

Public Document Pack



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6 December 2017

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber at these Offices on Thursday 14 December 2017 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at kate.batty-smith@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kate Batty-Smith", written over a white background.

Chief Executive

Planning Committee Membership:

F J W Scales (Chairman)
B W Butcher (Vice-Chairman)
P M Beresford
T A Bond
D G Cronk
B Gardner
D P Murphy
M J Ovenden
G Rapley
P M Wallace

AGENDA

- 1 **APOLOGIES**
To receive any apologies for absence.
- 2 **APPOINTMENT OF SUBSTITUTE MEMBERS**
To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 5)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES**

To confirm the Minutes of the meetings of the Committee held on 26 October and 16 November 2017 (to follow).

5 **ITEMS DEFERRED** (Pages 6-7)

To consider the attached report of the Head of Regeneration and Development.

ITEMS WHICH ARE SUBJECT TO PUBLIC SPEAKING
(Pages 8-11)

6 **APPLICATION NO DOV/17/01098 - 50 AND 51 BIGGIN STREET, DOVER** (Pages 12-20)

Part Change of Use and conversion of first, second and third floor to nine self-contained flats and installation of replacement shop front

To consider the attached report of the Head of Regeneration and Development.

7 **APPLICATION NO DOV/17/01078 - THE TIDES, 9 ST MARGARET'S ROAD, ST MARGARET'S BAY, DOVER** (Pages 21-29)

Erection of a single storey link extension, garage and studio extension with storage and gym above; two-storey rear extension and extension to existing terrace (existing conservatory to be demolished)

To consider the attached report of the Head of Regeneration and Development.

8 **APPLICATION NO DOV/17/01107 - 25 GRANVILLE ROAD, WALMER** (Pages 30-36)

Erection of a two-storey front extension, extension to vehicular crossover and enlargement of driveway (existing garage to be demolished)

To consider the attached report of the Head of Regeneration and Development.

9 **APPLICATION NO DOV/17/01165 - LAND BETWEEN THE CHALET AND MILNER, CLAREMONT ROAD, KINGSDOWN** (Pages 37-42)

Outline application for the erection of a detached dwelling (all matters reserved)

To consider the attached report of the Head of Regeneration and Development.

10 **APPLICATION NO DOV/17/00967 - 5 ALEXANDRA ROAD, KINGSDOWN** (Pages 43-52)

Erection of a detached dwelling and garage, excavation of land and demolition of existing garage

To consider the attached report of the Head of Regeneration and Development.

- 11 **APPLICATION NO DOV/16/01356 - LAND AT MONKTON COURT LANE, EYTHORNE** (Pages 53-67)

Change of Use of land for the keeping of horses, the formation of a vehicle access and the erection of a gate (retrospective application)

To consider the attached report of the Head of Regeneration and Development.

- 12 **APPLICATION NO DOV/14/00240 - EASTRY HOSPITAL, MILL LANE, EASTRY** (Pages 68-169)

Redevelopment of site to provide a total of 100 residential units comprising: two-storey terrace, semi-detached and detached new-build dwellings; Change of use and conversion of Tewkesbury House and the Chapel to provide 568 square metres of community space (Use Class D1), employment space (Use Class B1) and two residential units; minor demolition, alteration and conversion of the 'Old Workhouse' to provide ten residential units; retention and reinstatement of the fire-damaged Range building and erection of a two-storey terrace of ten residential units; car parking, landscaping, public open space and alteration to existing access (Amended plans and documents)

To consider the attached report of the Head of Regeneration and Development.

ITEMS WHICH ARE NOT SUBJECT TO PUBLIC SPEAKING

- 13 **APPEALS AND INFORMAL HEARINGS**

To receive information relating to Appeals and Informal Hearings, and appoint Members as appropriate.

- 14 **ACTION TAKEN IN ACCORDANCE WITH THE ORDINARY DECISIONS (COUNCIL BUSINESS) URGENCY PROCEDURE**

To raise any matters of concern in relation to decisions taken under the above procedure and reported on the Official Members' Weekly News.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.

- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Services Officer, telephone: (01304) 872303 or email: kate.batty-smith@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

DOVER DISTRICT COUNCIL

REPORT OF THE HEAD OF REGENERATION AND DEVELOPMENT

PLANNING COMMITTEE – 14 DECEMBER 2017

CONSIDERATION OF THE FOLLOWING ITEMS HAS BEEN DEFERRED AT PREVIOUS MEETINGS

Members of the Planning Committee are asked to note that the following application(s) have been deferred at previous meetings. Unless specified, these applications are not for determination at the meeting since the reasons for their deferral have not yet been resolved.

1. **DOV/14/00240** **Redevelopment of site to provide a total of 100 residential units comprising: two-storey terrace, semi-detached and detached new-build dwellings; Change of Use and conversion of Tewkesbury House and the Chapel to provide 568 square metres of community space (Use Class D1), employment space (Use Class B1) and two residential units; minor demolition, alteration and conversion of the 'Old Workhouse' to provide ten residential units; retention and reinstatement of the fire-damaged Range building and erection of a two-storey terrace of ten residential units; car parking, landscaping, public open space and alteration to existing access (Amended plans and documents) – Eastry Hospital, Mill Lane, Eastry (Agenda Item 10 of 31 August 2017)**

2. **DOV/16/01356** **Change of use of land for the keeping of horses, formation of a vehicle access and erection of a gate (retrospective application) – Land at Monkton Court Lane, Eythorne (Agenda Item 9 of 26 October 2017)**

These items are dealt with elsewhere on the agenda

3. **DOV/16/01476** **Erection of 70 dwellings, with access roads, footpaths, drainage, associated parking provision, groundworks, landscaping, open space and associated infrastructure (existing buildings to be demolished) – Land to the rear of Hyton Drive and Roman Close, Church Lane, Sholden (Agenda Item 8 of 2 November 2017)**

Background Papers:

Unless otherwise stated, the appropriate application file, the reference of which is stated.

MIKE EBBS

Head of Regeneration and Development

The Officer to whom reference should be made concerning inspection of the background papers is Alice Fey, Support Team Supervisor, Planning Section, Council Offices, White Cliffs Business Park, Dover (Tel: 01304 872468).

APPLICATIONS WHICH MAY BE SUBJECT TO PUBLIC SPEAKING

The Reports

The file reference number, a description of the proposal and its location are identified under a) of each separate item. The relevant planning policies and guidance and the previous planning history of the site are summarised at c) and d) respectively.

The views of third parties are set out at e); the details of the application and an appraisal of the proposal are set out at f) and each item concludes with a recommendation at g).

Additional information received prior to the meeting will be reported verbally. In some circumstances this may lead to a change in the recommendation.

Details of the abbreviated standard conditions, reasons for refusal and informatives may be obtained from the Planning Support Team Supervisor (Tel: 01304 872468).

It should be noted, in respect of points raised by third parties in support of or objecting to applications, that they are incorporated in this report only if they concern material planning considerations.

Each item is accompanied by a plan (for identification purposes only) showing the location of the site and the Ordnance Survey Map reference.

Site Visits

All requests for site visits will be considered on their merits having regard to the likely usefulness to the Committee in reaching a decision.

The following criteria will be used to determine usefulness:

- The matter can only be safely determined after information has been acquired directly from inspecting this site;
- There is a need to further involve the public in the decision-making process as a result of substantial local interest, based on material planning considerations, in the proposals;
- The comments of the applicant or an objector cannot be adequately expressed in writing because of age, infirmity or illiteracy.

The reasons for holding a Committee site visit must be included in the minutes.

Background Papers

Unless otherwise stated, the background papers will be the appropriate file in respect of each application, save any document which discloses exempt information within the meaning of the Local Government (Access to Information) Act 1985.

The Officer to whom reference should be made concerning inspection of the background papers is Alice Fey, Planning Support Team Supervisor, Planning Department, Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ (Tel: 01304 872468).

IMPORTANT

The Committee should have regard to the following preamble during its consideration of all applications on this agenda

1. Section 70(2) of the Town and Country Planning Act 1990 requires that, in dealing with an application for planning permission, the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
3. Planning applications which are in accordance with the relevant policies in the Development Plan should be allowed and applications which are not in accordance with those policies should not be allowed unless material considerations justify granting of planning permission. In deciding such applications, it should always be taken into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance. In all cases where the Development Plan is relevant, it will be necessary to decide whether the proposal is in accordance with the Plan and then to take into account material considerations.
4. In effect, the following approach should be adopted in determining planning applications:
 - (a) if the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan;
 - (b) where there are other material considerations, the Development Plan should be taken as the starting point and the other material considerations should be weighed in reaching a decision;
 - (c) where there are no relevant policies in the Development Plan, the planning application should be determined on its merits in the light of all material considerations; and
 - (d) exceptionally, a development proposal which departs from the Development Plan may be permitted because the contribution of that proposal to some material, local or national need or objective is so significant that it outweighs what the Development Plan says about it.
5. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering planning applications for development affecting a listed building or its setting, special regard shall be had to the desirability of preserving the building, its setting or any features of special architectural or historical interest which it possesses. Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas when considering any applications affecting land or buildings within them. Section 16 requires that, when considering applications for listed building consent, special regard shall be had to the desirability of preserving the listed building, its setting, or features of special architectural or historic interest which it has.
6. Section 38(6) of the 2004 Act does not apply to the determination of applications for advertisement consent, listed building consent or conservation area consent. Applications for advertisement consent can be controlled only in the interests of amenity and public safety. However, regard must be had to policies in the Development Plan (as material considerations) when making such determinations.

The Development Plan

7. The Development Plan in Dover District is comprised of:

Dover District Core Strategy 2010
Dover District Land Allocations Local Plan 2015
Dover District Local Plan 2002 (saved policies)
Worth Neighbourhood Development Plan (2015)
Kent Minerals and Waste Local Plan 2016

Human Rights Act 1998

During the processing of all applications and other items and the subsequent preparation of reports and recommendations on this agenda, consideration has been given to the implications of the Human Rights Act 1998 in relation to both applicants and other parties and whether there would be any undue interference in the Convention rights of any person affected by the recommended decision.

The key articles are:-

Article 8 - Right to respect for private and family life, home and correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol - Right of the individual to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

Account may also be taken of:-

Article 6 - Right to a fair trial and public trial within a reasonable time.

Article 10 - Right to free expression.

Article 14 - Prohibition of discrimination.

The Committee needs to bear in mind that its decision may interfere with the rights of particular parties, particularly under Article 8 and Article 1 of the First Protocol. The decision should be a balanced one and taken in the wider public interest, as reflected also in planning policies and other material considerations.

(PTS/PLAN/GEN) HUMANRI

PUBLIC SPEAKING AT PLANNING COMMITTEE

1. The scheme for public speaking at Planning Committee only concerns matters relating to the determination of individual applications for planning permission contained in the Planning Committee agenda and not to other matters such as Tree Preservation Orders or Enforcement.
2. The scheme for public speaking will apply at each meeting where an individual application for planning permission is considered by the Planning Committee.
3. Any person wishing to speak at the Planning Committee should submit a written request using this form and indicate clearly whether the speaker is in favour of, or opposed to, the planning application.
4. The form must be returned to Democratic Support no later than two working days prior to the meeting of the Planning Committee.
5. Speaking opportunities will be allocated on a first come, first served basis but with the applicant being given first chance of supporting the scheme. Applicants or agents will be notified of requests to speak. Third parties who have applied to speak will be notified of other requests only when these directly affect their application to speak. The names, addresses and telephone numbers of people who wish to speak may be given to other people who share their views and have expressed a wish to address the Committee. The identified speaker may defer to another at the discretion of the Chairman of the Committee.
6. One person will be allowed to speak in favour of, and one person allowed to speak against, each application. The maximum time limit will be three minutes per speaker. This does not affect a person's right to speak at a site visit if the Committee decides one should be held.
7. Public speakers will not be permitted to distribute photographs or written documents at the Committee meeting.
8. The procedure to be followed when members of the public address the Committee will be as follows:
 - (a) Chairman introduces item.
 - (b) Planning Officer updates as appropriate.
 - (c) Chairman invites the member of the public and Ward Councillor(s) to speak, with the applicant or supporter last.
 - (d) Planning Officer clarifies as appropriate.
 - (e) Committee debates the application.
 - (f) The vote is taken.
9. In addition to the arrangements outlined in paragraph 6 above, District Councillors who are not members of the Committee may be permitted to address the Planning Committee for three minutes in relation to planning applications in their Ward. This is subject to giving formal notice of not less than two working days and advising whether they are for or against the proposals. In the interests of balance, a further three minutes' representation on the contrary point of view will be extended to the identified or an additional speaker. If other District Councillors wish to speak, having given similar notice and with the agreement of the Chairman, this opportunity will be further extended as appropriate.
10. Agenda items will be taken in the order listed.
11. The Chairman may, in exceptional circumstances, alter or amend this procedure as deemed necessary.



Not to scale

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Note: This plan is provided for purposes of site identification only.

Application: DOV/17/01098

50 & 51 Biggin Street

Dover

CT16 1DB

TR31814156



- a) **DOV/17/01098 – Part change of use and conversion of first, second and third floor to nine self-contained flats and installation of a replacement shopfront - 50 and 51 Biggin Street, Dover**

Reason for report: The application has been 'called in' by Councillor Jones and Councillor Collor.

- b) **Summary of Recommendation**

Planning permission be granted

- c) **Planning Policies and Guidance**

Core Strategy Policies

- DM1 – Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM13 – Parking provision should be design-led, based upon an area's characteristics, the nature of the development and design objectives, having regard for the guidance in Table 1.1 of the Core Strategy.

Land Allocations Local Plan (LALP)

- 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)

- Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.
- Paragraph 11 states that "planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise".
- Paragraph 23 sets out 'planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of town centres over the plan period and amongst other things that should
- Recognise town centres as the heart of their communities and pursue policies to support their viability;
- Recognise that residential development can play an important role in ensuring the viability of centres and set out policies to encourage residential development on appropriate sites; and
- Paragraph 123 advises that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- Paragraph 129. "Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, taking into account of the available evidence and any necessary expertise. They

should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal".

- Paragraphs "132 – 134."Consideration has to be given to whether there is significant harm, less than substantial harm or neutral harm to heritage assets".

Planning Act (Listed Buildings and Conservation Areas) 1990

Section 72 (1) requires LPAs to have a duty to respect conservation areas in the exercising of planning functions. It states that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.

The Kent Design Guide (KDG)

The Guide provides criteria and advice on providing well designed development.

Flat Conversion Guidelines 2006

- Advises on room and unit sizes and facilities required to provide a good level of amenity for future residents.

Guidance on Shopfronts within Conservation Areas.

- Provides advice to help ensure that alterations to shopfronts will preserve or enhance the conservation area.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development.

d) **Relevant Planning History**

Pre-application advice was sought, a planning officer met with the owners and architect at the site. Following the meeting written advice was given and several queries and concerns were raised which the applicant responded to in the presentation of this application.

e) **Consultee and Third Party Responses**

Councillor Jones –I am calling this application so the Committee can consider whether it meets the required criteria in DDC planning policies on the impact of development in a conservation area, the retention and reinstatement of traditional shop fronts and the minimum guidelines for the development of flats.

Councillor Collor – I formally request that this application is heard and decided by the Planning Committee. We are in desperate need for more residential accommodation and we need to improve the street scene in Central Dover. This scheme would help to achieve these aims.

Principal Heritage Officer – Detailed written advice was given to the architect regarding the interpretation of the SPD, the character of surrounding shop fronts and alterations to the shop front at 50 and 51 Biggin Street. Subject to conditions the Heritage Officer does not raise an objection to the amended plans.

Environmental Health – no objection subject to a condition requiring sound proofing.

Principal Infrastructure Officer – Policy DM27 is applicable because it is not a tariff-style payment, however the commuted sum contribution would be extremely small. Furthermore, it would use up one of the five pooled payments for the project at Pencester Gardens. No final figure has been given and the contribution not sought.

KCC Highway Services – no objection because the proposed would not generate more car parking than the existing lawful use and the site is within a town centre location. Standard informative is suggested if permission is granted.

Dover Society – Object for the following summarised reason;

- Storage of rubbish – this could result in bags being left on the pavement and attacked by seagulls resulting in a mess in a very public area.
- Shop front design – the use of porcelain tiles erodes the historic character. The shop front should be similar to the one at Burtons.
- Room sizes

Dover Town Council – Objects

- The density of flats is too high
- Inadequate natural daylight
- Not enough space for bin and bike store
- The shopfront is not being retained and the proposed shopfront would not enhance the conservation area.

Third Party – 4 objections received the comments are summarised as follows;

- Supporting the views expressed by the Town Council and Dover Society
- The flats are too small and of poor quality
- poor residential amenity for the future occupiers

- f) 1. **The Site and the Proposal**
- 1.1 The site is located within the urban confines of Dover within a primary shopping frontage. It is also within a designated conservation area.
- 1.2 Biggin Street is characterised by three storey, terraced buildings entirely commercial in character at road level. The upper floors generally appear to be used for a mixture of storage, commercial or residential accommodation.
- 1.3 No.50 and 51 have a vacant retail unit at ground floor level, the upper floors are also vacant and have been for many years. The Design and Access statement advises that the last known use was as a hotel but there is no evidence of this throughout the building.
- 1.4 The buildings do not benefit from a rear curtilage or access, the sole access to the floors above is through the retail units. Permission will also be sought for a new self-contained access from Biggin Street, this will be created by reducing the width of unit 51 and inserting a passage way and staircase behind a new front door.
- 1.5 Planning permission is being sought for the change of use and conversion of the first, second and third floor to residential accommodation. The proposal is for 3 x studio flats and 6 x 1 bedroom flats.
- 1.6 A new staircase to access the flats from ground level will need to be provided. This will be achieved by the subdivision of the retail unit at no.51 by creating a

1m wide passage way. The creation of the passage will result in a narrower shop and the provision of a new shop frontage.

2. **Main Issues**

2.1 The main issues are:

- The principle of the development
- The impact on residential amenities
- The impact on the character and appearance of the conservation area
- The impact on the highway network
- Other matters

Assessment

Principle

- 2.2 The site is located within the urban area and specifically within Dover Town Centre. The NPPF advises LPA's to support development which will enhance the vitality and viability of town centres. This development would bring more people into the town centre, the residents would use the amenities and surrounding shops which in turn would boost the vitality and viability of the town centre.
- 2.3 In addition the conversion of the upper floors to flats appears to be in-line with the Governments 'No Use Empty' programme. Thus the principle of the development is considered to be acceptable, because

Character, Appearance and Heritage

- 2.4 Paragraph 132 of the NPPF advises that 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. The existing shopfront is modern but is of traditional detailing. The new shop front as originally proposed was considered unacceptable and detrimental to the visual appearance of the conservation area, alterations and amended plans were sought.
- 2.5 The Heritage Officer advised that drawings were rather basic and that the existing plans were inaccurate as they did not show the shopfront correctly, for example no pilasters and the fascia did not extend up to the underside of the first floor windows. The Heritage Officer stated that the essential issue, is that the surround needs to remain in place, there is no need to replace the shopfront in its entirety to install a secondary door and the existing can be altered.
- 2.6 The Heritage Officer produced a draft sketch for the applicant to help explain and offered the following advice;
- ' The existing pilasters, corbels, upper fascia and cornice should be retained (as shown in green on the draft sketch) the lower is a modern insertion.
 - I have shown the doors at either end of the shopfront window. This allows for the central section to be divided with a main central mullion and each section of glazing either side to be divided into two. This will allow for half to be obscure glazed for the bin storage beyond, and half to remain clear for the shop unit.

- The proposed ventilation grill has been removed and a set of glazed panes runs across the top of the doors and windows. The personal door to the flats must be solid so the glazed panel above lights the hallway beyond.
 - We have no details of the signage proposed, but the fascia is all one unit and should not be split up. I suggest a simple sign fixed to the inner face of the recessed doorway with the flat details.
 - The stall riser can be tiled but we will need details to ensure that it is traditionally detailed. A cill needs to be provided.
 - Aluminium is not an acceptable material under our SPD. The shopfront must be made of timber’.
- 2.7 The architect has taken on board the advice from the Heritage Officer and has amended the shopfront. The Heritage Officer advises that is ‘a more appropriately traditionally detailed shopfront with doors set at either end of the windows’. The shopfront as amended will restore and retain elements of the existing and replace with traditional fittings and materials where it is not possible to retain.
- 2.8 At the request of Waste Services a recessed area behind the faux shop front will be provided, this area will be used for the deposition of rubbish sacks on collection day. Waste Services have advised that nine flats are likely to generate 18 bags of rubbish a week and this area will prevent the sacks from being left on the public highway. It is acknowledged that rubbish left on the public highway and in particular this high profile area will be harmful to the area.
- 2.9 Although the faux shopfront is an unusual feature it is not harmful to the conservation area. The shopfront at no. 51 will be narrow, but there is a mixture of shop types and sizes in Biggin Street and High Street and this would not be incongruous.
- 2.10 Paragraph 134 of the NPPF advises 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. The existing shops are empty and have been vacant for some time; they are in a poor state of repair and visually detract from the character and appearance of the shopping area and the wider conservation area. The change to the shopfront would enhance the character and appearance of the conservation area and would result in less than substantial harm, and is outweighed by the public benefits of the development. The proposal complies with the NPPF.
- 2.11 The only other alteration to the front elevation would be the insertion of two roof lights into the roof, this would only be glimpsed from the front streetscene and not harmful to the conservation area. The existing timber sash windows are to be retained and repaired.

