptable.

KCC Archaeology

Notes that Wingham Court was held by the Archbishop of Canterbury and was an important stopping off point between Sandwich and Canterbury. Wingham Court and the garden wall are Grade II* listed. Immediately to the south of the site is the Scheduled Monument of

Wingham Roman Villa. Remains associated with the villa may extend into the site in question. Advises that the site has good potential for remains of archaeological interest to be present, but the precise significance of these remains are not understood. Requires a condition to be placed on consent requiring archaeological field evaluation works and appropriate safeguarding measures to ensure the preservation in situ of important archaeological remains.

Public representation

16 letters of objection and 9 letters of support have been received.

The letters of objection outline the following:

- Proposal is inappropriate overdevelopment. It is too dense.
- Apartment blocks are 4 storeys which is totally out of character with predominantly low rise buildings of Hawarden Place
- The access point is located on a blind bend, is already used by the 15 cars belonging to the residents of Hawarden Place. The scheme would intensify this use.
- There have been a number of accidents on this part of the A257 and the increased use of the A257 would prove harmful to highway safety.
- The proposal would adversely affect wildlife
- Internal layout is unsafe as residents would have to cross the car park to reach their properties
- Inadequate parking. Some visitors may choose to use spaces in the village hall car park
- Adverse impact of parking upon the barn
- Would adversely affect the significance of the Wingham Court.
- Is inappropriate to build a care home in the grounds of a Grade II* listed building. Previous residential developed converted existing farm buildings. This development does not.
- Commercial development is inappropriate in the surrounding area
- C2 use class seems inappropriate. It should be described as '15 retirement houses and flats.'
- The oasthouse design is unconvincing
- Sound insulation between dwellings has not been addressed.

The letters of support outline the following:

- The development would be sympathetic and in keeping with the surrounding area
- Amendments show sensitivity to the surrounding area
- The scheme would not aggravate traffic problems
- The roofline is interesting and black boarding
- Scheme is perfect for those wishing to leave large family homes and purchase more manageable housing
- Maintains the character and integrity of existing buildings

The Site and the Proposal

- 1.1 The application site is an irregular shaped piece of land which forms part of the curtilage of the Grade II* listed Wingham Court, and is within the conservation area of the village of

Wingham. Immediately to the south of the site is the Scheduled Monument of Wingham Roman Villa.

- 1.2 The site lies to the north of Wingham Primary School and to the east and south of the A257 Canterbury Road and to the east of School Lane. It is served by an access from Hawarden Place which is accessed from Canterbury Road.
- 1.3 Permission is sought for the erection of 15 extra care units, and an extension to the existing goose barn to provide communal space and manager's accommodation together with associated parking and landscaping. The application includes a Model Planning Statement which outlines that the purpose of this extra care scheme is to 'enable a wide range of requirements and tempt people to move into the "right-size property" that enables them to do all the activities associated with the "Third Age" (55 to 75) whilst setting themselves up responsibly for the "Fourth Age" (aged 75 plus)' who "neither need nor wish to retreat into an institutional lifestyle."
- 1.4 The submission has characterised the extra care units as falling within C2 use class, residential institutions. The development as proposed is considered to fall within this use as the units would be sold on a leasehold basis with a term of 125 years, an age restriction of 55 years plus, the scheme includes a communal building and the requirement for residents to take on a minimum care package of 1.5 hours care a week. In view of this advice it is considered that the proposal falls to be a C2 use class. The terms of occupation would be secured through the use of a Section 106 Agreement.
- 1.5 The residential units comprise 9 terraced houses and 6 apartments together with conversion and extension of the Goose Barn to provide communal facilities, parking and access arrangements. Units 4-15 are arranged in a two to three storey terrace ranging in height from 7.5 metres to 13.5 metres in height, running parallel to the southern boundary of the site. Units 1 to 3 form a separate two storey terrace to the west of the site. Units 1-3, 7-9 and 13-15 would be two storeys high, up to 12 metres in height.
- 1.6 The units are designed to contain number of features designed to appear similar to the kiln roofs of oasthouses and they would be constructed of orange multi bricks, black stained timber slatted cladding and plain roof tiles with inset terraces.
- 1.7 The ground floors comprise of a living room, kitchen, dining area and WC. The first floors would have 2 double bedrooms with en-suites and an area to the rear of the properties indicates an area for external space for each unit. Units 4-6 and 10-12 are two bedroom flats, comprising two double bedrooms, living room, dining rooms and kitchens.
- 1.8 15 residents parking spaces and 6 visitor parking spaces are provided the west of units 1-3 and the units are arranged around an 'entrance square' and central square in which the clubhouse and guest room are located. A further 4 parking spaces are adjacent to the proposed clubhouse of which two are labelled as visitor parking spaces.
- 1.9 The works to the goose shed include a single storey extension which and canopy, of brick construction and timber cladding. This building would provide a communal area and office/guest suite. The agent has confirmed that this communal space would operate primarily as a multi-function space with residents being in charge of setting out the activities they would like to do. The proposed guest accommodation would double as a therapy suite and the multi purpose hall with kitchen would be available for a variety of activities, for example gym/pilates, bridge, chess).