Impact on Residential Amenity

- 2.12 It is unclear what the use of the first-floor accommodation in the directly adjoining buildings are; some appear to be residential, office or storage. However, the change of use would not have an impact on these uses and it is not significantly different to the lawful hotel use. Furthermore the adjoining uses are unlikely to have a significant impact on the future residential amenities of the occupiers. Environmental Health have been consulted and they are satisfied with the level of soundproofing to mitigate resultant impacts.

- 2.13 At the rear of the site (south west) there is a building known as The Warehouse which is accessed off Worthington Street, this building is converted to flats and has windows that look towards the rear of the application building. The separation distance is approximately 14m and the buildings are set at an oblique angle to each other. On balance it is considered that the level of overlooking is negligible and would not be harmful to the amenities of the occupiers.
- 2.14 In terms of noise disturbances, in the event of planning permission being granted, it is recommended by Environmental Health that a condition be imposed requiring the submission of details of sound insulation between the residential and commercial parts of the development to ensure high standard of living conditions.

Housing Standards

- 2.15 Housing standards are set to ensure that there is a reasonable level of residential amenity for the future occupiers. The Flat Conversion SPG advises that, self-contained studio flats should not have an overall floor area of less than 30 m².
- 2.16 Each studio room should have a minimum net floor area of 16 m². If the kitchen is combined with this room, the area should be 6 m² larger. A separate kitchen should have a net minimum size of 5.6m². In addition to this accommodation there should be a bathroom/shower-room and W.C. There are 3 studio flats in this proposal and the floor area of the studios are between 36 and 37m² which is larger than the recommended size guide of 30m²
- 2.17 The Flat Conversion SPG advises that 1 bed flats should not be less than 40 m² and should have a bedroom 11m² and a living room/kitchen/dining room 20m². All of the 6 flats comply with the individual room sizes but only 2 of them have an overall floor area of 40m² the remaining 4 flats range in size from 36m² to 39.7m² as this is only slightly below the recommended standard and the overall room sizes comply it is considered that on balance the proposal is acceptable.
- 2.18 Natural light and out look to the studio flats is limited, to one aspect. The applicant has however chosen to insert additional windows into the studio flats which would allow extra light into the units. Internal low level privacy screens will be provided adjacent to the sleeping areas, which will allow natural light to filter over the top. The sleeping area in the studio flats is likely to be the darkest area which is the furthest away from the windows. However, this is considered on balance to be acceptable as the flats are small.
- 2.19 A communal bin storage area is provided on the terrace at the rear of the building. On collection day the residents will be expected to bring the bags of rubbish to the front of the property and to leave them in the recessed collection area adjacent to the shop front.
- 2.20 There is a minimal amount of private amenity space, on the terrace for the occupiers. The flats are small and are not expected to be family accommodation. The site is however in close proximity to the seafront and Pencester Gardens.

Impact on the Local Highway Network

- 2.21 KCC highway services do not object to this proposal, it is considered that the lawful use of the building as a hotel would have generated a greater demand of car parking than the proposed 9 flats. Furthermore the future occupiers would be living in a sustainable location within the town centre close to public transport and car parks.
- 2.22 The provision of bicycle storage was considered and could have been provided but this would've been at the expense of the bin storage area on the terrace. As KCC highway authority did not consider bike storage to be a necessity it was not pursued further. A neat and tidy street frontage is considered an important feature in such a location.

Other Matters

- 2.23 The NPPG advises that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the written ministerial statement of 28 November 2014 and should be taken into account. In this case therefore contributions are not being sought.
- 2.24 Policy DM27 seeks the provision of open space it is applicable because the development is for more than 5 units. It is impractical to provide open space on – site and there are existing facilities (Pencester Gardens) within the access distance which could be improved by the provision of a commuted payment. This policy is not a tariff style contribution and would meet CIL reg. 122. However in this instance, due to small size of the flats (studio and 1 bed flats) and the low of number of units (nine) the commuted sum would be minimal and would be counted towards the 5 pooled payments for this scheme. The Principal Infrastructure Officer has not calculated figure and not pursued the contribution. On balance it is not considered reasonable to make a request for a financial payment.

Conclusion

- 2.25 The proposed development would make good use of a vacant building, within a prominent town centre location. The introduction of flats would help to enhance the vitality and viability of the area and would boost the wider economy. It would provide much needed small units of accommodation in a sustainable location. The change would also result in a new shopfront; which would improve the appearance and quality of the building and thus preserving and enhancing the conservation area. It is accepted that the units are small but on balance it is considered that any shortfall in floor area is outweighed by the benefit brought by the proposal.

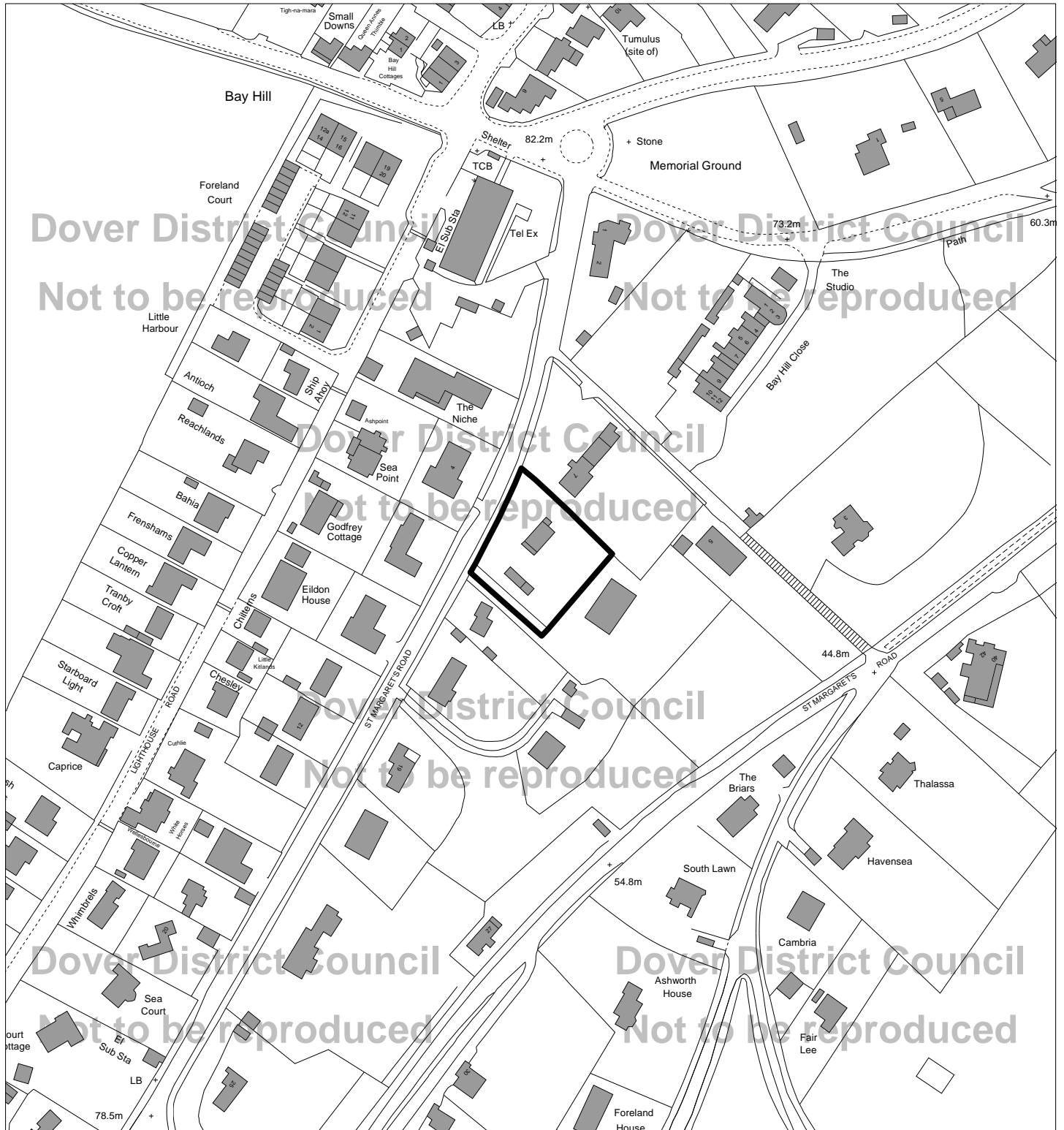
g) Recommendation

- I PERMISSION BE GRANTED subject to the following (summarised conditions) conditions:
- 1) Standard time condition
 - 2) In accordance with approved plans
 - 3) Samples of materials to be submitted
 - 4) Full constructional details of the proposed shopfront

- 5) The new shopfront at no.51 shall be fully installed prior to first occupation of any flat
 - 6) The new windows in the rear elevation of the building serving flats, 1, 2, 5 and 8 shall be of timber construction (to match existing)
 - 7) Prior to the first occupation of any unit, the 1.8m high trellis as shown on the rear terrace shall be fully erected
 - 8) Full particulars and details of a scheme for sound insulation between the proposed first floor residential development and the commercial uses on the ground floor shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall 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 the first occupation of flats 1, 2 and 3
 - 9) Prior to the first occupation of any flat hereby granted the bin storage area on the terrace and the recessed bin area behind the shop front, shall be provided
- II) Powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by planning committee

Case Officer

Rachel Humber



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Application: DOV/17/01078

The Tides

9 St Margarets Road

St Margarets Bay

CT15 6EQ

TR36394429



- a) **DOV/17/01078 - Erection of a single storey link extension, garage and studio extension with storage and gym above, two-storey rear extension and extension to existing terrace (existing conservatory to be demolished) - The Tides, 9 St Margaret's Road, St Margaret's Bay**

Reason for report: Contrary views (7)

- b) **Summary of Recommendation**

Planning permission should be Granted.

- c) **Planning Policy and Guidance**

Dover District Council Core Strategy

- Policy CP1 states the location and scale of development in the District must comply with the settlement Hierarchy. The Hierarchy should also be used by infrastructure providers to inform decisions about the provision of their services.
- Policy DM1 states that development will not be permitted outside the confines unless specifically justified by other plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

National Planning Policy Framework (NPPF) 2012

- Paragraph 7 sets out 3 dimensions to sustainable development – the economic, social and environmental role which should not be undertaken in isolation.
- Paragraph 14 states 'that at its heart there is a presumption in favour of sustainable development. Where the development plan is absent, silent or out of date this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole'.
- Paragraph 17 sets out the core planning principles... Planning should....
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings..."take account of the different roles and character of different areas, promoting the viability of our main urban areas, protecting the Green Belts, around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it..."
- Paragraph 56 states '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 58 sets out amongst other things that comprehensive policies that set planning decisions should aim to ensure the development;
 - Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of development.
 - Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as parts of developments) and support local facilities and transport networks.
 - Respond well to local character and history, and reflect the identity of local surroundings and material, while not preventing or discouraging appropriate innovation.

- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - Are visually attractive as a good result of good architecture and appropriate landscaping’.
- Paragraph 60, Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation. It is, however, proper to seek to promote or reinforce local distinctiveness".
 - Paragraph 61, Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, 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 64, ‘permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions’.
 - "132. When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance".
 - "133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
 - "134. Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

Planning (Listed Buildings and Conservation Areas) Act 1990 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the decision maker should pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Dover District Council Core Strategy (adopted 2010)

Policy DM1 states that development will not be permitted outside the confines unless specifically justified by other plan policies, or it functionally requires such a location, or is ancillary to existing development or uses.

Policy DM13 ‘Parking provision should be a designed led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives’.

Dover District Council Local Plan (adopted 2002)

None applicable.

Dover District Council Land Allocation (adopted 2015)

None applicable.

Other Guidance/Relevant Matters

Kent Design Guidance.

(d) Relevant Planning History

DOV/89/01050 – The Tides – proposed extensions to form sun lounge and conservatory.
DOV/02/00251 – Land rear of The Tides – erection of detached dwelling and detached garage.

DOV/04/01162 – The Tides – erection of first floor side extension and lower ground floor extension.

DOV/15/00030 – Site next to The Tides – Erection of a detached bungalow and attached garage – Refused.

DOV/16/00891 – Erection of a single storey side and rear extension and roof extension to garage, insertion of rooflights, erection of decking and balcony with balustrade - Refused

PRE/17/00076 – advice was given concerning extensions and alterations to the dwelling with a linkway and erection of a replacement garage.

The main concern was the potential impact the gym/garage addition would have in respect of potential overlooking and the substantial size and scale and forward projection of 4.5 metres beyond the front wall of the house.

(e) Consultee and Third Party Responses

Dover District Council Principle Heritage Officer:

Verbally confirmed no objection to the application.

St Margarets Parish Council – objects

This is an overdevelopment of the site, incongruous in the conservation area and blocking seaward view.

Third Party Responses:

Local residents; 7 letters of objections have been received and are summarised below;

- The proposal will extend beyond the main body of house, beyond the natural building line at the rear with not one but four extended balconies.
- Overlooking;
- The two storey building described as a gym/study with bathroom takes up nearly half the garden, the slanted full height ground floor windows and two first floor velux window, this would amount to a self-contained annexe or separate dwelling which could be used such as a b&b;
- It would be unsightly for the conservation area;
- The design and access statement indicates that a new hedge will be planted on the north east boundary, helping to reduce overlooking. It is not possible to grow a hedge high enough to stop the overlooking from this proposed two storey building. The architects have stated that there is an overlooking problem;
- The demolition of the existing conservatory and the replacement with a flat roofed extension to the ground floor living area could be used as a balcony;
- Part of the terracing is immediately adjacent to the neighbouring dwelling and the extension could cause noise nuisance to both properties;

- The proposed development is overdevelopment, especially if it is sub-divided; the continuous masonry would stretch from boundary to boundary with very little clearance either side;
- The rear garden was recently made up by 4 feet leaving a normal height person standing on the lawn some 3 or 4 feet above the 2 metre high fence;
- Two previous applications have been received and refused;
- The end of the garden has purposely not been made up previously as the wall which divides the properties is not fit for purpose and the garden has always sloped so steeply it was maintained as an orchard;
- If the glass walkway was not completed for any reason, the position would be two separate buildings;
- The proposed development is intrusive;
- The development is not in keeping within the street scene;
- The proposed development would look cramped and would detract from what is a lovely road containing mostly large detached houses of character with appropriately sized gardens;
- The bulk, scale and mass is huge and very similar to that of the last two refused applications;
- The road forms part of the Saxon shoreline walk and is used by tourists and walkers each year; these views will not be visible if the road develops in this way, this visual amenity forms the basis of the conservation area;
- It is unneighbourly;
- No objection to the extensions to the house to the front/rear which would provide extra space with minimum impact on the environment and conservation area;

1. The Site and the Proposal

- 1.1 The application site is within the village of St Margaret's in the conservation area. The Tides is a two storey dwelling with single storey extensions to the north eastern and south western elevations. The Tides is set back from the back edge of the footpath by off street parking provision. To the south west of The Tides is a single storey garage with a tiled, hipped roof.
- 1.2 The application site falls from the north west from St Margaret's Road to the south east. The site is currently falls from the road level, to a retaining wall and then to the driveway to access the garage. The garage is on the flat platform, with a 1.5 metre drop in the land level behind it. The land then continues to fall in a south easterly direction to the rear site boundary. The rear boundary consists of a retaining wall and there is a significant hedging dividing the application site and Illawarra to the rear.
- 1.3 Illawarra a two storey detached dwelling set below the garden level of The Tides and there is a significant difference in ground levels between the two sites, with a detached garage to the south west of the dwelling. Access is gained to this site by a drive on the south west boundary of the application site. To the north east is The Shrubbery a two storey detached dwelling with terracing to the rear elevation.

Proposed Development

- 1.4 Planning permission is sought for the erection of a single storey link extension, garage and studio extension with storage and gym above, two storey rear extension and an extension to the existing terrace (existing garage and conservatory to be demolished).

- 1.5 The proposed extensions to the main dwellinghouse includes a single storey extension to the north eastern elevation measuring 4 metres x 6 metres with a flat roof over. The two storey flank elevation to the north eastern elevation would measure 1.5 metres in width x 6.2 metres in depth with a hipped roof over. The two storey side extension to the north west would measure 3 metres in width x 7 metres in depth continuing the existing roof form with a hipped roof over.
- 1.6 The two storey rear extension would measure 14 metres x 1.5 metres incorporating two gable ends and four recessed balconies. The entire rear elevation will be aluminium framed glazed and would have timber clad window surrounds at first floor.
- 1.7 A link extension is proposed to connect the garage to the dwellinghouse with an overall height of 2.2 metres, with timber cladding to the street front elevation and glazing to the entire rear elevation.
- 1.8 New hedgerow planting is proposed to the north east and south west boundaries.
- 1.9 The replacement garage would have an overall eaves height of 6.2 metres, with a width of 6.3 metres and a length of 13 metres. The rear elevation would have glazing to the first and ground floor levels.

2.0 **Main Issues**

2.1 The main issues for consideration are;

- Principle of the development.
- Design and impact within the street scene.
- Impact on conservation Area
- Impact on residential amenity
- Highway safety.

3.0 **Assessment**

Principle of Development

3.1 The site is located within the St Margaret's settlement boundary. The development is acceptable in principle, subject to other material considerations as set out below.

Design, Visual Amenity and Appearance of the Street Scene

3.2 Paragraph 60 of the National Planning Policy Framework sets out that 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness. Within the immediate locality the area is characterised by properties that have been altered to be contemporary in design as well as those that have been retained the traditional features. The side extension to this dwelling is an interpretation of the existing form of the dwelling incorporating the features of the hipped and gable ends of the building.

3.3 A link is proposed connecting the dwelling to the proposed garage with a height of 2.2 metres. Given the boundary treatment to the front of the site including

dwarf walls, gates and screening and the use of sympathetic materials it is considered this element of the proposal would not be unnatural or intrusive or result in any adverse harm to the character and appearance of the street scene.

- 3.4 Previous planning applications have been refused in respect of the replacement garage being an incongruous feature within the street scene by virtue of the bulk, scale, form and design features. Pre-application has also been given in respect of the proposed garage with the main concerns arising from these discussions being the proposed size and siting of the garage with a forward projection as it would have competed with the dwelling. The applicant has overcome these concerns by siting the garage behind the front building line by 1.4 metres and designed it with a hipped roof. The original application sought planning permission for a garage measuring 14.8 metres in length and concerns were raised over the over bulk, scale and massing and amendments were sought. The replacement garage has been reduced by 3.5 metres and the resultant garage is of a suitable scale and form which would not appear as an overly dominant feature within the wider street scene or compete with the form and scale of the existing dwelling.
- 3.5 The rear extensions are of a contemporary design and would continue to allow long views through towards the sea. The rear elements of the extension would not be readily visible from the public realm, are considered innovative, contemporary and are sympathetic in scale and form are acceptable.
- 3.6 New hedgerow planting is proposed to the north east and south west boundaries. This would, in time help alleviate the resultant impact of the garage building from the west, in particular, which is where the impact of the extensions would be most noticeable.
- 3.7 The materials indicated to be used on the development is untreated natural timber cladding, with matching brick. The cladding would overtime would weather to blend in with the other materials proposed here. Due to the amount of glazing proposed within the rear of the proposed development and given the position within an effective hillside terrace, it is considered appropriate to condition the use of non-reflective glazing to ensure there would be no glare from the sun, which would reduce the visual impact when viewed from any public viewpoint. The finishes are a blend of contemporary and more traditional materials and are considered acceptable.
- 3.8 For the reasons set out above the overall development is not considered to be detrimental to the character and appearance of the street scene and complies with the aims and objectives of the National Planning Policy Framework.

Impact on Conservation Area

- 3.9 The general characteristics of this area of the St Margaret's conservation area are substantial properties within larger plots with gaps and spaces around the buildings through, to the south east, towards the sea. Views to and from this site are achieved from the street, and from the distance, from coastal walks.
- 3.10 It is necessary to consider the impact and harm of a proposed development on the significant of a heritage asset and great weight is given to assets conservation. Where a development is considered to result in less than substantial harm, this harm has to be weighed against public benefits.

- 3.11 The gaps and spaces between and around dwellings in this street scene contribute towards the character and appearance of the conservation of the conservation area in this instance. The gaps and spaces around buildings, allow through views and relief to an otherwise built frontage to be retained.
- 3.12 In this case the development would amount to an extension to a dwelling, of a relative and domestic scale and incorporate design features, characteristics of the existing dwelling. Although readily visible in the street, due to the retention and safeguarding of the existing gaps and spaces around the building, it is not considered, compared to the wider form and scale of built development in the street scene, in this location, that there would be substantial harm or less than substantial harm caused to the significance of the heritage asset. It should be noted that the Conservation Officer raises no objection.
- 3.13 In heritage terms therefore the proposals are considered acceptable and sufficiently National Planning Policy Framework compliant.