2. **Main Issues**

2.1 The main issues in the consideration of this application are:

- The principle of development
- Design and impact upon the street scene
- Heritage and archaeology
- Impact upon living conditions
- Highways and transport matters
- Flooding and Surface Water
- Ecology
- Contributions and affordable housing

2.2 The principle of development

2.3 Paragraph 50 of the National Planning Policy Framework states that local planning authorities should plan for a mix of homes based on current and future demographic trends, market trends and the needs of different groups in the community, including older people and people with disabilities. The East Kent Strategic Housing Market Assessment shows that there is a forecast growth in the population of 60 to 84 year old age group between 2006 and 2026 with a national trend towards older people preferring to live independently with an increasing demand for specialist accommodation for older people.

2.4 The site is located within the confines of Wingham as shown on the Core Strategy Policy Proposals Map. Policy CP1 of the Core Strategy advises that Wingham is a local centre, and as such is deemed appropriate for secondary focus of development in the rural area which is suitable for a scale of development that would reinforce its role as a provider of services to its home and adjacent services.

2.5 A significant portion of the north eastern part of the site is designated as Open Space in Core Strategy Policy DM25. The policy outlines that proposals that result in the loss of public open space will not be permitted unless the criteria within the policy are met. The Council's Principal Infrastructure and Delivery Officer has advised that this area has been protected due to its potential value as publicly accessible open space and/or its current amenity value. She has advised that there is a significant deficit in the quantity of open space within the village. The amended plans show that the units would be sited along the southern boundary of the site, retaining this area as open space and label the area of Open Space as 'The Orchard' however they do not indicate that this space would be publically accessible.

2.6 Clearly there is a five year housing supply deficit and there is a need for housing for older people, and this has to be taken into account. The development as proposed would provide housing for over 55s and there is a forecast need for the housing for the over 60s in the East Kent SHMAA. The site is within the village confines and does not include built form on the designated area of Open Space and is therefore considered acceptable in terms of the additional housing proposed. The principle is therefore acceptable however the suitability of the proposal is also dependent on matters of design and as well as the impacts upon the streetscene, heritage, residential amenity and highway safety.

Impact upon the street scene, character and appearance of the surrounding area

2.7 The site is within the built up area of Wingham, however is to the southern edge of the village. The village edge location is characterised by relatively loose knit development, which is single and two storey in scale. Wingham Primary School is to the south and the Village Hall and parking area to the east. To the north are outbuildings within the curtilage of Wingham Court which have been converted to residential dwellings. The eastern boundary of the site has a red brick wall approximately two metres high.

- 2.8 In its current form the site makes a positive contribution to the streetscene in that it retains its original rural and 'big house' garden character, although there is some modern development to the south. It currently affords a sense of openness with views from School Lane, Canterbury Road and Adisham Road, which reinforces the edge of village location.
- 2.9 The proposed residential units are arranged in two terraces with the houses being two storeys in height and flats being arranged over three floors with the ridge heights of the terraces ranging from approximately 7.5 metres in height to 13.5 metres. The design contains a number of features designed to appear similar to the kiln roofs of oasthouses and they would be constructed of orange multi bricks, black stained timber slatted cladding and plain roof tiles.
- 2.10 The proposed terraced layout is not considered to be characteristic of the prevailing loose knit edge of village development in the surrounding area. The height of the proposed units are considered to be excessive when compared to the prevailing single and two storey development in the surrounding area which are approximately 7 metres in height and the proliferation of the 'kiln roof' features is considered to exacerbate this. These features are considered to be an artificial and over emphasised feature which may be attempting to replicate the vernacular of Kent oast features and design. These features are considered to be over intensive, when compared to the prevailing form of adjacent development, and accordingly somewhat contrived. The development would be visible from Canterbury Road, Adisham Road, School Lane and the public footpath which runs along the southern boundary of the site. Its scale, form and development mean that it would appear as a dominant feature within the streetscene where it would detract from the relatively open and low scale of development in the surrounding area, proving at odds with the loose knit edge of village development within the surrounding area. Amendments were sought to reduce the numbers units and to achieve a more simplified design however the agent has outlined that significantly reducing the number of units would result in such an increase in service charges to residents which would mean it would not be possible to deliver the scheme so that it provides an element of care. The applicant's agent has confirmed that the design of the units have not been altered as they are considered to be appropriate.
- 2.11 Paragraph 64 of the NPPF states that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions." It is considered that the proposed development misses opportunities to improve the character and appearance of the surrounding area, and would appear dominant, unsympathetic and alien features within the surrounding area and due to the density, layout and intensity of 'oast' features therefore would prove harmful to the streetscene and the character of the area and therefore would be contrary to the aims and objectives of the NPPF.

Heritage and archaeology

- 2.12 The site is within the Wingham conservation area and a number of listed buildings, including listed buildings of the highest grading. These include: boundary wall to Wingham Vicarage (GII*); The Dog Inn (GII*); Canon Cottage (GI); Wingham Court and boundary wall (GII*) and the Church of St Mary (GI).
- 2.13 This part of the conservation area is distinct in character from the tightly developed linear built form on the High Street. It relates historically to the grounds of Wingham Court and is characterised by large open spaces and limited built form sitting on the fringes of the site. The palette of materials in the conservation area is dominated by red brick, render and Kent peg tile. Weatherboarding is not commonly found in the village.

- 2.14 In respect of the setting of listed buildings, a key view of the tower and spire of the Grade I listed Church of St Mary is afforded across the proposed site from the B2046. This view of the Church within the wider rural landscape is a significant contributor to the special interest of the church and indeed the conservation area, helping the traveller to locate the village which otherwise is tucked away unseen within the gently rolling landscape. There is a lack of modern development impinging on the view, and consequently the setting of the Church. In addition, the site is visible from Canterbury Road taking it into context with the GII* listed Wingham Court, a view which at present is uninterrupted by any built form; this setting of Wingham Court within an open landscape, with it in the foreground as a dominant form is a key contributor to the significance of Wingham Court.
- 2.15 Paragraph 128 states that “local planning authorities should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting.” Paragraph 132 continues: “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting”.
- 2.16 The Design Strategy submitted with the application does not include evidence that the historic or architectural character or appearance of Wingham has been considered. It does not provide a description on how the site contributes to either the character or appearance of the conservation area or the setting of the neighbouring listed buildings. In respect of paragraph 128 of the NPPF, the application therefore fails to demonstrate that the significance of the designated assets, including any impact on their setting, has been taken into consideration in developing the proposal.
- 2.17 The lack of sufficient analysis of the significance of the designated assets has resulted in a design that does not relate well to the sensitive context of the site, and which has potential to harm the setting of high status listed buildings. The materials and design features proposed are not commonly found within either the conservation area as a whole or within this particular part of the conservation area; the proposed use of black weatherboard is harsh and would jar with the soft tones of the materials traditionally found in the village. The form of the roofs, incorporating large areas of flat roof, excessively steep pitches, and incongruous and inauthentic ‘chimney’ like features, are dominating and bear no relationship in form to the neighbouring listed buildings or other historic buildings in the conservation area. The amended scheme exacerbates these design issues and the increased massing of development has potential to cause greater harm.
- 2.18 The Goose Barn has been noted as likely to be curtilage listed (grade II*), although Listed Building Consent has not been submitted. The extension proposed is significantly larger than the original historic building and the proposal would result in extensive loss of historic fabric. Furthermore, as no Consent application has been made insufficient information has been submitted to demonstrate that the building is structurally sound and capable of conversion and extension.
- 2.19 Paragraph 134 states that “where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.” Despite officer concerns, the application has not demonstrated that the significance of the designated heritage assets has been assessed or that the number of units, the density and massing of the development would not be harmful to the conservation area and or the setting of the grade I listed church and grade II* Wingham Court. The public benefits of the scheme are not considered to outweigh the harm to the designated heritage assets, and the scheme is not considered to accord with paragraph 134 of the NPPF or sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.20 Advice from the Archaeologist is that Wingham Court is historically significant. It was an important stopping off point between Canterbury and Sandwich and the South of the site is the Scheduled Ancient Monument of Wingham Roman Villa. The Archaeologist has advised that there is potential for archaeological remains to be present on site and the significance of these remains are not yet understood. It is considered that this could be dealt with through a condition requiring a scheme of archaeological field evaluation works to be carried out with appropriate safeguarding measures