Impact on Residential Amenity

Loss of outlook/overshadowing

- 3.14 Concerns have been raised by local residents in respect of the potential in the loss of outlook by virtue of the extensions. However as set out in above it is considered the proposed development would maintain the gaps and spaces between the dwelling and the proposed garage and around the resultant buildings and would not result in a loss of outlook currently enjoyed. It is not considered that due to the siting of the extensions and distances away from neighbours that there would be harm to residential outlook.
- 3.15 In respect of the potential for overshadowing/overbearing effect the proposed extension to the south eastern elevation is to remain as a single storey extension and would not be closer to the dividing boundary. The two storey element of the development would be well contained within the site. The proposed development would not lead to any additional overshadowing and would not result in harm to the residential amenity in respect of it being overbearing.

Overlooking

- 3.16 The proposed development has been designed with an expanse of glazing within the rear elevation and the replacement garage at first floor. The design incorporates balconies, which have been designed to be recessed within the gable ends; this limits the potential outward views towards adjacent properties. It is accepted the entire rear elevation of the dwelling and first floor of the new garage will be glazed. The topography of the land form here means that views towards the sea would largely be across the south east; Downwards views as such would be limited. In addition, due to the intervening boundary treatment to the southern boundary of The Tides, views towards Illawarra would be interrupted by this feature. There may be some increasingly distant overlooking towards this property, but any views achieved would be largely of Illawarra's front parking area and part of their side garden. Their private amenity space to the rear of the dwelling would be screened from views by Illawarra itself. Conditions can be attached regarding the retention of the rear boundary.
- 3.17 Residential amenity concerns have been given careful consideration, particularly in the light of previous refusals. In this case, due to the topography of the

landscape distances of extensions from the most likely affected neighbour, the intervening boundary treatment and siting of the neighbouring properties, it is considered that the development would not result in undue loss of amenity and harm. Accordingly the development is considered to be National Planning Policy Framework Complaint.

Other Residential Amenity Matters

- 3.18 The existing conservatory is to be demolished and replaced with a flat roofed single storey extension. Of concern to a local resident is the potential for the roof area to be used as a balcony as it would result in direct overlooking of the primary amenity space. However, planning permission would be required for the use of the flat roof as a balcony as the General Permitted Development Order 2015 (England) (as amended) does not allow the construction or provision of a veranda, balcony or raised platform without planning permission.

4. Highway Safety

- 4.1 The existing parking arrangements will remain unchanged and therefore the proposal complies with the aims and objectives of the National Planning Policy Framework and policy DM13 of the Core Strategy.

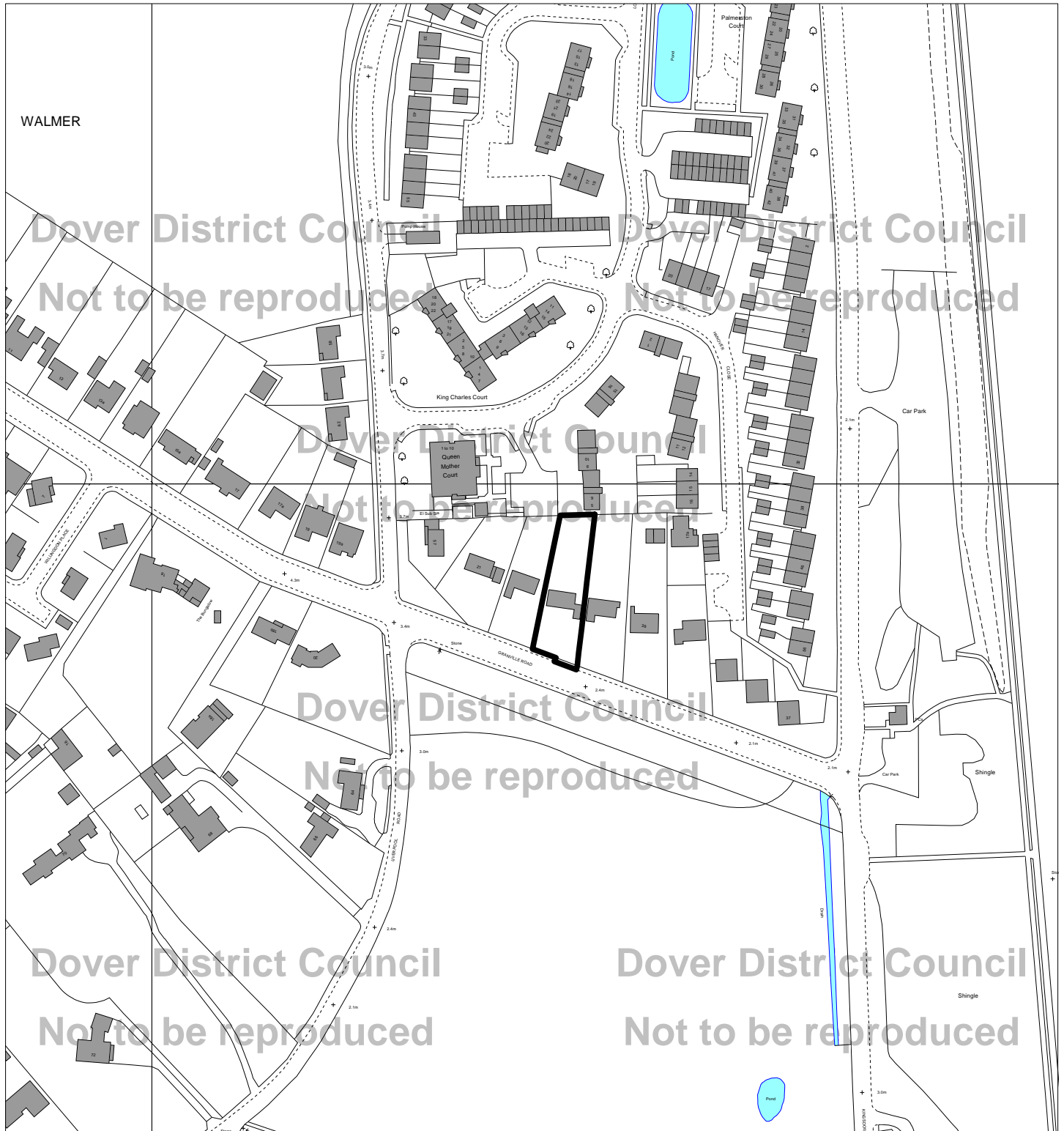
5. Conclusion

- 5.1 The National Planning policy Framework states there should be a presumption in favour of sustainable development, unless there are any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this instance it is considered the resultant development is of a suitable and high quality design. The identifiable characteristics and features of the conservation area, notably the gaps and spaces around the buildings, would not be diminished. Additional benefits would be brought about by new hedgerow planting along the south west boundaries. It is considered that the proposal would respond well to the character and appearance of the conservation area and the existing street scene. In addition to this it is concluded there is no undue harm to the residential amenities currently enjoyed by the occupiers of the surrounding property. Therefore the development is considered acceptable, subject to appropriate conditions and accords with the aims and objectives of the National Planning Policy Framework and policies, CP1, DM1, DM13 of the Core Strategy.

(g) Recommendation

- I PERMISSION BE Granted for the following reasons subject to conditions set out to include, in summary: i) standard time: ii) carried out in accordance with the approved details, iii) details of materials to be submitted and approved, iv) the glazing within the rear elevations, link way and garage shall be non-reflective glass and retained as such at all times; v) the existing boundary treatment screening to the south east boundary shall be retained at all times, vi) landscaping scheme submitted for the north east, south west boundary.
- II That powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation, and as resolved by the planning committee.

Case Officer - Karen Evans



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Application: DOV/17/01107

25 Granville Road

Walmer

CT14 7LQ

TR37655049



- a) **DOV/17/00432 – Erection of a two-storey front extension, extension to vehicular crossover and enlargement of driveway (existing garage to be demolished) - 25 Granville Road, Walmer**

Reason for report: Number of contrary views (6).

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policies and Guidance**

Core Strategy Policies

DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

National Planning Policy Framework (NPPF)

- Paragraph 17 states that securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings is one of the 12 core planning principles set out in the NPPF.
- Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 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 58 states that planning policies and decisions should aim to ensure that developments:
 - will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place;
 - respond to the local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - are visually attractive as a result of good architecture and appropriate landscaping.
- Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- Paragraph 64 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”.

The Kent Design Guide

The Kent Design Guide says that for extensions to buildings the main principle is that the character of the building and the surroundings must be maintained or improved by the work done.

Walmer Design Statement

Walmer Design Statement seeks to focus on the special character and design features in different parts of Walmer. It sets out Design Principles that could be applied appropriately.

The design principles that can be applied in the context of the current planning proposal are:

WDS1: requires the development to be consistent with Dover District Local Plan (2002) and the principles and objectives of Kent Design (2000) and should acknowledge, preserve or enhance the built and natural heritage of the parish of Walmer.

WDS3: The scale, materials and boundary treatments used in development should be appropriate to their surroundings and the design details of the Character Area in which the development is proposed. Harmonious variety in design details within developments is encouraged to maintain the tradition of visually interesting streetscapes which is a characteristic of Walmer.

d) **Relevant Planning History**

DOV/17/00854 - Erection of a two storey front/side extension and alterations to vehicular access and extension to driveway. Withdrawn.

e) **Consultee and Third Party Responses**

Walmer Parish Council – object to the planning application for the following reasons:

- Use of cladding – out of keeping
- Do not agree that the proposed development meets NPPF section 7 para 59, the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
- would contravene Walmer Design Statement Principle WDS 3

County Archaeologist – no archaeological measures required.

Public Representations:

Six (6) representations received objecting to the planning application and raising the following relevant planning matters:

- design and materials out of keeping
- vehicular access would be out of keeping
- probable damage to the Sycamore tree
- overshadowing and loss of outlook to no.27 Granville Road
- incongruous and overbearing
- unauthorised work (the construction of the porch to the front elevation)
- design of the extension conflicts with Local Planning Policies, NPPF and contradicts two key design principles (WDS2 and WDS3) as set out in the Walmer Design Statement 2006.

Twenty (20) representations received supporting the planning application and making the following comments:

- it would be inconsistent to refuse this application.
- would not have an impact on the Walmer Castle – well screened by intervening trees
- no significant historical character and these changes are an improvement
- it is not in the conservation area and overlooks a sheep field
- adequate private parking for cars and on street

f) 1. **The Site and the Proposal**

1.1 The application relates to a detached dwellinghouse which is located within the settlement confines of Walmer. The host property shares boundaries with no.27 to the east and no.23 to the west. No.23 has an existing two storey front extension.

1.2 The application site abuts the northeast edge of Granville Road. The area has a fairly uniform character, with the properties in the vicinity of the application property sharing common architectural features, materials and scales. Equally, there is a degree of uniformity in terms of its layout and pattern of development, with all the properties set back from the main road by approximately 12 to 15m from Granville Road.

1.3 The exterior façade of the application property comprises a combination of painted brickwork, exposed brickwork and a small section of dark coloured cladding to the front. It has a concrete tiled roof and UPVC fenestration. It has an attached garage which makes provision for one car parking space. It has front and rear gardens. The front garden is partly covered in hardstanding and makes provision for two off-street car parking spaces.

1.4 The application seeks consent for the erection of a two storey side/front extension and widening of the existing vehicular crossover and the driveway. The proposed extension would measure 6.25m in depth and 3m in width. It would be 4.9m in height at eaves level and would reach a maximum height of 6.2m above ground floor level. The proposed extension would be finished in brick. It would have a concrete tiled shallow pitched hipped roof and UPVC fenestration. The existing width of the driveway and the vehicular crossover is approximately 3m and the proposal is to increase the width to 6m.

2 **Main Issues**

2.1 The main issues are:

- The principle of the development
- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on the highway network

Assessment

Principle of the Development

- 2.2 The site lies within the settlement confines of Walmer. It is considered that principle of the development is acceptable, subject to site-specific considerations.

Impact on the Character and Appearance of the Area

- 2.3 The current application is a resubmission of a previously withdrawn scheme (DOV/17/00854). It would be relevant to discuss the concerns raised in the previous scheme and how the current scheme overcomes those concerns. The previous scheme comprised of a two storey flat metal roofed front extension clad in vertical weatherboarding (coloured). The design of the extension was fairly contemporary in nature. Concerns were raised regarding the stark effect the extension would have on the street scene by virtue of its overall massing, design and use of materials. Since substantial and fundamental changes were required to make the scheme acceptable, the application was withdrawn with a view to submitting a revised proposal.
- 2.4 The current proposal seeks to address the concerns raised in the previous application (DOV/17/00854) by virtue of significant amendments to the scheme which includes the following:
- the extension would have a pitched hipped roof which would be in keeping with the roof form of the application property and those others in the street
 - it would have concrete roof tiles to match existing
 - the proposed extension would be finished in brick
 - the proposed fenestration would be white UPVC to match existing
- Having regard for the amendments made to the proposed scheme, the detailed design of the extension is considered acceptable and would not cause harm to the character and appearance of the application property.
- 2.5 It is necessary to consider the impact of the proposal on the character and appearance of the street scene. The proposed extension by virtue of its siting to the front would be readily visible in the street. However, it is relevant to note that the application property is well set back from the main road and the finished extension would sit at a distance of approximately 15m from the edge of the main road. Whilst two storey front extensions are not a common feature in the street, it should be noted that a similar front extension was permitted to no.23 in 2009. Given the significant separation distance from the main road and having regard to the limited scale and height of the extension, it is not considered that the proposed extension would constitute a dominant or an obtrusive feature in the street.
- 2.6 Having regard for the reasons set out above, your officers are satisfied that the proposed extension would not detract from the character and appearance of the street scene and would accord with the key principles of Walmer Design Statement, in that it incorporates materials, fenestration design and external cladding which reflects the appearance and finish of the original building.
- 2.7 The application also involves widening of the existing vehicular crossover and the driveway by approximately 3m. It involves a partial removal of the fence along the front boundary. It is proposed to finish the new driveway in permeable block pavers to match the existing driveway. Given the general

character of the area, the proposed widening of the existing access is considered acceptable.

- 2.8 Overall, the development proposals are sufficiently sympathetic and are of a scale, form and appearance that would not look out of place in this street scene. Accordingly, the development is considered to be NPPF compliant and acceptable.

Impact on Residential Amenity

- 2.9 No.27 to the east
The proposed extension would lie at a distance of approximately 2m from the side elevation of no.27 to the east. The proposed extension spans less than half the depth of the application property and projects beyond the front elevation of the existing garage at no.27 by approximately 1m. There are no openings serving habitable rooms to the side elevation of no.27 facing the proposed extension. Therefore, no interlocking, overlooking, loss of outlook or loss of light would occur from the proposal.

- 2.10 No. 23 to the west
The proposed extension would be sited at a distance of approximately 12m from the dividing boundary with no.23. Given the substantial separation distance between the properties, no loss of light, sense of enclosure or overshadowing would result from the proposal. The proposal also involves insertion of a window at first floor level to the side elevation facing towards no.23. Having regard for the separation distance and given the fact that only views of the front garden and the driveway would be achievable from the proposed window, it is not considered to cause loss of privacy to the neighbouring occupiers of no.23.

- 2.11 With regards to the proposed vehicular crossover, it is not considered that the widening of the existing vehicular crossover by 3m to form a 6m wide access would cause harm to the residential amenity of the neighbouring occupiers.

- 2.12 There are no other properties in the vicinity that would be directly affected by the proposal.

Impact on Highways

- 2.13 Policy DM13 of the Core Strategy requires a provision of 2 car parking spaces to be made within the site for a 3+ bed property. The proposed enlargement would result in an additional bedroom (according to the plans, one existing bedroom would become an office). Whilst one garaged car parking space would be lost, the application site would retain adequate space for at least two offstreet car parking spaces. It is noted that onstreet parking is prevalent in the street. For the foregoing reasons, it is not considered that the proposal would result in an increase in the parking demand in the street or cause harm to the free flow of traffic.

- 2.14 KCC Highways have not been consulted on this application; however, the following is deemed necessary to be secured via condition:
- Provision of measures to prevent the discharge of surface water onto the highway.

- Use of a bound surface for the first 5 metres of the access from the edge of the highway.
- Completion of the necessary vehicle crossing in the footway prior to the use of the access commencing.

Archaeology

- 2.15 Given the scale of the proposed extension, it is likely to have shallow foundations. As such, it is not considered that there is a reasonable likelihood that the development will impact upon heritage assets of archaeological interest. Furthermore, KCC Archaeology are satisfied with the proposal and have not recommended any archaeological measures to be carried out.

Conclusion

3. The proposal is considered well sited and acceptably designed in relation to the application property to be extended and the neighbouring properties and as such would not detract from the character and appearance of the host property or the street scene. It would not cause harm to the residential amenity of the adjacent occupiers and is considered acceptable in all other material respects.

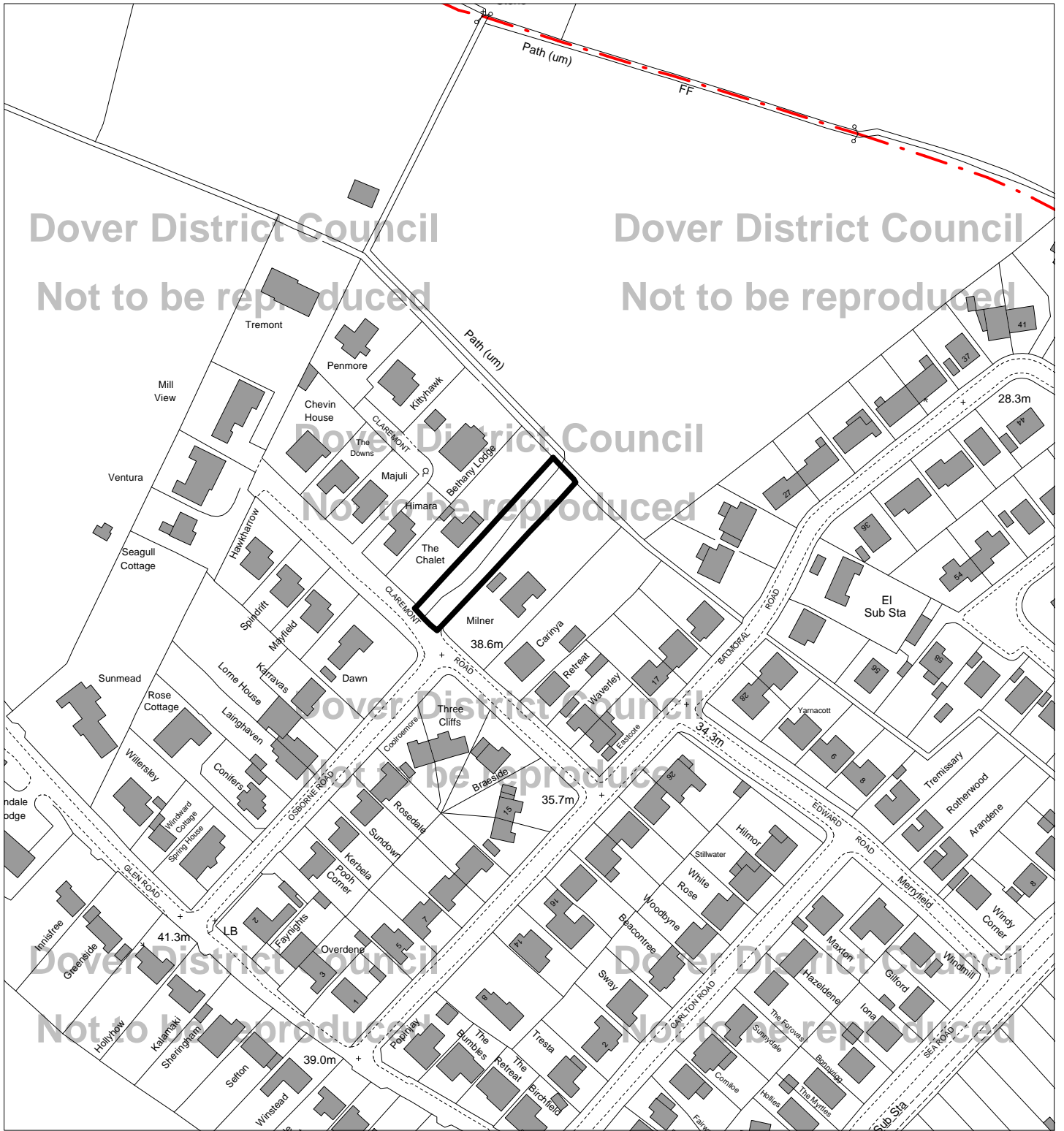
g)

Recommendation

- I PERMISSION BE GRANTED subject to the following conditions: i) Timescale of commencement of development, ii) A list of approved plans (iii) measures to prevent the discharge of surface water onto the highway (iv) use of a bound surface for the first metres of the access from the edge of the highway (v) completion of access prior to first use.
- II Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer
Benazir Kachchhi

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Application: DOV/17/01165

**The Chalet & Milners Land Between
Claremont Road
Kingsdown
CT14 8BU**

TR37344875



a) **DOV/17/001165 – Outline application for the erection of a detached dwelling (all matters reserved) – Land between The Chalet and Milner, Claremont Road, Kingsdown**

Reason for report: Number of contrary views (9).

b) **Summary of Recommendation**

Planning permission be granted.

c) **Planning Policies and Guidance**

Core Strategy Policies

- CP1 – Requires that the location and scale of development complies with the Settlement Hierarchy. Deal is identified as a District Centre, which is the secondary focus for development in the District; suitable for urban scale development.
- CP6 - Development that generates a demand for infrastructure will only be permitted if the necessary infrastructure is either already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed.
- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM11 - Development that would generate high levels of travel will only be permitted within the urban areas in locations that are, or can be made to be, well served by a range of means of transport.
- DM13 - Parking provision should be design-led, based upon an area's characteristics, the nature of the development and design objectives, having regard for the guidance in Table 1.1 of the Core Strategy.