Impact on living conditions

2.21 There are residential dwellings to the north, west and east of the site. To the south is Wingham Primary School. There are distances of approximately 40 metres and 30 metres respectively between the terrace containing units 1-3 and nearby properties on Canterbury Road and Hawarden Place. They are set at an angle to the existing properties. Unit 15 is approximately 13 metres from Orchard Cottage to the east of School Lane, however it is not directly opposite. The distances and indirect relationship between the proposed units and the existing nearby properties are considered to mitigate impacts of overlooking and loss of privacy, loss of light, overshadowing, overbearing and loss of light.

2.22 While an increase in the number of residential within the grounds of Wingham Court would result in increased movements to and from the site, the proposed car parking area is in excess of 30 metres from other residential properties in Hawarden Place. This is considered to be adequate separation to prevent noise and disturbance to the occupiers of neighbouring properties.

2.23 The Council's Environmental Health Officer has raised concerns relating to the stacking arrangements of the flats with quiet rooms being located above quiet rooms. The proposed plans show that units 5 and 6, 10, 11 and 12 have bedrooms above and below living areas. The occupiers of these flats could therefore be subject to an unacceptable degree of noise and disturbance. The Environmental Health Officer has recommended that a scheme of sound insulation would mitigate this. It is considered that this could be adequately secured through condition.

2.24 It is considered that the relationship and separation distances between the proposed development and existing residential neighbouring properties mean that they would not adversely affect the living conditions of neighbouring property occupiers. The living conditions of future occupiers could be adequately safeguarded through conditions requiring a scheme of sound insulation. The impacts upon residential amenity are therefore considered to be acceptable.

Highways and transport matters

2.25 Hawarden Place is accessed from Canterbury Road. The proposal includes 15 residents parking spaces and 6 visitor parking spaces are located to the west of the site with a further 4 visitor parking spaces adjacent to the proposed clubhouse accessed via the proposed entrance square.

2.26 The submitted highways plan shows the access arrangement and proposed visibility splays which Kent Highway Services consider to be acceptable.

2.27 A bin store and collection area is shown on the proposed plan at the junction of Hawarden Place and Canterbury Road. Kent Highway Services have requested clarification regarding proposed arrangements for refuse collection which have not been provided by the applicant; however these could be secured by condition.

- 2.28 In its original form the scheme included a pedestrian link and parking to School Lane. The amended scheme removes this element. Kent Highway Services have raised concerns that this has been removed. They have stated that “This must be reinstated as it provides a pedestrian route to the wider footway network and bus stops/services/amenities in the village.” The NPPF promotes sustainable development which promotes the use of sustainable transport modes. Without an obvious pedestrian link into the site to give access to the village amenities and public transport links, it would appear that the development would prove to be a car centred development, contrary to the aims of the NPPF.
- 2.29 Whilst the increased use of Hawarden Place does not raise concerns relating to highway safety, the lack of a pedestrian link from the site to School Lane raises concerns that this would not be a sustainable form of development.

Flooding and surface water drainage

- 2.30 The site lies within Water Gathering Zone 3. The Environment Agency have raised no concerns relating to the potential for flooding caused by or within the development.
- 2.31 Southern Water has advised that there are no facilities for public surface water sewers and that alternative means of drainage would be necessary. The application states that SUDs would be used on site. The Lead Flood Authority have recommended that a condition is placed upon consent to require details of SUDs to be submitted prior to commencement of development. It is considered that this could be adequately secured by condition.

Ecology

- 2.32 Paragraph 110 of the NPPF outlines that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity.
- 2.33 The site contains high grasses, lawns, shrubs and trees and the application is accompanied by a Phase 1 Ecological Survey, Reptile Presence or Absence Survey, Preliminary Bat Survey, Bat Emergence Survey and Bat Activity Surveys which concludes that the habitats on site are considered common and widespread.
- 2.34 The reports make some recommendations for the protection and enhancement of biodiversity on site including small scale translocation of reptile species, new planting, use of sensitive lighting and careful construction methods. The Principal Ecologist has advised that the development would be acceptable if these recommendations were put in place. These could be adequately secured by condition.

Affordable housing and contributions

- 2.35 The Planning Advisory Service guidance ‘Planning for older People’s Housing’ states that “Currently developers of C2 care housing are exempt from affordable housing contributions, and local authorities have discretion as to how they will apply CIL.” Dover District Council does not have a CIL charging schedule in place. Therefore affordable housing contributions cannot be sought. Kent County Council have advised that the development would generate users of library facilities and that to mitigate the impact of this development, the County Council will need to provide additional library books to meet the additional demand to borrow library books which will be generated by the people residing in these dwellings. A developer contribution of £48.02 per household has been requested (a total of £720.30). This is considered to meet the tests set out within the CIL Regulations in that it is necessary to make the development acceptable in planning terms,

directly related to the development and fairly and reasonably related in scale and kind to the development. The applicant has not objected to this request, which if permission is granted could be secured by a legal agreement (Section 106).

3.0 Conclusion

- 3.1 There is a need for housing, particularly for older people. The site is within the confines so in these respects the development could be considered to be acceptable. However, as set out above, the development is considered to unacceptably impact upon the character and appearance of the surrounding area with respect to its layout, scale and form. Although providing an element of “community” facilities these appear to be only available to residents on the site, the applicants have not indicated otherwise, so the wider public benefit is at best limited.
- 3.2 It is considered the development would have a detrimental impact on the character and appearance of the conservation area and the setting of listed buildings, particularly the Gr I church and Gr II* Wingham Court, and has not provided any justification that this harm is outweighed by the public benefits of the scheme. It is therefore considered to be contrary to section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore the development would fail to promote sustainable methods of travel.
- 3.3 It is recommended that permission should be refused for the reasons set out below.

Recommendation

I. PLANNING PERMISSION BE REFUSED for the following reasons:-

(i) The proposed development, by virtue of its scale, mass, layout, design and materials would if permitted result in a dominant, incongruous, unsympathetic and poorly related form of development, out of keeping with the prevailing form of surrounding development, harmful to the character and appearance of the surrounding area, street scene, the significance of listed buildings including the likelihood of obscuring views to the Grade I listed building and the character and appearance of the Wingham Conservation Area, contrary to National Planning Policy Framework Policies 60, 64, 128, 131, 132 and 134.

(ii) The development as proposed would fail to maximise walking, cycling and the use of public transport, contrary to paragraphs 49 of the National Planning Policy Framework and Policy DM11 of the Dover District Core Strategy.

Case Officer

Cheryl Macer