National Planning Policy Framework (NPPF)

- The NPPF has 12 core principles which, amongst other things, seeks to: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; secure high quality design and a good standard of amenity for all existing and future residents; to reduce pollution; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Chapter four of the NPPF seeks to promote sustainable transport. In particular, paragraph 29 states that "the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel".
- Chapter six of the NPPF seeks to significantly boost the supply of housing, requiring Local Planning Authorities to identify specific deliverable sites sufficient to provide five years' worth of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

- Chapter seven requires good design, which is a key aspect of sustainable development.

The Kent Design Guide

The Guide provides criteria and advice on providing well designed development.

d) **Relevant Planning History**

DOV/15/00596 - Outline application for the erection of a detached dwelling (all matters reserved). Approved.

e) **Consultee and Third Party Responses**

Kingsdown Parish Council – no objections. Consider a bungalow would be more appropriate for the site.

PROW Office KCC – no objections raised however, following informatives have been recommended to be attached with the permission:

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
2. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development.
3. No hedging or shrubs should be planted within 1.5 metres of the edge of the public path.

Public Representations:

Nine (9) representations received objecting to the planning application and raising the following relevant planning matters:

- plan includes land not owned by the applicant
- dwelling should be single storey
- front boundary projects beyond the boundaries of the surrounding properties
- will narrow the entrance to the road

f) 1. **The Site and the Proposal**

1.1 The application site relates to a parcel of land, which is situated within the confines of Kingsdown and abuts the northeast edge of Claremont Road. The site was previously used as an access to the field to the rear (north) of Claremont Road. The site is rectangular in shape and measures approximately 65m by 10.5m and is currently overgrown with trees and hedging along the northwest and southeast boundaries. There is a public footpath to the rear of the site.

1.2 The site lies within a wholly residential area of Kingsdown within the village confines. The area predominately comprises detached dwellinghouses, whilst the scale and form of development in the area is varied with properties of one, one and a half or two storeys in height.

1.3 The application seeks outline planning permission for the erection of a detached dwelling. While all matters are reserved and no indicative plans

have been submitted, the application submission indicates that approval is sought for a two storey dwellinghouse.

2. **Main Issues**

2.1 The main issues are:

- The principle of the development
- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on the highway network
- Ecology

Assessment

Principle of the Development

2.2 The site lies within the settlement confines of Kingsdown. It is considered that principle of the development is acceptable, subject to site-specific considerations.

Impact on the Character and Appearance of the Area

2.3 Members are advised that there have been no change in circumstances in respect of the site since the time the original planning permission (DOV/15/00596) was granted. The proposed dwelling would be located between 'The Chalet' and 'Milner', both of which are detached bungalows. The application site measures 10.5m in width and 65m in depth. The property to the immediate southeast (Milner) has a width of approximately 20m with the site to the immediate northwest (The Chalet) having an approximate width of 14.5m. It is however relevant to note that there are properties to the northwest and southeast with varying plot sizes whose widths range from 10.5m upwards. Therefore, whilst the plot width of the application site is considered to be slightly narrower to the immediate neighbouring plots of Milner and The Chalet, it would be fairly commensurate with other residential curtilages in the locality. For this reason, it is not considered that a dwelling on the site would result in a form of development that would appear inconsistent with the spatial and visual character of the locality.

2.4 The application form indicates that an outline application for the erection of a two storey dwelling is being applied for. However, no details relating to the appearance, height and scale of the dwelling have been provided. At this stage, your Officers are of the view that further details would be required in order to demonstrate that a dwelling of this scale/size could be accommodated which reflects the visual character of the area. Should this application be approved, any reserved matters application would need to provide a detailed design analysis, which would have to indicate how the design, scale and form of the dwelling has taken account of the immediate character of the local vernacular and how it would relate to the existing buildings and the street scene.

2.5 For the purposes of this outline application, it is considered that a dwelling could be accommodated within the application site. It would be for the reserved matters stage however, (when full details are provided) to

determine whether anything more than a single storey unit, or perhaps a chalet styled dwelling, could be adequately accommodated.

Impact on Residential Amenity

- 2.6 Given the size of the site and its relationship with the immediately adjoining properties namely The Chalet to the northwest and Milner to the southeast, it is considered that a single storey dwelling could be provided on the site without causing unacceptable harm to the neighbours, subject to acceptable details being submitted in the reserved matters application. The effects and impacts on neighbours would also drive the type of dwelling that would be acceptable on this site. Whether a dwelling with accommodation at first floor level could achieve the same would be subject to detailed consideration at the Reserved Matters stage.

Impact on Highways

- 2.7 In accordance with Policy DM13, the proposed dwelling would need to provide up to two independently accessible off-road parking spaces. These details would need to be submitted as part of any reserved matters application. It is likely that this could be achieved.

Ecology

- 2.8 Under the previous outline application DOV/15/00596, a Herpetofauna Survey had been undertaken following the consultation with the Ecological Officer. The results of this survey showed that a total of 82 slow-worms were observed during the 2015 survey period. The maximum number of adults which were recorded during a single survey was 21. The population size class within the survey had been classified as exceptional. It was recorded that a majority of the observations were recorded along the western boundary. It was further observed that immature and neonate slow-worms were observed, which indicates the presence of a breeding population.
- 2.9 A condition had been attached to the previous outline permission which required the submission of a translocation strategy (which would detail the methodology for safe capture and translocation to an adequate receptor site together with a monitoring programme for three years for approval of the local planning authority) prior to the submission of a reserved matters application. It is recommended that this condition be reapplied in the event of a grant of planning permission for this current application.

3. Conclusion

- 3.1 The outline proposal for the erection of a detached dwelling is considered acceptable in principle. It meets the policy requirement for new dwellings to be located within the settlement confines and it is considered that subject to suitable details being submitted at the Reserved Matters stage, a dwelling should be capable of being accommodated within this plot, which would be acceptable in terms of its impact on the neighbouring properties as well as its impact on the character and appearance of the street scene and surrounding area. Without further details however, it is not possible to conclude that a two storey dwelling (referred to in the application form) would be acceptable.

g)

Recommendation

- I OUTLINE PLANNING PERMISSION BE GRANTED subject to conditions to include:- i) Approval of Reserved Matters, ii) Time limit for submission of Reserved Matters, iii) Time limit for commencement of development following approval of Reserved Matters, iv) Approved plans, v) Highway conditions to include: provision and permanent retention of parking spaces prior to first occupation; provision and retention of cycle parking facilities prior to first occupation; provision and maintenance of visibility splays to be shown on submitted plans prior to first occupation; details for construction vehicle parking, vi) Sample of materials, vii) Soft and hard landscaping details, viii) Tree/shrub replacement, ix) Landscape management plan, x) Details of boundary treatments xi) Details of disposal of foul and surface water, xii) Existing and proposed sections through the site, to include details of existing and proposed ground levels and finished floor levels and thresholds, xiii) Translocation strategy for slow-worm.
- II Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer
Benazir Kachchhi



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Application: DOV/17/00967

Land at 5 Alexandra Road

Kingsdown

CT14 8DS

TR37454824



- a) **DOV/17/00967 – Erection of a detached dwelling and garage, excavation of land, and demolition of existing garage - Land at 5 Alexandra Road, Kingsdown**

Reason for report – the number of third party contrary representations.

- b) **Summary of Recommendation**

Refuse permission.

- c) **Planning Policy and Guidance**

Development Plan

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan 2002, and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

In addition to the policies of the development plan there are a number of other policies and standards which are material to the determination of planning applications including the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) together with other local guidance.

A summary of relevant planning policy is set out below:

Dover District Core Strategy (2010)

CP1 – Settlement hierarchy.

DM1 – Settlement boundaries.

DM13 – Parking provision.

Saved Dover District Local Plan (2002) policies

None applicable.

National Planning Policy Framework (NPPF)(2012)

7. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to)...

- improving the conditions in which people live, work, travel and take leisure; and
- widening the choice of high quality homes.

17. Core planning principles... planning should...

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives...
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings...

56. 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.

58. ... Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development...
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation...
- are visually attractive as a result of good architecture and appropriate landscaping.

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, 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.

64. 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.

Other considerations

Kent Design Guide

d) **Relevant Planning History**

None relevant.

e) **Consultee and Third Party Responses**

Ringwold with Kingsdown Parish Council – Objection – The Parish Council objects to the application. This is an oversized dwelling being squeezed into an unsuitable plot, by virtue of its scale and design details. This development will result in the loss of perfectly good garden space including the loss of trees and bushes.

It is out of keeping with the visual and spatial character of the area. This is contrary to item 1.53 of Landscape Character Local Development Framework, Core Strategy February 2010.

It is an intrusion of privacy for the adjacent property and other nearby properties. The garage serving the original premise has been removed leaving no garage for that

property, contrary to DM13 of the Local Development Framework. It is also contrary to paragraphs 12,17,49, 56, 57, 61, of the National Planning Policy Framework (2012).

We therefore object to this application.

KCC PROW – No objection.

Southern Water – No objection, subject to informative – For connection to public sewer.

Public comments – 32x support, 29x objection, 4x observations

Support

- A family home.
- No set style in Kingsdown, eclectic mix.
- No right to views.
- Would not infringe on privacy, roof lights look to the sky.
- A good use of land.
- Kingsdown is a sought after village.
- Complements surroundings.

Object

- Privacy concerns, no consideration for neighbouring amenity.
- Noise and pollution.
- Over-development of site.
- Out of character, loss of peace and tranquility.
- Overbearing.
- Intrusive.
- No market for property, 1 and 2 beds required more.
- Harm to wildlife.
- Needs to be a limit to infilling.
- Topography exacerbates loss of privacy.

Observations

- If granted, needs to fix damage caused to road during construction, which is maintained privately.

f) **1. The Site and the Proposal**

1.1. The Site

1.2. The site is located in the garden of number 5 Alexandra Road, in Kingsdown. Alexandra Road is a quiet, unmade road. Number 5 itself is located at the western end of a small unmade track off of Alexandra Road which also serves number 7 and leads on to public footpath ER6. The site comprises the side garden and an old garage both located on the southern side of number 5, which is a chalet style dwelling now with flat roofed extension, dating to the mid-1960s.

1.3. The character of the area is that of a group of relatively large dwellings in large plots, the size of which are relative to the scale and type of dwellings on them. The character of the group within which the application site is located is typified by its verdant, spacious yet intimate layout with native tree planting.

1.4. Surrounding the site, and taken clockwise, are the rear gardens to six homes: [Alexandra Road] numbers 3 and 1, [Upper Street] The Courtyard, Briarwood, Brambles and Overhill.

- 1.5. Land on/around the site falls to the east and south – towards neighbouring dwellings.
- 1.6. The western and southern boundaries are formed primarily by close board fencing, approximately 1.6 to 1.8 metres tall. The site is noticeably exposed to outlook from surrounding sites particularly across the southern and western boundaries. Existing mature vegetation – a mix of deciduous and evergreen trees, is located adjacent to the eastern boundary in the form of a hedge. Adjacent to the southern boundary with The Courtyard is a small group of around four trees, which depending on the season, provides some screening. A small wall is also located along the boundary at this location.
- 1.7. Site dimensions are:
- Depth – (taken from north to south) between 12 and 18 metres.
 - Width – (taken west to east) 40 metres.
- 1.8. Proposed Development
- 1.9. The proposed development comprises the subdivision of the site, roughly in half, demolition of the existing garage, and the erection of a 4 bedroom, storey and a half dwelling in a form broadly reminiscent of a Swiss chalet, with prominent gable ends and a large overhanging roof. The dwelling would be located mainly in the western half of the site. In the eastern half the site a gravel driveway would be formed, as would a free standing garage orientated on an oblique axis to the site boundary.
- 1.10. To enable to the formation of a flat slab and the erection of the dwelling, the site would be excavated to the rear (western) end.
- 1.11. The dwelling would comprise through coloured white rendered walls and artificial slate roof tiles. The first floor, located partly in the roof space, would be lit by rooflights in its northern (7) and southern (4) slopes. First floor glazing to the western and eastern gable ends would include a double width standing out balcony above the front door (eastern gable) and a double width Juliet balcony serving two separate rooms in the western gable. Frames would be comprised of grey aluminium and doors would be formed of timber composite.
- 1.12. The roof would have a 1.2 metre overhang on northern and southern slopes and would overhang each gable by 1.2 metres.
- 1.13. Dimensions of the proposed building are:
- Depth – (from front door back) 13.3 metres, (including roof) 15.7 metres.
 - Width – 9 metres, (including roof overhangs) 11 metres.
 - Eaves height – 4.1 metres (front – east), 3.4 metres (rear – west).
 - Ridge height – 7.6 metres (front – east), 7 metres (rear – west).
- 1.14. Plans will be on display.

2. Main Issues

- 2.1. The main issues to consider are:
- Principle of development.
 - Visual amenity, street scene, spatial character, design.
 - Residential amenity.

- Highways and traffic impact.
- Other matters.

3. Assessment

3.1. Principle of Development

3.2. The site is located within the adopted Kingsdown settlement confines. Subject to its details and any material considerations, the proposed development is acceptable in principle.

3.3. Visual Amenity, Street Scene, Spatial Character, Design

3.4. The design, characteristics and features of the dwelling are considered to be somewhat alien and unsympathetic to its surroundings. Dwellings in this location are of their time, some updated with contemporary additions, but they have evolved organically within their plots and retained a quiet, well related character. The subdivision of the site would result in two garden areas which are not particularly well related to the scale of the dwellings on them. The spatial character and nature of the area – particularly in this grouped cluster, becomes unduly cramped, at odds with the existing spacious layout.

3.5. A particular concern associated with the proposal is that its size and siting in relation to plot boundaries (the roof would almost overhang the dividing boundary with Briarwood), combined with stark materials – white render and artificial slate roof tiles, would amount to an intrusive overdevelopment of the site.

3.6. In terms of the design features, the designer suggests that the dwelling is evocative of existing chalet style dwellings in the area, but with a modern interpretation. The form is indeed simple with gable ends such as a chalet might have, however, there is a sense of contrivance in its conception that results in no recognisable aesthetic. There appears to be a design exercise conflict between fitting the maximum size house in this location versus a building that might sit well and enhance the local character, while not harming residential amenity and the character of the locality. Aspects such as the eastern facing glazed apex with standing out balcony, western facing Juliet balconies, proliferation of roof lights and large overhanging roof, suggest that the balance has been lost. The roof form is contrived, designed to overhang in an effort to prevent/avoid undue overlooking/loss of privacy to neighbours. This concept has only served to result in a more uncharacteristic form of development, adding to the incongruity of the scheme. Paragraph 60 of the NPPF states that planning decisions should not impose architectural styles or tastes but does state that it is right to reinforce local distinctiveness. It is unclear what of the dwelling as proposed is locally distinctive, and this is evident.

3.7. In terms of the street scene, the effects of the dwelling would be relatively limited, given that views are encountered close to the site access point, which itself is relatively removed from the main thoroughfare of Alexandra Road, however, it is right to seek good design – paragraph 56 of the NPPF states that good design is indivisible from good planning, particularly bearing in mind any development would be visible from neighbouring properties.

3.8. In spatial terms, numbers 5 and 7 Alexandra Road are somewhat unique to this location, presenting as backland development, where all other dwellings front onto their respective residential streets. Numbers 5 and 7 are each set in generous garden plots, which help to alleviate any sense of overdevelopment

and allows them to each sit well within their respective plots. The scale of the proposed development in a relatively constrained plot would bring about enclosure and add to the sense of a cramped development that is alien and incongruous.

- 3.9. Accordingly, in design terms, the development is considered to be unacceptable due to it ultimately being poorly related and out of keeping with the prevailing spatial character of the area.

3.10. Residential Amenity

- 3.11. **Overbearing.** In particular, the proposed dwelling would be located in close proximity to the dividing boundary with Briarwood and Brambles, with around a 1.2 metre separation from that boundary at its closest point and the extended overhang of the roof being located almost directly above the boundary. The boundary itself is 24 metres from the rear elevations of Briarwood and Brambles, which, in terms of separation only, is considered to be a reasonable distance. However, the raised land level on site, relative to these two dwellings means that the new dwelling, as seen from the living space and private amenity space at the rear of Briarwood and Brambles would appear as an intrusive and obtrusive presence. This effect would also be repeated seen from the living area at The Courtyard, which although sited at a more oblique angle from the proposed building, is closer to the boundary at approximately 19 metres.

- 3.12. Accordingly, when the height and mass of the proposal is taken in combination with its proximity to the boundary it is considered that the development would bring about a sense of intrusion for neighbouring residents. The section drawing A-A provided by the applicant reinforces this concern.

- 3.13. **Overshadowing.** The siting of the proposed dwelling and the distances between it and neighbouring dwellings means that undue harm from overshadowing is unlikely to occur. Some shadow may be cast towards the rear garden of Overhill in the morning and towards the rear garden of The Courtyard in the evening, however, this is likely to be negligible. 5 Alexandra Road is the closest dwelling to the proposal at 3.8 metres (not including roof overhang), however, section drawing B-B shows that the new dwelling is on lower land, which combined with the relatively shallow roof pitch, means that light should still shine towards number 5 without being blocked to a harmful degree.

- 3.14. **Overlooking/interlooking.** The applicant proposes to make significant use of roof lights, all set at least 1.7 metres above internal finished floor level to reduce the opportunities of overlooking. The number of roof lights proposed, however, may create a perception of overlooking, which is considered to be significant in its own right.

- 3.15. The paragraphs below set out an analysis of effects in this regard on immediately adjoining properties.

- 3.16. 1 Alexandra Road – The standing out balcony located at first floor level in the eastern gable end is located 16 metres from the dividing boundary with 1 Alexandra Road. Currently mitigating the opportunity of overlooking occurring is an existing hedge, trees adjacent to this boundary within the site, and the location of a garage within the boundary of number 1, which would also help to screen views. It should be noted that the hedge and trees at this location are primarily deciduous; meaning that in autumn, winter and early spring, the level of screening provided would be noticeably less than in the summer. The section

drawing A-A shows that the proposed garage would also provide some screening, but this is unlikely to restrict all views.

- 3.17. There are also opportunities for interlooking into the side elevation of number 1.
- 3.18. 3 Alexandra Road – The views from the balcony towards the private rear amenity space at 3 Alexandra Road would not be interrupted by any intervening structures, meaning that privacy would be dependent on the ongoing health of the primarily deciduous hedge adjacent to this boundary, which cannot be guaranteed. The same issue applies in terms of the deciduous species which form the hedge not providing the same level of screening all year round.
- 3.19. The Courtyard – The standing out balcony, it is considered, would give rise to clear opportunities for harmful overlooking into a section of the rear amenity space at The Courtyard. There are deciduous trees adjacent to this boundary which depending on the time of year would block views to varying degrees, but their ongoing health is not guaranteed.
- 3.20. Overhill – The western gable end incorporates a Juliet balcony serving two rooms. These would be located 9.4 metres away from the rear of the garden at Overhill and would provide a raised viewing point into that garden. This area is to the rear of an admittedly long garden – approximately 38 metres from the rear elevation of Overhill. The occupants have stated that their existing summerhouse would be overlooked at this part of the garden.
- 3.21. Taken cumulatively, the new dwelling would give rise to the potential for undue harm to be caused from overlooking and some interlooking, accepting that vegetation/trees does provide a screening function to varying degrees depending on the time of year. In addition, the health of the vegetation/trees cannot be guaranteed and should these fail or be removed for any reason, the existing intimate relationship of the site and dwelling with their neighbours could result in unacceptable harm to the living standards of those neighbours. Taken as a whole, what would be presented as the means of protecting neighbouring amenity is considered to be relatively fragile and cannot be guaranteed in the longer term.
- 3.22. The Government specifies at paragraphs 17 and 56 of the NPPF that planning should enhance and improve the places in which people live their lives, it should seek a good standard of amenity for all existing and future occupants of land and buildings, and that good design should contribute positively to making places better for people. It is considered in this respect that the proposal would not provide a good standard of amenity, nor would it contribute positively to making this place better. As discussed, it is considered to be primarily an attempted exercise in limiting the amenity impacts of a [relative to its site and location] large building, however, it is considered that the proposal remains unsuccessful in that regard also and is accordingly unacceptable in terms of its impact on residential amenity.
- 3.23. Highways and Traffic Impact
- 3.24. The proposed development is for one dwelling accessing an unclassified road. As such it is outside of the KCC Highways consultation protocol.
- 3.25. Such a dwelling in this location, incorporating four bedrooms, requires two independently accessible parking spaces. There is sufficient room on site to provide these.

3.26. Number 5 currently parks its vehicles in the existing layby outside of the site access. It is likely that there is sufficient space for this to continue, however, the applicants have provided a drawing which shows two tandem spaces made adjacent to the pedestrian access for number 5. This is not within the red line but is on blue land and there is reasonable certainty that these spaces will be provided so could be conditioned were it considered necessary.

3.27. Other Matters

3.28. **Amended design.** The applicant was invited to submit a more modest and appropriately scaled scheme for a dwelling that in general design principles would be single storey and no taller than the eaves of the scheme as now considered, with windows facing back towards number 5. A suitably designed dwelling, it is considered, could provide a compromise between seeking to develop the site, but also maintaining the character of the site in this location, the amenity of neighbours and a sense of openness. The applicant chose not to amend the scheme.

3.29. **Trees/habitats.** Some concern has been raised about trees and local wildlife habitats. No trees are proposed to be cut down, although the detached garage is proposed to be sited among existing trees close to the boundary with The Courtyard. This has the potential to damage tree roots, so were permission granted, details of the proposed garage foundations could be sought to ensure that tree roots are not damaged. In terms of habitat, the site is mostly lawn and an existing garage so it is unlikely that undue harm to ecology would occur were permission granted.

3.30. **Legal covenant.** A number of local residents have suggested that further development of the site is precluded by legal covenant. This may or may not be the case, however, such matters are not considered as part of the planning process and any pursuit of this would need to be undertaken independently.

4. Conclusion

4.1 The proposed development is considered to be unacceptable. In its current form it is considered not to be informed by the spatial character of the immediate area, accordingly its impact on local character resulting in a cramped overdeveloped site, which would be harmful to its character. It is considered that there are no mitigating factors in assessing the design. Its mass and form as proposed would not fit acceptably into the site available and would appear as an intrusive and obtrusive addition. This is contrary to the requirements of NPPF paragraphs 9, 17, 56, 58 and 61.

4.2 It is also considered that the development would unduly harm the amenity of existing residents. The size of the dwelling, combined with its design features, finish and siting on higher land close to the dividing boundary with neighbours to its south would mean that it would appear to loom over those neighbours and intrude on the enjoyment of their homes. The exposed site means that the outlook from neighbouring homes would be impinged upon as would their privacy by what would be an intrusive and overlooking scheme. This is contrary to the requirements of NPPF paragraphs 9, 17 and 56.

4.3 In this instance the applicant did seek pre-application advice after the application had been submitted. Given that an application was already ongoing, this was considered unnecessary and the applicant was advised as part of the ongoing

process what might be acceptable. On this occasion the applicant did not choose to amend the scheme.

4.4 Accordingly, despite its location within the confines it is not considered that the development would fulfil the social and environmental roles required of sustainable development. It could be that there would be limited economic value brought about by the development, but as members will know – sustainable development is about achieving all three dimensions. In this case the development is not considered to contribute towards bringing about a high quality built environment, nor would it contribute towards enhancing or protecting the existing built environment. It would likely result in harmful effects to neighbours and accordingly is not considered to be sustainable development. The level of harm caused in this case is considered to demonstrably outweigh the benefits.

4.5 Paragraph 64 of the NPPF directs that where “poor” design “fails to take the opportunities available for improving the character and quality of an area and the way it functions” permission should be refused. Accordingly, having taken into account all issues and the comments submitted, the recommendation is to refuse permission.

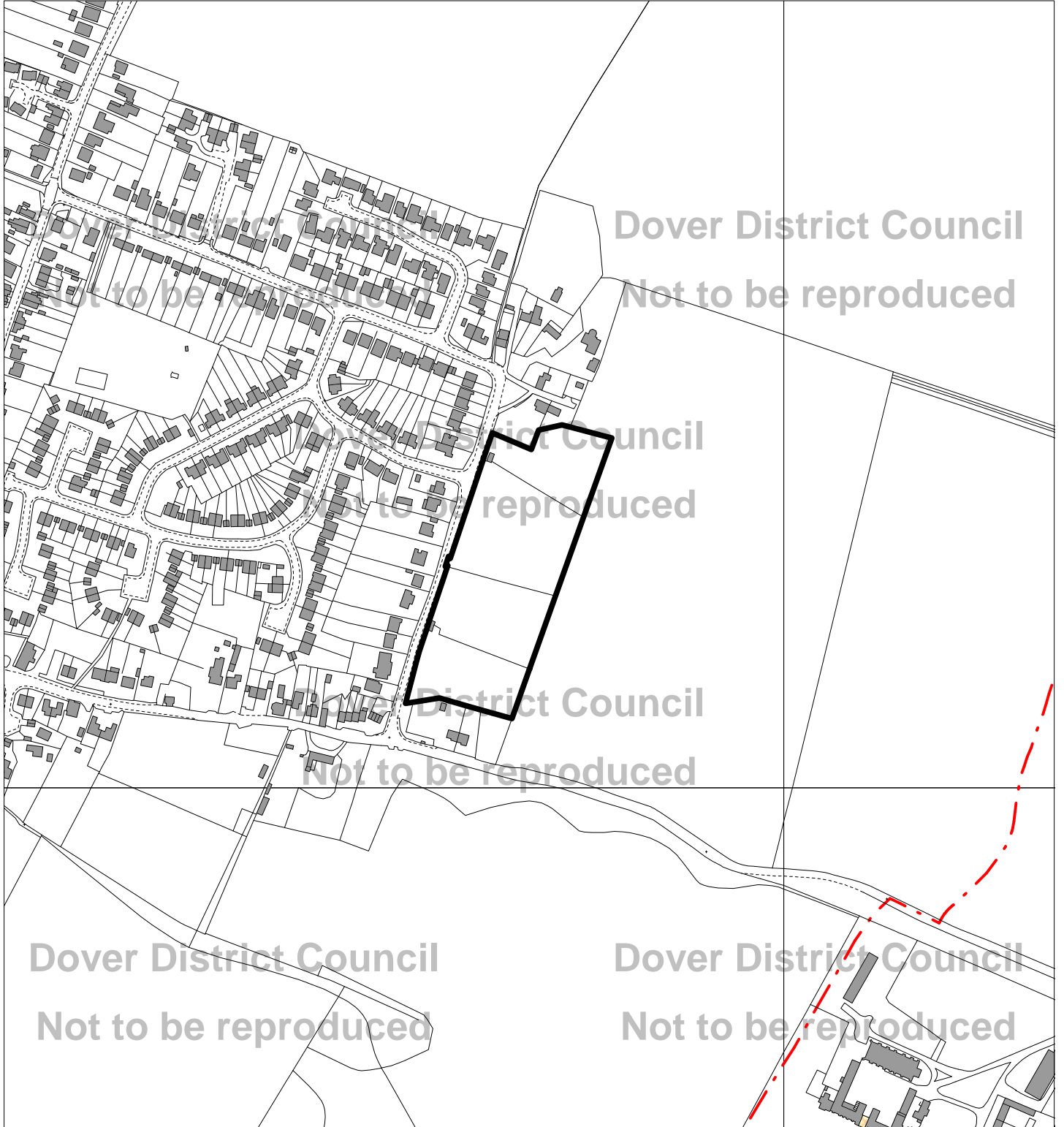
g) **Recommendation**

- I. Planning permission be REFUSED, for the following reasons: (1) The development, if permitted, would not be sustainable development and would, by virtue of its siting, scale and design, result in an unsympathetic, alien, intrusive and cramped form of development which would be poorly related to and out of keeping with the spatial character of the area, leading to an unacceptable level of overlooking of neighbouring properties, affecting their outlook and leading to a sense of enclosure, contrary to the aims and objectives of the NPPF, in particular at paragraphs 7, 9, 17, 56, 58, 61 and 64.
- II. That powers be delegated to the Head of Regeneration and Development to settle any reasons for refusal in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer

Darren Bridgett

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Application: DOV/16/01356

Land and access

Monkton Court Lane

Eythorne

CT15 4BH

TR28784914



a) **DOV/16/01356 - Change of use of land for the keeping of horses, the formation of a vehicle access and the erection of a gate (retrospective application) – Land at Monkton Court Lane, Eythorne**

Reason for report: Because of the number of contrary views (18).

b) **Summary of Recommendation**

Planning permission be approved.

c) **Planning Policies and Guidance**

Statute

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

Dover District Council Core Strategy (2010)

Policy DM1 (Settlement Boundaries) states that development will not be permitted outside of the urban/village confines unless specifically justified by other development plan policies, or if it functionally requires such a location.

Policy DM11 (Managing Travel Demand) Development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies.

Policy DM15 (Protection of the Countryside) Development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted if it is:-

- i. In accordance with allocations made in Development Plan Documents, or
- ii. justified by the needs of agriculture; or
- iii. justified by a need to sustain the rural economy or a rural community;
- iv. it cannot be accommodated elsewhere; and
- v. it does not result in the loss of ecological habitats.

Policy DM16 (Landscape Character) Development that would harm the character of the landscape, as identified through the process of landscape character assessment will only be permitted if:

- i. It is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or
- ii. It can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.

Dover District Council Local Plan (saved policies) (DDLDP)

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 the accommodation and land for grazing exercise.
- ii. Ease of access to suitable riding country can be demonstrated;

iii. Buildings are of a high standard of design and do not adversely impact the character of the area, appearance of the countryside or historic areas.

iv. The nearby amenity of neighbours are not adversely affected.

Land Allocations Local Plan (LALP)

None relevant to this proposal.

Worth Neighbourhood Plan

None relevant to this proposal.

National Planning Policy Framework (NPPF)

Paragraph 6: Recognises that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 7: Outlines the three dimensions of sustainable development, which has an economic role, social and environmental role.

Paragraph 14: states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

Paragraph 58: states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Paragraph 109: of the NPPF states that the planning system should contribute to and enhance the natural and local environment.

Paragraph 112: states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.

Paragraph 132: of a heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be.

Paragraph 133: where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

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

Paragraph 137- states that Local Planning Authorities should look for opportunities to for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance.

d) Relevant Planning History

The sites planning history is listed below:

14/00477: Erection of 20 dwellings with associated car parking, access, garaging and landscaping. Appeal Dismissed.

16/00675: Outline application for the erection of a detached dwelling (with all matters reserved). Land adjacent to 2 Kennel Hill, Eythorne, CT15 4BQ. Refused.

e) **Statutory Consultee and Third-Party Comments**

KCC Highways responded by saying that the development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Dover District Council Environmental Health had no observations or comments to make on the application.

Eythorne Parish Council strongly object to the application due to concerns over a previous application made by Pentland Homes in 2014 for an application for the erection of 20 dwellings with associated access and landscaping. The Parish feel that changing the use of the land for the grazing of horse would downgrade the level of agricultural land (currently grade 1). The overriding implications voiced by the Parish are that the applicant is attempting to 'shape the site' in order to facilitate future development unrelated to the keeping of horses.

Agricultural Advisor comments that the land appears to have been used for grazing for many years, rather than any more intensive agricultural use. There appears to be no detailed report of the agricultural quality of the land, but in any event, this retrospective application for the change of use to the keeping of horses would not, of itself, represent any permanent or irreversible development, such that the land could not revert to an agricultural use, if so required. Consequently, it is not considered that the proposal would represent a significant loss of agricultural land, in terms of the relevant advice in paragraph 112 of the NPPF.

Representations

A site notice was displayed notifying neighbours and local residents of the proposed development. A total of 18 responses were received which all object to the application. The reasons for objection are outlined below:

- Loss of the best and most versatile agricultural land;
- Concerns over the access in term of highway safety and whether it is needed given the use of the land and the existing access;
- Applicant is "shaping the ground" for a future bid for residential development on the site. For example, by attempting to lower the agricultural grade and soften the sites eastern boundary with hedging to essentially expand village confines;
- Anxiety over future use of the site in light of previous planning history;
- Lack of community engagement from the applicant with regards to their intended use with the land;
- Inaccuracies present within the application; particular reference is made to hedgerows and trees on site.

f) **The Site and the Proposal**

The Site

1. The application site comprises an irregular rectangle shaped parcel of land on the east side of Monkton Court Lane, located outside of the built confines of Eythorne and adjoining the Eythorne conservation area.

2. The land is an undeveloped green field site classified as grade 1 agricultural land which forms the start of a clear distinction between the edge of the village of Eythorne and open countryside.
3. The application site is situated opposite residential dwellings on the west side of Monkton Court Lane, and adjoins further residential development on Kennel Hill beyond its southern boundary.
4. This application is retrospective, and the site is currently used for the keeping of horses and the new access and gate is in use.

The Proposal

5. The application seeks retrospective planning permission to change the use of the land for the keeping of horses. The application previously sought permission for the creation of a new access and gate, (which was also retrospective) but this has now been removed from the application.

Assessment

6. At the Planning Committee Meeting on the 26 October 2017 members resolved to defer this application, for the following reason:

‘That, notwithstanding the Officer’s recommendation, Application No DOV/16/01356 be DEFERRED to allow Officers to negotiate with the applicant regarding the removal of the access gate and reinstatement of the hedgerow.’

7. At the meeting, Members expressed the view that the use of the field for the keeping of horses was acceptable in principle, however, they were concerned about the position of the access gate, and the impact that this had on both vehicular movements, and also the character and appearance of this lane. As such, they expressed a view that should the gate be removed from the proposal, then the proposal would be acceptable, however, as they were unable to issue a split decision, requested more time for negotiations to take place.
8. The original committee report and minutes from the committee are attached at appendix 1.
9. Negotiations have taken place with the applicant, who has agreed to remove the gate from the application, in accordance with Members’ wishes. Clearly, as this is retrospective, there will be a requirement for the gate to be removed, and for the hedge to be reinstated. Given that we are now entering the winter months, I consider it appropriate to allow for three months for the closure of the gate, and for the hedge to be re-instated within the next planting season – to allow it to have the best possible chance of survival. It is proposed that a condition be imposed to ensure that this occurs in a timely fashion.
10. It is therefore now considered that the proposal is acceptable, and that the applicant has complied with Member’s instructions. For this reason it is recommended that Members give the application favourable consideration and grant planning permission in accordance with the conditions set out below. Suggested wording is as follows:

“Within 3 months of the date of this decision notice, the gate (shown on drawing no.21530B/11) shall be removed and the access permanently sealed

in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and hedgerows shall be re-instated /replanted within the opening to a similar species and planting spacing to the existing hedgerow. No further vehicular or pedestrian access shall be achieved through this sealed off and replanted opening at any time.”

g) Recommendation

Grant planning permission subject to conditions to include:

- I i) Carried out in accordance with the approved plans (notwithstanding the removal of the gate); ii) no temporary structures within the application site; iii) details of the storage of disposal of manure; iv) used for private use only; v) limit the number of horses; vi) no events/livery/commercial use vii) close and seal off access and replant hedgerow.
- II Powers be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Chris Hawkins

a) DOV/16/01356 - Change of use of land for the keeping of horses, the formation of a vehicle access and the erection of a gate (retrospective application) - Land at Monkton Court Lane, Eythorne

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Planning permission be approved.

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Representations

A site notice was displayed notifying neighbours and local residents of the proposed development. A total of 18 responses were received which all object to the application. The reasons for objection are outlined below:

- Loss of the best and most versatile agricultural land;
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- Applicant is "shaping the ground" for a future bid for residential development on the site. For example, by attempting to lower the agricultural grade and soften the sites eastern boundary with hedging to essentially expand village confines;
- Anxiety over future use of the site in light of previous planning history;
- Lack of community engagement from the applicant with regards to their intended use with the land;

- Inaccuracies present within the application, particular reference is made to hedgerows and trees on site.

f) The Site and the Proposal

The Site

1. The application site comprises an irregular rectangle shaped parcel of land on the east side of Monkton Court Lane, located outside of the built confines of Eythorne and adjoining the Eythorne conservation area.
2. The land is an undeveloped green field site classified as grade 1 agricultural land which forms the start of a clear distinction between the edge of the village of Eythorne and open countryside.
3. The application site is situated opposite residential dwellings on the west side of Monkton Court Lane, and adjoins further residential development on Kennel Hill beyond its southern boundary.
4. This application is retrospective and the site is currently used for the keeping of horses and the new access and gate is in use.

The Proposal

5. The application seeks retrospective planning permission to change the use of the land for the keeping of horses. The application also seeks permission for the creation of a new access and gate, which is also retrospective.

Main Issues

6. The main issues in the determination of this planning application are as follows:
 - The principle of development;
 - The impact on the countryside;
 - Heritage impact;
 - The impact on residential amenity;
 - Suitability of the site for keeping horses;
 - Access and Highways.

Assessment

Principle of Development

7. The application site comprises undeveloped land located on the eastern edge of the village confines of Eythorne. The Eythorne conservation area is situated to the south west of the application area and adjoins the south west corner of the site boundary. The proposal seeks retrospective planning permission to use the land for the keeping of horses and the formation of a vehicular access.
8. Policy DM1 states that development will not be permitted outside of the defined settlement boundaries unless the proposal is justified by other development plan policies or if it functionally requires such a location. In this

case, the keeping of horses is best suited to and functionally requires a rural location.

9. Policy DD21 of the Dover Local Plan saved policies states that horse related development will be granted provided that; the site is safe and of a suitable size; it is easy to access suitable riding country and; the character of the area and neighbouring amenity is not adversely affected as result. It is considered that the site allows space for horse related development in line with development plan policy DD21.
10. Officers note that the site is grade 1 agricultural land, however this is not considered to be an issue in this instance as the grade of land is easily reversible from the keeping on horses. There is therefore no conflict with Paragraph 112 of the NPPF. This has been confirmed by the Councils agricultural advisor.
11. In light of the above, officers consider the principle of keeping of horses on this site to be acceptable, with planning permission subject to the proposal adhering with the requirements outlined within policy DD21 and the other material considerations set out below.

Impact on Character and Appearance of Countryside and Landscape

12. The site is in a rural location outside of the village confines of Eythorne and is characterised by sporadic residential development, open countryside and agricultural land.
13. Policy DM15 of the Core Strategy outlines how development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted if it is:
 - i. In accordance with allocations made in Development Plan Documents, or*
 - ii. justified by the needs of agriculture; or*
 - iii. justified by a need to sustain the rural economy or a rural community;*
 - iv. it cannot be accommodated elsewhere; and*
 - v. it does not result in the loss of ecological habitats*
14. The keeping of horses functionally requires a rural location and is therefore acceptable as a matter of principle, in line with the requirements of policy DM1 as well as DM15. The development would also not interfere with or result in a loss of ecological habitats. The use of the land for the keeping of horses is a therefore considered to be a compatible use in the rural area.
15. Policy DM16 of the Core Strategy sets out how development that would harm the character of the landscape will only be permitted if:
 - i. It is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or*
 - ii. It can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.*
16. The use of the land for the keeping of horses upholds the rural character of the area given that that the openness of the countryside is retained. The

keeping of horses is also a rural land based activity and therefore is an acceptable use of the site.

17. The agricultural buildings on site operate ancillary to the use of the land and are screened by mature vegetation along the western boundary, which minimise visual impact.
18. In light of the above, officers are satisfied that the change of use of the land for keeping horses is a suitable use of the land in this location and does not have an adverse impact on the character and appearance of the countryside or neighbouring conservation area, in line with Core Strategy policies DM15, DM16.

Heritage Impact

19. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. Paragraph 134 states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against public benefits of the proposal.
20. The Eythorne conservation area boundary adjoins the south-west corner of the application site, which extends to the west, away from the application site and south into the countryside. The conservation area begins on the southern corner of Monkton Court Lane and area incorporates a number of properties along 'The Street' stretching westward.
21. Views of the application site from the conservation area are limited, however the change of use of the land has not considerably changed these views and therefore it is not considered that there is any harm to the character and appearance of the conservation area. In this instance, the impact is considered to be neutral.

Impact on Residential Amenity

22. Policy DD21 states that horse related development will be permitted provided that there is no adverse harm on the residential amenity of neighbouring occupants. Likewise, paragraph 17 of the NPPF seeks to ensure that a good level of amenity is secured for all existing and future occupants of land and buildings.
23. The change of use of the land for the keeping of horses has not adversely affected the outlook of neighbouring residential dwellings. The presence of horses on site is the only notable change to the site, which is not considered to be unacceptably harmful to amenity.
24. Officers have read and understood the concerns raised by local residents with regards to the unpleasant smells that may arise. However, there is adequate space between the residential development and the land used for the keeping of horses. Environmental Health were consulted on the application and did not raise any concerns on this matter. Details of the muck heap location and disposal of waste will be secured by condition.

25. In light of the above, I am satisfied that the change of use of the land for keeping of horses has not resulted in harm to the neighbouring amenity of residents.

Suitability of Site for Keeping Horses

26. Policy DD21 states that horse related development will usually be permitted. However, for permission to be granted, sites for the keeping of horses must be safe, of a suitable size and have good access to riding country.
27. The site comprises 1.8 hectares (approximately 4.5 acres) of undeveloped land, which offers more than acceptable space for the keeping of horses. The site is enclosed by mature planting and a gate is installed to ensure that the horses are securely contained within the site. Good access to suitable riding country is provided.
28. The applicant has not submitted any information confirming how many horses are kept on the land. The British Horse Society sets out guidelines for the provision and grazing of horses, and states that average pasture will maintain approximately two horses per hectare as permanent grazing (1-1.5 acres per individual), provided that good pasture management is employed.
29. A condition will be imposed to the permission to ensure that the number of horses kept at the site is limited to 1 horse per acre, which is a maximum of four horses.
30. With the above in mind, it is considered that the sites characteristics conform to the requirements of Policy DD21.

Access and Highways

31. Access to the site is served by a vehicle crossover on Monkton Court Lane, which is concealed by a wooden gate measuring 3.5 metres in width and 1.25 metres in height.
32. KCC Highways were not required to comment on the application given that it does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.
33. Policy DM11 states that development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies.
34. The site is outside of the settlement confines of Eythorne and the use of the site for the keeping of horses will generate some vehicle movements. However, as discussed previously the location of the site is justified because of functional requirements and also in line with Policy DD21. In any event, the number of vehicle trips generated will not have an unduly adverse impact on the existing highway network and the existing road infrastructure would be able to accommodate this.
35. The vehicle crossover from Monkton Court Lane, allows appropriate visibility splays and an entry point large enough to accommodate vehicles travelling to and from the site.

36. Officers are satisfied with access arrangements onto the site and that the change of use will not have an adverse impact on the highway network. The change of use therefore accords with Policy DM11 of the Core Strategy.

Conclusion

37. In summary, a change of use of this site does not cause harm to the character of the countryside or conservation area, does not harm the neighbouring amenity of residents and offers safe and suitable accommodation to horses. The change of use therefore accords with policies; DM1, DM11, DM15, DM16, DD21 as well as the aims and objectives of the NPPF, subject to appropriate management of the site.

Recommendation

Grant planning permission subject to conditions to include:

- I i) carried out in accordance with the approved drawings; ii) to temporary structures; iii) storage and disposal of manure; iv) used for private use only; v) maximum number of horses.
- II Powers delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Chris Hawkins

Appendix 2

Minutes of the Planning Committee Meeting of 26 October 2017

Members viewed plans and photographs of the application site which had been the subject of previous refusals due to its location and unsustainability. The Planning Consultant advised that the principle of keeping horses at the site was accepted. A number of concerns had been raised about the manner in which the site had been used and managed in the past, and how residential development might be pursued in the future. On the latter, the Council's agricultural adviser had commented that any future application for residential development would be no more likely to be granted given that the development now proposed was reversible and not permanent. As a correction to the report, it was clarified that condition ii) should read 'no temporary structures' and that the maximum number of horses would be limited to four.

Councillor Ovenden referred to a previous application that had been refused. An existing field access had previously been unavailable to the applicant whilst the application was pending. However, the field access was now available and she could therefore see no need for the new access. Moreover, the hedgerow lost as a result of the creation of the new access had been cited by the Inspector in dismissing the appeal in relation to application DOV/14/00477. She argued that neighbours had been adversely affected by the keeping of horses on the site which was contrary to Policy DD21 of the Local Development Plan. She queried whether the application could be refused in part.

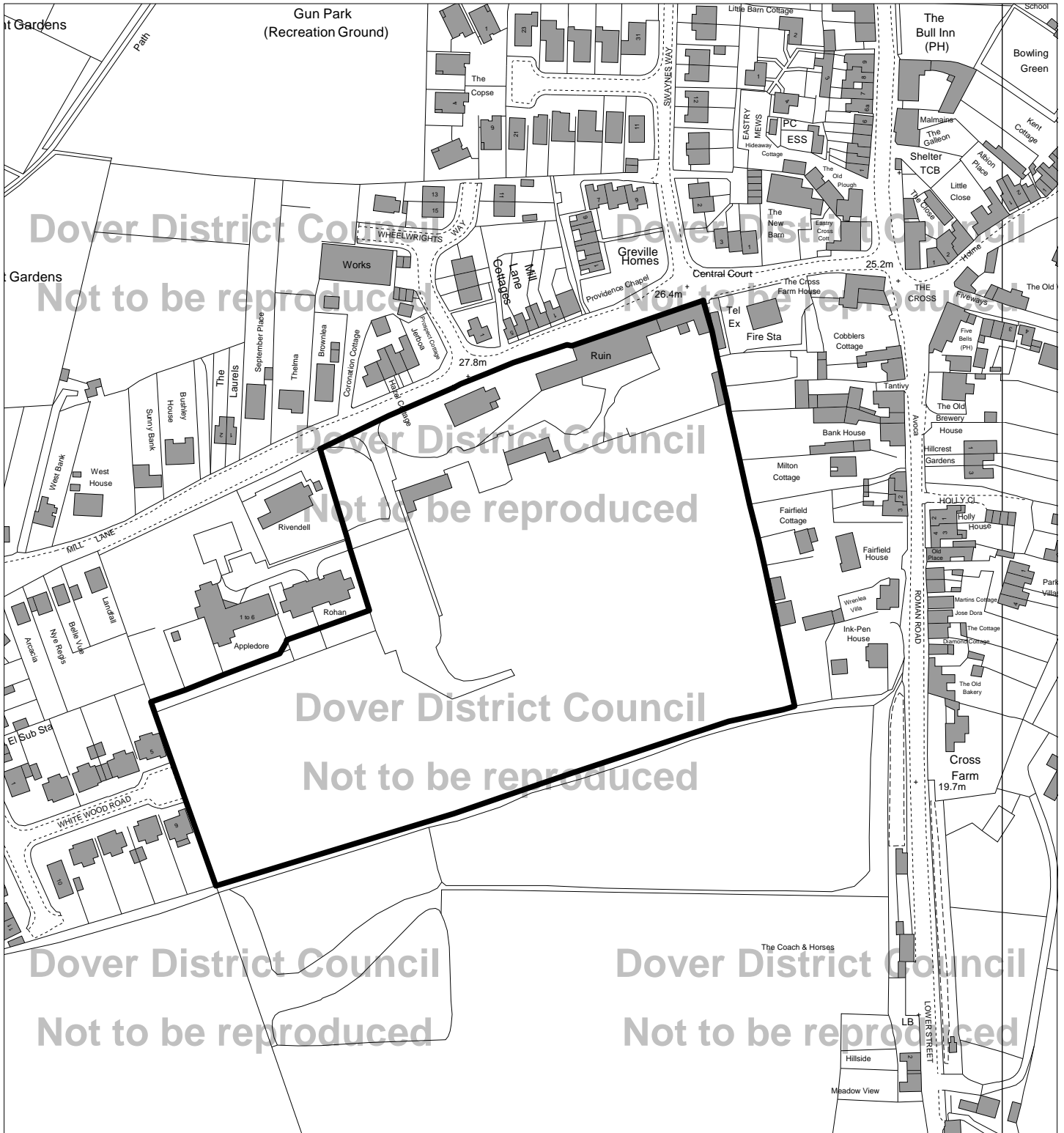
The Planning Consultant advised that his understanding was that applications could not be refused and approved in part. It was not for the Committee to consider how the land had been used and managed in the past, but whether the land was suitable for the keeping of horses. The amount of hedgerow that had been lost as a result of the current proposal was less than had been proposed as part of the previously refused application. Finally, applications could not be refused on whether the use was needed, but on whether they were policy compliant and acceptable in planning terms.

The Chairman commented that the Committee's role was to consider whether harm had been caused by the removal of the hedgerow. The Planning Consultant clarified that conditions would prevent events being held on site and the ability to build chattels, hard-standings and temporary structures. The Planning Solicitor advised that National Planning Policy Guidance indicated that decisions should not be split without the agreement of the applicant. A more appropriate way to deal with the application would be to seek amended details from the applicant prior to a decision being made.

Councillor Gardner proposed that the application should be refused on the grounds that the access was not acceptable, with an informative that the keeping of four horses would be allowed. Councillor Keen added that accessing the site with horseboxes, bales of hay, etc via such a narrow road would be difficult and was therefore unacceptable. The Chairman was of the view that it would be more appropriate to defer the application to enable negotiations to take place with the applicant regarding the access.

RESOLVED: That, notwithstanding the Officer's recommendation, Application No DOV/16/01356 be DEFERRED to allow Officers to negotiate with the applicant regarding the removal of the access gate and reinstatement of the hedgerow.

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Note: This plan is provided for purposes of site identification only.

Application: DOV/14/00240

Eastry Hospital

Mill Lane

Eastry

CT13 0JU

TR30785456



- a) **DOV/14/00240 - Redevelopment of site to provide a total of 100 residential units comprising: two-storey terrace, semi-detached and detached new-build dwellings; Change of use and conversion of Tewkesbury House and the Chapel to provide 568 sqm of community space (Use Class D1), employment space (Use Class B1) and two residential units; minor demolition, alteration and conversion of the 'Old Workhouse' to provide ten residential units; retention and reinstatement of the fire-damaged Range building and erection of a two-storey terrace of ten residential units; car parking, landscaping, public open space and alteration to existing access (Amended plans and documents) – Eastry Hospital, Mill Lane, Eastry**

Reason for report: Number of contrary views (13)

b) **Summary of Recommendation**

Planning permission be granted.

c) **Planning Policies and Guidance**

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

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent the local planning authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses."

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.

Land Allocations Local Plan Adopted 2015

Policy LA29 is specifically related to this application site, being the allocation policy for Eastry Hospital within the recent Local Plan. It should be noted that this policy was adopted after the initial submission of this planning application. The policy states that:

'The site is allocated for a mixed-use scheme including residential, community and compatible employment generating uses with an estimated capacity of 80 dwellings. Planning permission will be permitted provided that:

- i. any proposals ensure that repairs to the external envelope of the listed workhouse building are prioritised;
- ii. any proposals ensure that visual interest is not harmed, and provide for a soft loose knit interface between the site boundary and adjacent countryside and,

- in particular, provide for structural landscaping along the southern boundary of the site;
- iii. any road improvements arising from the development are funded by the developer and limited to works which are compatible with the historic environment;
- iv. the traffic and highways issues can be satisfactorily addressed;
- v. redevelopment of the Range building reflects the height, scale and massing of the fire damaged building and include a porte-cochere (a covered entrance large enough for vehicles to pass through);
- vi. the development should provide a connection to the water supply infrastructure at the nearest point of adequate capacity;
- vii. a mitigation strategy to address any impact on the Thanet Coast and Sandwich Bay Ramsar and SPA sites and Sandwich Bay SAC site is developed. The strategy should consider a range of measures and initiatives; and
- viii. the Public Right of Way (EE256) is retained and enhanced.'

Dover District Core Strategy

Policy CP1 states that the location and scale of development in the District must comply with the Settlement Hierarchy. The Hierarchy should also be used by infrastructure providers to inform decisions about the provision of their services.

Policy CP2 outlines the provision of jobs and homes required between 2006- 2026.

Policy CP3 relates to the distribution of housing allocations.

Policy CP4 relates to housing quality, mix, density and design.

Policy CP5 outlines the sustainable construction standards required for new non-residential development which proposes in excess of 1,000 square metres of floor space.

Policy CP6 seeks to ensure that development that generates a demand for infrastructure will only be permitted if the necessary infrastructure to support it is either already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed.

Policy DM1 states that development will not be permitted outside of the urban/village confines unless specifically justified by other development plan policies, or if its functionality requires such a location.

Policy DM5 states that the Council will seek applications for residential developments of 15 or more dwellings to provide 30% of the total homes proposed as affordable homes, in home types that will address prioritised need, and for developments between 5 and 14 homes to make a contribution towards the provision of affordable housing. Affordable housing should be provided on the application site except in relation to developments of 5 to 14 dwellings which may provide either on-site affordable housing or a broadly equivalent financial contribution, or a combination of both. The exact amount of affordable housing, or financial contribution, to be delivered from any specific scheme will be determined by economic viability having regard to individual site and market conditions.

Policy DM11 states that planning applications that would increase travel demand should be accompanied with a suitable assessment of this increase. This again reiterates that development outside of the urban/rural confines will not be permitted unless justified by Development Plan policies.

Policy DM12 relates the road hierarchy within the Borough.

Policy DM13 states that parking provision should be design led and based on the characteristics of the site, the locality, the nature of the proposed development 63 and its design objectives. Provision for non-residential development, and for residential cycle provision, should be informed by Kent County Council Guidance SPG4, or any successor.

Policy DM16 states that development that would harm the character of the landscape will only be permitted if it is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or it can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.

Policy DM25 relates to the provision of open space within developments.

Saved Policies

- Policy TR9: Cycles Routes
- Policy HS2: Housing Allocations
- Policy OS2: Children's Play Space
- Policy OS3: Open space
- Policy AS11: Re-use of Eastry Hospital

National Planning Policy Framework

The NPPF states that at its heart is the 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 sets out the presumption in favour if sustainable development. This is set out in full in the Overall Conclusions section at the end of this report.
- Paragraph 17 sets out 12 core principles which amongst the others seek to secure high quality design and a good standard of amenity for all existing and future residents.
- Section 1 sets out the needs of building a strong, competitive economy.
- Section 4: Promoting Sustainable Transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring a good design
- Paragraph 69 and 70 sets out the importance of facilitating social interaction and creating healthy, inclusive communities and to deliver the social, recreational and cultural facilities and services the community needs.
- Section 11: Conserving and enhancing the natural environment.
- Section 12: Conserving and enhancing the historic environment. National Planning Policy Guidance This provides guidance relating to matters contained within the NPPF.

d) Relevant Planning History

There is extensive planning history for this application. The relevant history is summarised below:

- 93/00609: Two six place residential units. Granted on 18th November 1993.
- 00/00259: Demolition of a major part of Eastry Hospital (but retaining Chapel, buildings on back edge of Mill Lane and building fronting the access). Granted permission 18th May 2000.
- 04/01399: Erection of 23 houses and 26 apartments together with 2145m² of B1 Employment floorspace following the demolition of existing buildings. Refused permission on 16th February 2005.
- 14/00241 Minor demolition, and refurbishment/conversion of the Old Workhouse to provide 10 residential units; alterations and conversion of Tewkesbury House and the former Chapel to provide for community and employment space; reinstatement of the former Range building to provide a two-storey terrace of 10 residential units. (Amended plans and documents). Yet to be determined – awaiting the outcome of this application.

Also of relevance is Tree Preservation Order 3/2001 dated 28 March 2001.

e) Consultee and Third Party Comments

All comments relating the application that were submitted prior to the Planning Committee Meeting on the 31 August 2017 are set out within the appended report.

Since the publication of this report, one additional letter of representation has been received which raises concerns with regards to the point of access into the application site.

There are no additional consultation responses to report to Members.

f) The Site and Proposal

1. The proposed site is roughly L-shaped which is approximately 4.68ha, lying on the south side of Mill Lane on the southern edge of the village of Eastry. Eastry is located approximately 20km east of Canterbury. There is one single point of vehicular and pedestrian access to the site from Mill Lane.
2. The site was formerly used as a mental health hospital, however that use ceased in the 1990's. Prior to being acquired by the NHS, the site housed the Eastry Union Workhouse. The original Old Workhouse building is highly prominent on site and has been affected by numerous fires but is still a Grade II listed building. The site also consists of the Eastry Asylum Chapel and Tewkesbury House. In 2008, many of the other previous hospital buildings were demolished.
3. The Eastry Conservation Area, as designated by Dover District Council, extends across the north corner of the site and includes the Old Workhouse and Chapel. The site is located outside of the Kent Downs Area of Outstanding Natural Beauty (AONB), though the land to the immediate south of the site, part of which is under the applicant's ownership, has been designated as part of the North Downs Special Landscape Area (SLA) by Kent County Council.
4. The proposal comprises of residential development consisting of 100 dwellings with partial redevelopment of The Range and the Old Workhouse. In addition, the development will comprise of commercial/community floorspace to be provided

within the Chapel, the retained wing to the Old Workhouse and Tewkesbury House providing a total of 568m² of B1/D1 floorspace.

5. The range of dwellings include: 12 x 2-bed flats, 34 x 2-bed houses, 25 x 3-bed houses, 9 x 4-bed houses. As well as 7 x 2-bed, 2 x 3-bed and 1 x 4-bed houses in the Range and 7 x 1-bed and 3 x 2-bed flats in the Old Workhouse. The new dwellings will use a mix of materials including timber cladding, brickwork, powder coated aluminium frames, slate and roof tiles.
6. The application site contains a number of listed buildings, with the descriptions available on the Historic England website. These listed buildings are however in a significant state of disrepair, with only the chapel within the site appearing to be fully intact.
7. The site is very much overgrown, with the buildings within the site in a particularly unkempt state, and they have clearly suffered significant vandalism over the past few years. There is evidence of fires having taken place within the site and other forms of anti-social behaviour – such as graffiti.

Assessment

8. This application was deferred by Members at the Planning Committee meeting on the 31 August 2017 for the following reasons:

That, notwithstanding the Officer's recommendation, Application No DOV/14/00240 be DEFERRED for the following information: (i) An updated Viability Assessment and an independent review of that Assessment; (ii) Clarification from Southern Water on whether there is an increased flood risk; (iii) Clarification from Southern Water regarding what drainage infrastructure is required; (iv) Details of the phasing plan for the listed buildings; and (v) Clarification on the design of the housing in front of the hospital and its association with that building.

9. This report therefore seeks to address the issues raised by Members on each matter.
10. The original committee report is attached at Appendix 1.

Viability

11. The first matter for consideration is the requirement for an updated viability appraisal to be submitted and reviewed. Following the Planning Committee meeting, the applicants submitted an updated appraisal (on the 27 September 2017) which addresses Members' concern with regards the age of the information and data inputted into the previous viability appraisal.
12. As background, the previous viability report was dated August 2015, and Members' concern related to whether these were up-to-date given the changes within the housing market. The report, submitted by the applicant seeks to address this, by looking at the likely level of profit that would be generated with 2017 values and build costs within the appraisal.
13. One of the key points for debate relates to the land acquisition cost – and whether this should be treated as being at the point of purchase, or whether this

value should reflect the likely purchase price in the here and now. There is no hard and fast rule in this regard, but what one should consider it how important it is that the site is redeveloped to the Council, and the likelihood of the site being sold on should a loss then be made.

14. In this regard I am of the view that this is an important site to the Council, delivering not only 100 houses to meet their strategic, and indeed immediate (five-year housing land supply) need, but also to ensure the long-term future of these important heritage assets. To this end, it would not be in the Council's interests for this site to remain undeveloped for the unforeseeable future, and as such, the Council have taken a pragmatic approach to development here. For this reason, I am happy to accept the purchase price within the financial appraisal.
15. The assertion from the applicant's agent that because of the more buoyant housing market, there would be an expectation of more than 20% profit on costs is not accepted however. Whilst this might well be desirable, there is no reason, in terms of availability of finance that this would be *required*. I therefore give this little weight in the determination of this application.
16. The appraisal does demonstrate though, that with the provision of 10% affordable housing, there would be a profit of between 15% and 17% - which is within the recognised level of profit that any developer would expect when undertaking a scheme of this nature. Should the profit levels drop below 15% then finance would be less readily available, and would certainly make the proposal less attractive to the site owner.
17. The figures that have been submitted have been analysed and are considered to be robust, and relate to the local property market.
18. It is therefore recommended that Members accept the findings of this report, and the recommendations of the previous report which would see a provision of 10% affordable housing, together with the contributions towards ecological mitigation and open space.

Flood Risk

19. Members raised concerns with regards to the impact that this proposal would have upon the locality in terms of flood risk, and requested that further discussions be held with the statutory undertaker to assess the likely impact of this proposal.
20. It is important for Members to note that the Water Industry Act 1991 has significant powers that should not be overridden by the granting of planning permission, and in particular the imposition of safeguarding conditions. This is not to say of course, that flood and drainage are not material considerations in the determination of planning applications.
21. Of particular importance in the High Court Case (Barratt Homes Limited v DWR Cymru Cyfyngedig (Welsh Water) (2009) UKSC 13) which made it clear that any developer has the right to connect to a public sewer (or drain) under Section 106 (of the Water Industry Act 1991) and that right cannot be denied because it might cause a nuisance, or capacity issues. This also states that Grampian conditions should not be imposed to prevent an impact upon the drainage system as a result of the undertaker failing to provide sufficient capacity.

22. In this instance, Southern Water has stated that they do not have capacity within the locality, however they have invited the applicant to liaise with them in order to ensure that it can be provided. I have discussed the matter with Southern Water and they have confirmed that given the run-off rate for surface water from the site is to be improved through the use of SuDs, the capacity concern relates to waste water disposal – which is course is unlikely to cause any flooding.
23. In this instance, the statutory undertaker has requested that an informative be placed upon any permission which would ensure that the developer and Southern Water enter into a formal agreement (outside of planning legislation) to provide the necessary infrastructure required to service this development. This requirement, together with the necessity to provide a drainage strategy for within the site will ensure that there would be no detrimental impact upon the existing network, and will also ensure that there would be no further risk of flooding.

Phasing of Listed Buildings

24. It is proposed that the listed building will be completed within phase II of the application, which will ensure that this work is undertaken in a timely fashion. It is proposed that the phasing plan be included within the S106 agreement so that this is enforceable.

Location of Dwellings to Front of Hospital Building

25. Members expressed concern at the previous Planning Committee with regards to the location and orientation of dwellings to the front of the existing hospital building, and in particular the fact that these 'back on' to the building. Further discussions have taken place with the applicant as to whether there would be any benefit in re-orientating the dwellings, however this would have significant implications for the remainder of the development, and access to the units.
26. One of the benefits of having the dwellings orientated in this manner is the fact that it limited the number of vehicular movements than run to the front of the listed buildings. Should these dwellings be re-positioned then the number of vehicles running past the listed buildings would be increased.
27. In addition, any re-positioning would be likely to have an impact upon the outlook of the other dwellings within the development. The design submitted seeks to ensure that there would be a legible road hierarchy, and this is achieved through both the layout and the materials used within the highways.
28. I am therefore satisfied that the proposal does represent a high standard of design, that would have the least impact upon the setting of the listed buildings, and would also represent a good standard of urban design. As such, the applicant has not been requested to amend the proposal further.

Conclusion

29. As set out within the previous report, this is an application that has now been with the local authority for three years. Through this passage of time, amendments have been made to the scheme and additional information has been submitted.

30. Whilst clearly the failure to deliver a policy compliant level of affordable housing is regrettable, in this instance, the viability report is robust, and demonstrates that the costs of refurbishing the listed buildings would be significantly greater than expected on most sites, and this has a significant impact upon developer profits. It is therefore concluded that this is acceptable in this instance.
31. It is also considered that the matter of drainage can be adequately addressed through both the imposition of conditions, and the requirements of the 1991 Water Industry Act. The provision of SuDs within the development will actually ensure that surface water run-off is at a lesser rate than greenfield – which will alleviate any risk of flooding.
32. It is also considered that the design is of a high standard, and that there is an adequate mechanism to ensure that the refurbishment to the listed buildings takes place at an appropriate stage. For these reasons, it is recommended that Members give this application favourable consideration and grant delegated powers to approve in accordance with the requirements set out below.

g) Recommendation

- I. GRANT PLANNING PERMISSION subject to the completion of a legal agreement to secure the provision of 10% affordable housing and appropriate financial contributions to provide necessary ecological mitigation, and to secure appropriate phasing of the site, and subject to conditions to include:
- i) commencement within 3 years; ii) carried out in accordance with the approved drawings; iii) submission of Construction Management Plan; iv) limits on temporary lighting/illumination; v) development carried out in accordance with approved phasing sequence; vi) submission of development phasing vii) written confirmation of commencement of development and first occupation of each phase; viii) submission of details relevant to sales/marketing accommodation, vehicle parking and servicing and associated development; ix) limits to means of enclosure; x) limits to the provision of hard surfacing; xi) submission of material samples; xii) informative on windows; xiii) submission of details for listed buildings; xiv) solar panel installation; xv) retention of Public Right of Way; xvi) submission of details- proposed on-site highway works; xvii) finished surfacing to vehicle and pedestrian access routes; xviii) submission of details of sight lines (roadway junctions); xix) submission of details of sight lines (private driveways); xx) limits on development overhang; xxi) submission of details related to vehicle parking; xxii) submission of travel plan; xxiii) submission of details of hard and soft landscaping; xxiv) hard and soft landscaping carried out in accordance with approved details; xxv) limits on excavation during construction; xxvi) limits on storage of materials; xxvii) no damage to trees of hedgerows within phased development; xxviii) erection of mans of enclosure; xxix) submission of external lighting scheme; xxx) submission of details of refuse storage areas and recycling facilities; xxxi) programme of archaeological works; xxxii) contamination informative; xxxiii) submission of sustainable water drainage scheme; xxxiv) infiltration of surface water drainage only with approval of LPA; xxxv) submission of Foul Sewerage Disposal Strategy; xxxvi) retention of open areas/spaces; xxxvii) no external units on any external elevation; xxxviii) secure and implement programme of archaeological works; xxxix) ecological enhancements; xxxx) any other conditions as required by KCC highways; xxxxi) safeguarding employment use; xxxxii) any other conditions as required by DDC Conservation; and

- II. Powers be delegated to the Head of Regeneration and Development to settle any necessary S106 matters and planning conditions in line with issues set out in the recommendation and as resolved by Planning Committee.

- a) **DOV/14/00240 - Redevelopment of site to provide a total of 100 residential units comprising: two-storey terrace, semi-detached and detached new-build dwellings; Change of use and conversion of Tewkesbury House and the Chapel to provide 568 sqm of community space (Use Class D1), employment space (Use Class B1) and two residential units; minor demolition, alteration and conversion of the 'Old Workhouse' to provide ten residential units; retention and reinstatement of the fire-damaged Range building and erection of a two-storey terrace of ten residential units; car parking, landscaping, public open space and alteration to existing access (Amended plans and documents) – Eastry Hospital, Mill Lane, Eastry**

Reason for report: Number of contrary views (13)

b) **Summary of Recommendation**

Planning permission be granted.

c) **Legislation, Planning Policies and Guidance**

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- vi. the development should provide a connection to the water supply infrastructure at the nearest point of adequate capacity;
- vii. a mitigation strategy to address any impact on the Thanet Coast and Sandwich Bay Ramsar and SPA sites and Sandwich Bay SAC site is developed. The strategy should consider a range of measures and initiatives; and
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- Policy CP3: Distribution of Housing Allocations
- Policy CP4: Housing Quality, Mix, Density and Design.

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Policy DM11 states that planning applications that would increase travel demand should be accompanied with a suitable assessment of this increase. This again re-iterates that development outside of the urban/rural confines will not be permitted unless justified by Development Plan policies.

- Policy DM12: Road Hierarchy

Policy DM13 states that parking provision should be design led and based on the characteristics of the site, the locality, the nature of the proposed development

and its design objectives. Provision for non-residential development, and for residential cycle provision, should be informed by Kent County Council Guidance SPG4, or any successor.

Policy DM16 states that development that would harm the character of the landscape will only be permitted if it is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or it can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.

- Policy DM25: Open Space

Saved Policies

- Policy TR9: Cycles Routes
- Policy HS2: Housing Allocations
- Policy OS2: Children's Play Space
- Policy OS3: Open space
- Policy AS11: Re-use of Eastry Hospital

National Planning Policy Framework (NPPF)

The NPPF states that at its heart is the 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 sets out the presumption in favour of sustainable development. This is set out in full in the Overall Conclusions section at the end of this report.
- Paragraph 17 sets out 12 core principles which amongst the others seek to secure high quality design and a good standard of amenity for all existing and future residents.
- Section 1 sets out the needs of building a strong, competitive economy.
- Section 4: Promoting Sustainable Transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring a good design
- Paragraph 69 and 70 sets out the importance of facilitating social interaction and creating healthy, inclusive communities and to deliver the social, recreational and cultural facilities and services the community needs.
- Section 11: Conserving and enhancing the natural environment.
- Section 12: Conserving and enhancing the historic environment.

National Planning Policy Guidance

This provides guidance relating to matters contained within the NPPF.

d) Relevant Planning History

There is extensive planning history for this application. The relevant history is summarised below:

93/00609: Two six place residential units. Granted on 18th November 1993.

- 00/00259: Demolition of a major part of Eastry Hospital (but retaining Chapel, buildings on back edge of Mill Lane and building fronting the access). Granted permission 18th May 2000.
- 04/01399: Erection of 23 houses and 26 apartments together with 2145m² of B1 Employment floorspace following the demolition of existing buildings. Refused permission on 16th February 2005.
- 14/00241 Minor demolition, and refurbishment/conversion of the Old Workhouse to provide 10 residential units; alterations and conversion of Tewkesbury House and the former Chapel to provide for community and employment space; reinstatement of the former Range building to provide a two-storey terrace of 10 residential units. (Amended plans and documents). Yet to be determined – awaiting the outcome of this application.

Also of relevance is Tree Preservation Order 3/2001 dated 28 March 2001.

e) Consultee and Third Party Comments

Neighbouring occupiers were notified and to date 13 letters of objection and 1 letter of support have been received. 6 of the commentators offered their comments but remained neutral. It is worth noting that many of those who objected to the application would accept an alternative, perhaps less intensive redevelopment of the site. The main comments within these letters are summarised below:

Objections:

- The development would result in an unacceptable level of increased traffic.
- Increased population would place pressure on local facilities such as schools, doctors surgery etc.
- Lack of infrastructure to support the development.
- Overdevelopment of the locality/ too many houses.
- The application site covers an area which is potentially rich in archaeological material.
- Concerns over the impact of the development on nearby listed buildings and how the development would be in keeping with the historic built environment.
- Surface water drainage.
- Traffic assessment out of date.
- Development not in keeping with the character of the area.
- No affordable housing contribution.
- Construction related disturbance (noise, vehicles etc.).

Support:

- Welcome initiative for rural regeneration to provide extra housing. However it is stated that more could be done to protect the historic built environment

Neutral:

- Information requested from nearby surgery on how it would cope with increased population level. Requested a S106 to ensure adequate provision is given.

Natural England were consulted and raised no objection in regard to national and international designated sites. We have not assessed this application for impacts on protected species.

Dover District Council Environmental Health Officer was consulted and states that the proposed development sits on top of the former hospital site which could possibly be contaminated land. The application shows little detail on the planned use of the existing church / chapel for change of use to B1 planning class. During previous demolition works within the planned development area Dover District Council served a Section 80 Abatement Notice for smoke nuisance. There were also concerns raised over the burning of trade waste. I would advise any developer of this site to pay due regard to smoke nuisance legislation under the Environmental Protection Act 1990. I would also draw the developer's attention to the waste management regulation for the disposal of site waste. Your attention is drawn to the provisions of the Control of Pollution Act 1974. Section 60 & 61 of the Act gives local authorities powers to control noise from construction sites.

Dover District Council Heritage Officer: The remaining buildings of the historic workhouse have suffered from extensive damage resulting in much of the internal historic fabric being lost. Externally the buildings contribute strongly to the street scene, being large and dominant structures within a street composed of small scale dwellings. However the largest building, the original 1835-36 workhouse has suffered significantly resulting in the need to carry out emergency works to remove several courses of the brick façade to prevent loose material falling and potentially causing harm to the general public. The proposal to convert to residential would help to ensure the preservation of the building and prevent further loss.

Dover District Council Ecological Officer: Makes no comments in relation to the application.

The Fire Officer was consulted and stated that from the submitted plans it appears that access to the site for the Fire and Rescue Service, as required by Section 53 of the above legislation, is adequate.

Kent Highways Services: Were initially consulted upon the application and raised a number of concerns with regards to the proposal and the data that was submitted with it. They therefore asked the applicant to submit further studies and plans, which were subsequently reviewed.

KCC Highways have now withdrawn a number of their objections but remain concerned with regards to the following matters:

KCC PROW were consulted and raised no objection to the erection of the development but as the proposed application is directly adjacent to footpath ER256 had concerns regarding how this will affect the footpath. It is intended to address this concern by condition.

KCC Development contributions were consulted and requested contributions for Primary school, secondary school, library book stock, Adult Social Care contributions and a condition to be included for the provision of Superfast Fibre Optic Broadband. As is set out within the main body of the report, these contributions cannot be met due to viability issues.

KCC Heritage were consulted and raised two principal issues which arise from proposals: impact on sites historic buildings (both listed and otherwise) and the impact on buried archaeological remains. They would recommend attaching two conditions if permitted.

KCC Archaeology were consulted and recommended conditions relating to historic building recording and the requirement for a programme of archaeological works to be implemented.

Southern Water were consulted and raised the following concerns: Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. May lead to increase flows to the public sewerage system and existing properties and land may be subject to greater risk of flooding. They recommended that if planning permission is granted that suitable safeguarding conditions be imposed.

Kent Wildlife Trust were consulted and recommended that DDC ensures that a Bat Mitigation Strategy is submitted for this planning application. They would also advise that a similar approach should be taken to a Reptile Mitigation Plan, supported by condition and including recommendations with the Greenspace Ecological Solutions report of October 2014. Does not appear to be any mitigation measures detailed for loss of habitat for breeding birds. They would expect to see details of how this development would avoid any potential impacts upon the European designated sites nearby, in particular as a result of increased recreational pressure. Kent Wildlife Trust therefore has **no objection** to the planning application, subject to the remaining matters above being addressed.

Dover District Council Strategic Housing Manager was consulted and made the following comments:

'While the developer claims that the requirement to provide 30% affordable housing made the previous proposed scheme unviable I am of the view that some aspects of the scheme may have contributed to increased viability i.e. the proposed increase in the number of units and an increase in property values. It will need further viability testing to determine whether or not some contribution towards affordable housing can be made.'

Stagecoach were consulted and confirmed that drawing 616231/SK03 revision B, showing the new westbound bus stop, is acceptable to them.

Historic England were consulted but did not wish to offer any comments on this occasion.

The Environment Agency were consulted and raised no objections to this proposal subject to the imposition of suitable safeguarding conditions.

The Primary Care Locality Manager was consulted and made comments outlining the estimated costs of reconfiguration and refurbishment work needed so that the local hospitals and surgeries could cope with the increased population.

Eastry Parish Council were consulted and made the following comments:

'Although the Parish Council supports the principle of development on this site they object to this application on transport and highway issues related to the number and density of proposed dwellings and commercial units. The inadequate and flawed transport report submitted with the application means that the traffic impacts have not been fully or accurately considered. Further information is required to enable a full assessment to be made as to whether the impact is acceptable.'

The application also makes numerous references to the fall-back position of the site as a hospital, however with the lack of buildings on site which could facilitate the realistic re-use of the site in a fall-back scenario, the strength of the fall-back position is seriously compromised. The Parish has commissioned an independent transport and highways report to fully detail the concerns of the local residents.

In addition, the members strongly object to the proposed removal of the specimen sycamore tree T1 to improve the access to the site. This tree is of significant value to

the village. The members would also like more details in the proposed 568m2 of community and employment use areas.'

Nonington Parish Council were consulted and made the following comments:

'Object to the proposed development on Mill Lane on the ground that traffic from the Mill Lane site heading to either Canterbury, Maidstone or Faversham or to the M2, M20 or the M25 will travel directly through Easole/Holt Street. This is an unclassified village road through a designated Conservation Area. The MLM 2014 traffic report does not contain a single reference to the primary transport route for the primary transport mode – road travel from Easry to the A2 and UK Motorway System. No consideration appears to have been taken as to whether this route can accommodate the increased traffic this development will inevitably generate. It is clear that a co-ordinated approach between housing development and the infrastructural capacity of the local road network at both a local and regional level is urgently required before this proposal should be considered. NPC therefore recommend that this proposal be refused.'

f) The Site and Proposal

1. The proposed site is roughly L-shaped which is approximately 4.68ha, lying on the south side of Mill Lane on the southern edge of the village of Easry. Easry is located approximately 20km east of Canterbury. There is one single point of vehicular and pedestrian access to the site from Mill Lane.
2. The site was formerly used as a mental health hospital, however that use ceased in the 1990's. Prior to being acquired by the NHS, the site housed the Easry Union Workhouse. The original Old Workhouse building is highly prominent on site and has been affected by numerous fires but is still a Grade II listed building. The site also consists of the Easry Asylum Chapel and Tewkesbury House. In 2008, many of the other previous hospital buildings were demolished.
3. The Easry Conservation Area, as designated by Dover District Council, extends across the north corner of the site and includes the Old Workhouse and Chapel. The site is located outside of the Kent Downs Area of Outstanding Natural Beauty (AONB), though the land to the immediate south of the site, part of which is under the applicant's ownership, has been designated as part of the North Downs Special Landscape Area (SLA) by Kent County Council.
4. The proposal comprises of residential development consisting of 100 dwellings with partial redevelopment of The Range and the Old Workhouse. In addition, the development will comprise of commercial/community floorspace to be provided within the Chapel, the retained wing to the Old Workhouse and Tewkesbury House providing a total of 568m2 of B1/D1 floorspace.
5. The range of dwellings include: 12 x 2-bed flats, 34 x 2-bed houses, 25 x 3-bed houses, 9 x 4-bed houses. As well as 7 x 2-bed, 2 x 3-bed and 1 x 4-bed houses in the Range and 7 x 1-bed and 3 x 2-bed flats in the Old Workhouse. The new dwellings will use a mix of materials including timber cladding, brickwork, powder coated aluminium frames, slate and roof tiles.
6. The application site contains a number of listed buildings, with the descriptions available on the Historic England website. These listed buildings are however in a significant state of disrepair, with only the chapel within the site appearing to be fully intact.

7. The site is very much overgrown, with the buildings within the site in a particularly unkempt state, and they have clearly suffered significant vandalism over the past few years. There is evidence of fires having taken place within the site and other forms of anti-social behaviour – such as graffiti.

Main Issues

8. The main issues for consideration in the determination of this application are:
 - Principle of Development
 - Impact on the visual amenity of the area and landscape
 - Impact upon residential amenity within the area
 - Impact upon highways
 - Impact upon heritage assets
 - Contributions
 - Drainage

Assessment

Principle of Development

9. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
10. The National Planning Policy Framework 2012 (herein referred to as the NPPF) indicates that planning applications within sustainable locations and that accord with the development plan should be approved without delay.
11. The application site is allocated within the adopted Land Allocations Local Plan (adopted in 2015) for a mixed use development, the criteria of the policy being set out in full earlier within this report. It should be noted that this proposal does not wholly comply with the requirements of this policy, but nevertheless does accord with the principle of development, i.e. a mixed use scheme.
12. That said, given the fact the proposal does not wholly comply with the policy, a careful assessment with regards to sustainability of the development, in accordance with the NPPF is also required, and in particular the three threads of sustainable development, and the importance of conserving and enhancing heritage assets. Whilst the principle is therefore acceptable, all material considerations need to be fully considered prior to the determination of this application.
13. In terms of the split of uses within the site, the LALP document identifies that there is a requirement for employment as well as housing within the application site. Paragraph 3.332 states that the Employment Update (2012) has indicated that, in terms of the rural area, retaining an element of employment at Eastry Hospital is important for the geographical distribution of employment sites in the District. The retention of an element of employment in the former workhouse, which fronts Mill Lane, is supported from a historic environment perspective as potentially there could be less damage to the internal layout.
14. The LALP then states (in paragraph 3.333) that in recognition that the demand for specific B1 (business) uses has historically been low, the District Council will be supportive of other employment generating uses, wider than the B1 use classification, providing that they are compatible with the residential element of the development.

15. The applicant has sought to provide some flexibility within this site, by suggesting either community or employment uses within these buildings. It is considered that this is a pragmatic response to the policy requirements; it is acknowledged that this would be a particularly difficult location to support medium/large scale employment provision, given its relatively remote location, but also the emergence of Discovery Park in Sandwich as a successful hub for businesses of this scale (with all of the economic benefits of an Enterprise Zone). Whilst clearly the aspiration for mixed use within communities such as this is generally supported, it is considered that due to the economic viability of refurbishing the buildings, together with the abundance of available office/commercial space within the locality, it is reasonable and acceptable to provide a lesser amount of floorspace within this location.
16. In terms of housing numbers, this site would deliver an over-provision when assessed against the requirements of the policy. This is in-part due to the fact that there is less commercial floorspace than the policy suggests, but also because the applicant has sought to provide a variety of house types throughout the development including a number of smaller properties.
17. Whilst the Council are currently in a relatively strong position in terms of five-year housing land supply, it is acknowledged that there is a strong reliance upon large strategic allocations such as Whitfield. Sites such as this could deliver approximately 50 dwellings per annum, and given this is a full application, it is likely that all 100 units would be delivered within the next five years. It should also be acknowledged that the figures provided within the LALP are suggested yields, and not limits to development. If an appropriate form of development comes forward which exceeds this figure then there is no ground to refuse simply on that basis.
18. For the reasons given above, it is considered that whilst this proposal does not comply with all elements of the LALP Policy, there are sound justifications for this, and as such, the proposal is acceptable in principle subject to all other material considerations being assessed.

Impact on the Visual Amenity of the Area and Landscape

19. Given that the application site has been allocated within the Council's land allocations local plan, there is clearly an acceptance that this is a suitable site for a mixed use development, which comprises primarily of housing. That said, the policy states that the site would be able to accommodate up to 80 dwellings, and this proposal is demonstrating a significant uplift on this projected figure to 100 dwellings.
20. The proposed layout has been formulated in order to respond positively to the setting of the listed buildings that are sought to be retained/refurbished within the site. That said the layout within the site is relatively formulaic, with the highways throughout of a fairly formal character.
21. There is a clear road hierarchy that is legible once within the site, and the main means of access/egress is easily defined. In any event, this is not a scale of development that would require differing character areas of specific highways treatment to emphasise the layout.
22. Pockets of open space would be provided within the development, that would allow for the retention of the highest quality trees within the development. These would also act as informal areas of open space for recreational purposes. They would also have the benefit of being located upon the southern part of the site, where views into

the development would be more readily available from medium/long distance views. These areas of open space, with retained trees would offer a layering effect and would soften the development from the south. It is also noted that there is land to the south that is proposed to be undeveloped, but that is part of the application site. This is to be used for ecological mitigation, and as such additional planting can be provided that would further soften the proposal from medium/long distance views.

23. Views from the south are particularly important, and this is highlighted within the preamble to the allocation policy. It is therefore welcomed that, in addition to the above, the properties along this southern edge are at the lowest density, with the greatest level of separation between them. These are the largest properties within the site, and are also provided with good sized gardens, which is as you would expect upon the most sensitive part of the site.
24. The density of the development rises as one heads northwards, which responds positively to the existing building form of the former hospital buildings. Again, the proposal is relatively simple in its form, but nevertheless would provide for an attractive layout that would allow for a suitable level of soft planting throughout.
25. Much of the development within the north of the site would be screened from the public domain by the existing buildings. It is noted that the rebuilding of the Range would be as per the requirements of the policy, with the inclusion of a porte-cochere upon its front elevation. It is considered that this element of the proposal is well designed, and would re-instate the building with correct proportions etc.
26. Given the above it is considered that the development would be acceptable in terms of its impact on the street scene and would be able to be assimilated into the village without having a detrimental impact upon its character. In terms of any wider landscape impact, whilst the development would be located on the southern edge of the village, it would be viewed within the context of existing residential development surrounding it and through the design and layout solutions outlined above, it would not have an unacceptable impact upon the character of the wider rural landscape. Policy DM16 states that development that would harm the character of the landscape will only be permitted if it is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or it can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.
27. The proposed development would therefore comply with the objectives of Core Strategy Policy DM16 as it would not harm the character of the landscape and of Paragraph 17 of the NPPF which requires development to take recognise the intrinsic character and beauty of the countryside.

Impact upon Residential Amenity within the Area

28. Paragraph 17 of the NPPF outlines that one of the core principles of sustainable development is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
29. The application site is relatively self-contained, and would be set away from existing residential properties to the aside from those within Lower Street, and also within White Wood Road.
30. The properties within White Wood Road would be side on to the development, with a pedestrian/cycle link to be provided into the highway. The proposed layout would

relate to this existing pattern, grain, and orientation of development, and as such there would be no direct overlooking of the existing properties. Furthermore, the positioning of the new dwellings, together with their scale (being of two storey) would ensure that there is no overshadowing, nor the creation of a sense of enclosure to these properties.

31. Whilst a pedestrian link is proposed through to this cul-de-sac, it is not considered that this would result in any significant noise and disturbance to the occupiers of these properties, over and beyond that which would be expected within a residential area.
32. The properties within Lower Street are set out in a much more organic manner, with some properties within the road frontages and others set further back from the highway. Those that are set further back would thus be closer to the proposed development. The proposed properties closest to Lower Street are all designed to be 'side on' with the boundary, and with no windows that would overlook the properties. As such, it is not considered that there would be any overlooking of these existing properties. Likewise, there would be sufficient separation between the proposed and existing (minimum of 19 metres) to ensure that there is no overshadowing or creation of a sense of enclosure.
33. Again, whilst there will be a slight uplift in general noise and disturbance from new occupiers of these dwellings, this is clearly anticipated as the site has been allocated for housing for a significant period of time. It is therefore not considered that any increase would be unacceptable. The Council's Environmental Health Officer has also not expressed any concerns in this regard.
34. The site is currently undeveloped (aside from the derelict buildings) but is therefore particularly dark at evening/night. The development of this site would introduce a chance to this, but a condition has been suggested that would ensure that details be submitted, in order that the local authority has suitable control over lighting – both in terms of residential amenity and also ecology.
35. It is therefore considered that the proposal would not have any adverse impact upon the residential amenities of the neighbouring occupiers, thereby complying with the requirements of the NPPF.

Impact upon Highways

36. Paragraph 32 of the NPPF states that All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
 - the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
37. The applicant has submitted a Transport Assessment with the planning application which has now been reviewed by Kent County Council Highways Services. This

Assessment sets out that the proposal would have no severe impact upon the highway network within the vicinity or further afield.

38. There were initially a number of concerns raised by the highways officer, with regards to the submissions that have been made, and the applicant has subsequently submitted additional information that has now removed their objections from the development.
39. The proposals are likely to generate approximately 60 two-way vehicle movements in the morning and evening peak hours, most of which will enter and leave the site via High Street and Sandwich Road or Lower Street and Dover Road. The main concentration of vehicle movements is through the Mill Lane/High Street/Lower Street junction and this has sufficient capacity to accommodate the additional movements. Whilst visibility from Mill Lane to Lower Street is less than would ideally be provided under current guidance, the junction has been in use for many years and there are no recorded personal injury crashes at the junction in the five years to the end of 2016. Both High Street and Lower Street have sections which are used for on-street parking, reducing the carriageway to single-lane working. In the case of High Street there are passing places available at several locations (protected by existing parking restrictions) and other gaps in the on-street parking, and these should be sufficient to accommodate the additional vehicle movements on this route.
40. In Lower Street there are existing accesses protected by 'dog bone' markings which act as passing places but some would benefit from being extended and protected by parking restrictions. The development proposals therefore include provision of double yellow lines to improve two of these informal passing places. This would mean the loss of three on-street parking spaces in those specific locations but other on-street parking is available. A Traffic Regulation Order (TRO) would be required for the parking restrictions and this can be made by Kent County Council as the highway authority. According to advice to Planning Inspectors TROs must be made for qualifying purposes including avoiding danger to persons or traffic and facilitating the passage of traffic, which clearly apply in this case. Traffic flow and highway safety should be the primary concerns in relation to introducing a prohibition of waiting rather than matters of inconvenience or change. Therefore, if KCC is satisfied that the TRO is required and is the correct form of mitigation then they are in a position to dismiss erroneous objections and make the Order. The TRO could therefore be reasonably secured through a planning condition, which has been proposed.
41. Whilst a few movements may be generated in Mill Lane to the west of the site but the numbers are unlikely to be significant and, although there is some on-street parking in this section of Mill Lane, passing places are available.
42. It should also be noted that whilst there may be some vehicle trips from the development to/from the school, these will not add to existing school trips as they will replace current trips by parents from further afield when school places are given to children living in the new development. Some children from the development will also be walked the short distance to and from the school using the direct pedestrian route available.
43. The site access proposals include the provision of a pedestrian crossing point just to the north of the access, to provide a connection to the existing footway network on the north side of Mill Lane and therefore pedestrian access to the school and village centre. A build-out and parking restrictions are required on the north side of Mill Lane to provide visibility for pedestrians crossing southwards and this requires the removal of 3 existing on-street parking spaces, replacements for which are included in the

new parking area for existing residents adjacent to the access on the south side of Mill Lane. The site access proposals also include the provision of a footway, pedestrian crossing point and bus stop to the front of the listed building in Mill Lane, the bus stop being a relocation of the existing westbound stop a few metres to the east.

44. The footway will allow level access to buses and a pedestrian connection between the listed building and the existing footway network on the north side of Mill Lane. Parking restrictions are required on the north side of Mill Lane to provide visibility for pedestrians crossing southwards. This will remove what appears to be some sporadic footway parking in this section of Mill Lane, however other parking is available on the south side of the road and additional parking will be available in the new parking area for existing residents adjacent to the access on the south side of Mill Lane. Again a Traffic Regulation Order (TRO) would be required for the parking restrictions and this can be made by Kent County Council as the highway authority. It should be noted that in order to provide a new pedestrian access via private steps from Mill Lane to the listed building, the small area of the highway containing the steps will need to be stopped up.
45. There is no objection in principle to this from the highway authority. It is considered that sufficient levels of car parking are available for the proposals within the site and whilst there are a few plots where the associated parking would ideally be closer to the dwelling, this is unlikely to result in unacceptable parking on the existing highway. A gated secondary emergency access to the site is provided from White Wood Road and this can be secured by condition.
46. Due to the scale of the proposed, it is considered necessary to require a detailed construction management plan to address traffic and the associated routing and timing of HGV movements, together with parking for delivery vehicles and site personnel.
47. Given the above, it is not considered that the proposal would result in a severe impact upon the highway network and existing public rights of way would be unaffected by the proposal. As such the proposal complies with the requirements of DM13 of the Core Strategy and the requirements of paragraph 32 of the NPPF.

Impact upon Heritage Assets

48. The NPPF (paragraph 128) requires that applicants should describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the assets' significance. The applicant has submitted a full heritage assessment which identifies the historic use of the land at its importance in relating to the setting of the building.
49. Paragraphs 132-135 of the NPPF relate to the significance of heritage assets and how planning applications should be determined to ensure that great weight is given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
50. The existing buildings within the application site are now within a significant state of disrepair. Much of the original structure of the main listed building (chapel aside) appear to have been lost, or in a state of collapse. It is clear therefore that there is the necessity for a significant level of work to be undertaken on this site to bring the listed buildings back in to any sort of use.

51. The applicant has submitted a Heritage Statement that sets out both the significance of, and impact upon the heritage asset. Significant pre-application and post submission negotiations have taken place with the Council's Heritage Officer, who initially requested that a number of amendments be made to the scheme – these were generally detailed points.
52. The applicant has addressed these points, and submitted amended plans which have been reviewed by the Heritage Officer who is now content with the proposal.
53. The allocation policy for this site identifies elements of the listed buildings that should be re-built and the applicant has undertaken a thorough assessment of the existing buildings, and the plans clearly demonstrate how the listed structures can be reinstated in an appropriate manner.
54. One of the key reasons that this site has been an allocation for housing development is due to the necessity to be able to fund the rebuilding and refurbishment of the derelict listed buildings. The buildings, being set up against the highway would retain their character from outside of the application site as the additional housing development would not be visible from this vista. Indeed, because of the works required to bring these buildings into a habitable state, there would be betterment from this public vantage point.
55. From within the site, the buildings appear as more derelict and as such their setting has already been significantly compromised. The site is wholly overgrown, with short to medium term views significantly compromised. Whilst the erection of dwellings within their immediate curtilage would result in the loss of openness to the rear, and thus would impact upon the buildings' setting, this would not be to their detriment. The site, being a former hospital use, would not necessarily be expected to be surrounded by a significant level of open space, with many buildings of this type located within urban or village settings, with buildings surrounding them.
56. Furthermore, the impact would be reduced by the re-instatement of the Range which is currently of no scale having been mostly demolished. This historic structure would be of a substantial size and would replicate the building that was previously in situ. This in itself would therefore represent a barrier from the new development to the listed buildings, which will further soften the impact of the dwellings.
57. Whilst the proposal would be in relatively close proximity to a number of listed buildings located along Lower Street, there would be sufficient separation between the proposed development and these properties to ensure that their setting would not be compromised. The development would ensure the significance of the heritage asset is safeguarded for the future.
58. In terms of archaeology an evaluation accompanies the application, the results of which indicate that Anglo-Saxon settlement is present on or close to the site. It is therefore possible that archaeological deposits may be present at the site that would be affected by groundworks associated with the development and therefore provision should be made for a programme of archaeological works, to be secured by condition.
59. It is therefore considered that the proposal would bring about significant enhancements to the existing listed building, with no significant impact upon their setting brought about by the new development. The setting of existing listed buildings would also be preserved, and as such the proposal is considered to comply with the requirements of 132-135 of the NPPF.

Ecology

60. Paragraph 3.337 of the LALP states that a combination of the scale of the development and the proximity of the site to European designated nature conservation sites means that any planning application will have to develop a strategy with a range of measures and initiatives such as the provision of informal open space or walking routes (leading to wider PROWs) within the development.
61. The applicant has submitted a number of ecological reports that set out both the existing biodiversity within the site, as well as suitable mitigation to address the impact of the proposal.
62. The reptile survey that was undertaken showed a 'good' population of common lizards, a 'low' population of slow worms in the development site, and a 'good' population of both within the proposed receptor site. It is therefore likely that harm would occur without suitable mitigation, and it is therefore proposed that the receptor site be in place prior to any works on site, in order that they can be translocated without harm. The full mitigation for this is set out within the submitted report, and shall be controlled by condition.
63. The submitted bat survey highlighted that during the surveys one common pipistrelle bat was confirmed to have emerged from the northern aspect of the Chapel roof, three common pipistrelle bats were confirmed emerging from Tewksbury House and one long-eared bat emerged from a first-floor window of the Range. In addition, there was a probable emergence of one soprano pipistrelle bat from Tewksbury House.
64. Because the chapel building is to be limited to internal alterations, there is not considered to be any detrimental impact upon these bats, as the roost present within this building would be unaffected. However, due to the level of works required to the 'Range' building, there is likely to be a requirement for further licences to be granted to enable these works to take place. It is important for Members to note that these licences can only be granted once planning permission has been granted – i.e. this is the first step on the process. The content of the EPSM licence (if required) will then detail the timeframes, methodology and mitigation measures required when working with bats and their roosts.
65. Regardless of whether an EPSM is currently identified as needed for works to any particular building, it is strongly recommended that update surveys are conducted in the season prior to works being undertaken on any building. This is necessary as bats have been found to be using three of the four buildings surveyed and their usage of these buildings may change both throughout a season and from year to year; this will therefore be secured by condition.
66. It is therefore considered that whilst this is a sensitive site in relation to ecology, mitigation can be put into place to ensure that there would be no adverse impact upon biodiversity subject to the imposition of suitable safeguarding conditions.

Contributions

67. Any requests for contributions needs to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations 2010. These stipulate that an obligation can only be a reason for granting planning permission if it meets the following requirements:

It is:

- (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
68. As Members are aware the Council would ordinarily seek a provision of 30% affordable housing on a site of this scale, together with suitable contributions for community facilities that would be impacted by the proposal.
69. The applicant has submitted a full viability appraisal with this application, which has been independently assessed for the Council. This and the assessment carried out are attached to this report as appendix 1 and 2. The viability appraisal submitted indicated that the viability constraints of the site meant that there would be no scope to provide for any financial contributions or for any affordable housing provision within the development.
70. The findings of the report were questioned by the independent assessor, who raised some concerns with the proposed sales prices as well as costs. They estimated that there would be an element of surplus (when taking into account a developer's profit) that could be spent on either affordable housing provision, or contributions.
71. Following on from this appraisal the case officer has been in negotiations with the applicant, who has confirmed that the applicant can now provide 10% affordable housing within the scheme (amounting to 10 units), as well as the required play space contributions and SAMMS payments to mitigate the impact upon the local nature reserves. These contributions will assist to address the impact of the proposal upon the locality.
72. The lack of contributions needs to be carefully considered by Members, as a proposal of this scale will have a clear impact upon local infrastructure. However, the delivery of housing within the District is an important consideration, particularly given that this is a long-standing allocation. There have consistently been viability concerns with the delivery of this site, and these remain, and indeed are exacerbated by the length of time the site has taken to come forward – which has required further works to the listed buildings. Should the development provide the contributions proposed it would be viable, and would significantly assist with both the Council's five-year housing land supply and also to address the strategic need within the District. This is a significant material consideration in the determination of the planning application.
73. It is considered that whilst this shortfall of contributions is regrettable, the applicant has demonstrated that it would not be possible to deliver more than 10% affordable housing, open space, and SAMMS contributions, particularly given the cost of safeguarding and reinstating the heritage asset, and as such the application can be supported on this basis, given the overall benefits to the listed buildings and the provision of housing delivery.

Drainage/Flooding

74. The applicant has submitted a flood risk assessment (FRA) with the application which sets out that the development should not be at a significant risk of flooding, and should not be susceptible to damage due to flooding. The flood risk assessment concludes that the site is located within flood zone 1 and whilst the type of development is classified as 'more vulnerable' this would not require an exceptions test to be undertaken.

75. The FRA then makes a number of suggestions in order to ensure that the development does not adversely impact flood risk elsewhere. These include the requirement for a detailed surface water management strategy (which is sought to be conditioned), and the use of appropriate SuDS techniques within the development, which again is to be conditioned.
76. The Environment Agency were consulted on this application and raised no objections subject to the imposition of suitable safeguarding conditions to address the above matters. These conditions are set out at the end of the report.

Open Space

77. It is proposed that an area of open space be provided to the south of the application site. This is designed to be informal, semi-natural open space which will retain existing trees, and hedging, and will therefore be used as informal open space. This will be accessible for both the future residents of this site, as well as for those outside of the site – i.e. public access would be available. The area would be bound to the north by the rear boundaries of the application site, which would reduce the level of natural surveillance but that in itself is not considered to be unexpected. There would be access through the open space within the residential portion to the north of the site.
78. This open space would not be provided with any formal play equipment etc. but contributions are to be made to improve other local facilities – as set out within the section of the report above. This open space will also enable additional planting to be provided which would further reduce the impact of the development upon the wider area.

Conclusion

79. This is a development that has been subject to significant pre-application discussions, and further amendments subsequent to the submission of the application (which was made over three years ago). There are a number of reasons why this application has taken this length of time to come to determination, including the requirement for amended plans to be submitted, as well as the necessity for a viability appraisal to be submitted – and fully and independently assessed.
80. This viability appraisal demonstrates that the applicant can only provide for 10% affordable housing throughout the development, and given that this is an allocated site within the Land Allocations DPD, this is disappointing. Nevertheless, the importance of delivering this site, which has been allocated for a number of years, for much needed housing is considered to be a strong material consideration in its favour.
81. The proposal would bring forward 100 dwellings within a site identified as being within a suitable location, as well as community/commercial floorspace.
82. A further benefit would be to bring back the now derelict listed buildings back into use which will have social as well as environmental benefits. The rebuilding/refurbishment of the listed structures will come at a significant cost, and it is these benefits that have had a direct impact upon the viability of the scheme. Whilst Policy DM5 of the Core Strategy does require the provision of 30% affordable housing, it does allow for flexibility where viability does not allow this full provision. In this instance the applicant has clearly demonstrated that this full provision cannot be

made, for the reasons set out above, and as such it is considered that the policy is still complied with.

83. Significant work has also been undertaken to ensure that the impact upon the highways are fully understood and the County Highways Officer now does not object to the proposal. Suitable parking provision is to be made within the site that would ensure that there would be no detrimental impact upon highway safety. The proposal therefore accords with Policy DM13 of the Core Strategy.
84. The proposal is well designed and has due regard to the sensitivity of the site. The refurbishment of the buildings will see them re-instated to a high quality, and the proposed new dwellings would respond positively to their locality.
85. Whilst the development does not wholly comply with the criteria of LALP 2015 Policy LA29 in that it is seeking to provide more than 80 dwellings and incorporate flexibility within the site to provide either community or employment uses, for the reasons outlined in this report the proposed development is considered to be acceptable having regard to all relevant material considerations.
86. The development would comply with the sustainability objectives of the NPPF by reusing land that has been previously developed to provide an appropriate form of mixed use development whilst securing a high-quality design and ensuring that heritage assets are conserved in a manner appropriate to their significance. The development would result in a high quality built environment which through the provision of this additional housing and increased population would help to support the vitality of the existing community.
87. It is therefore considered that on balance, this proposal is acceptable, and it is recommended that Members give this application favourable consideration and grant delegated powers to approve subject to a suitable S106 legal agreement and the imposition of suitable safeguarding conditions as summarised below.

g) Recommendation

- I. GRANT PLANNING PERMISSION subject to the completion of a legal agreement to secure the provision of 10% affordable housing and appropriate financial contributions to provide necessary ecological mitigation and subject to conditions to include:

i) commencement within 3 years; ii) carried out in accordance with the approved drawings; iii) submission of Construction Management Plan; iv) limits on temporary lighting/illumination; v) development carried out in accordance with approved phasing sequence; vi) written confirmation of commencement of development and first occupation of each phase; vii) submission of details relevant to sales/marketing accommodation, vehicle parking and servicing and associated development; viii) limits to means of enclosure; ix) limits to the provision of hard surfacing; x) submission of material samples; xi) informative on windows; xii) submission of details for listed buildings; xiii) solar panel installation; xiv) retention of Public Right of Way; xv) submission of details- proposed on-site highway works; xvi) finished surfacing to vehicle and pedestrian access routes; xvii) submission of details- of sight lines (roadway junctions); xviii) submission of details- sight lines (private driveways); xix) limits on development overhang; xx) submission of details related to vehicle parking; xxi) submission of travel plan; xxii) submission of details of hard and soft

landscaping; xiii) hard and soft landscaping carried out in accordance with approved details; xxiv) limits on excavation during construction; xxv) limits on storage of materials; xxvi) no damage to trees of hedgerows within phased development; xxvii) erection of mans of enclosure; xxviii) submission of external lighting scheme; xxix) submission of details of refuse storage areas and recycling facilities; xxx) programme of archaeological works; xxxi) contamination informative; xxxii) submission of sustainable water drainage scheme; xxxiii) infiltration of surface water drainage only with approval of LPA; xxxiv) submission of Foul Sewerage Disposal Strategy; xxxv) retention of open areas/spaces; xxxvi) no external units on any external elevation; xxxvii) secure and implement programme of archaeological works; xxxviii) ecological enhancements; xxxix) any other conditions as required by KCC highways; xxxx) safeguarding employment use; xxxxi) any other conditions as required by DDC Conservation; and

- II. Powers be delegated to the Head of Regeneration and Development to settle any necessary S106 matters and planning conditions in line with issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Chris Hawkins

- London
- Glasgow
- Edinburgh



MJW/lf/PS10966

5th August 2015

Martin Brown
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Dear Mr Brown,

EASTRY HOSPITAL SITE, MILL ROAD, EASTRY, KENT

1. Introduction

In accordance with your recent instructions I write to set out my opinion of the financial viability of developing a 100 unit residential scheme on the site of the former Eastry Hospital ("the Site").

By way of background, I would confirm that our instructions are to prepare an assessment of the likely level of profit that the owner of the Site, Runnymede Investments Limited ("Runnymede"), is likely to earn in the event that the Site was developed out to provide a fully private housing scheme in accordance with the layout prepared by Guy Holloway Architects ("the Architect"). For ease of reference a copy of the Architect's Masterplan ("the Scheme") is attached to this letter as **Appendix 1**.

In addition to the residential development, the Scheme incorporates some 3,800 sq ft of commercial development designed for employment uses, in line with the planning policy aspirations of Dover District Council ("the LPA" or "the Council"). It should also be noted that the Site comprises a number of historically important listed buildings, situated at the front of the Site. These are described in more detail below.

We understand that this scheme is the subject of an undetermined planning application submitted by Runnymede in April 2014 to the Council under reference DOV/14/00240).

For the reasons set out in this letter we are of the opinion that residential developments represents the highest and best value use for the Site, albeit given the prevailing low level of house prices within the local area; the provision of commercial accommodation; and the high cost of restoring and converting the listed buildings on Site, the development of the Scheme is not commercially viable. In making this statement, the development profit forecast, of some 12.82% (as a return on all costs) is below the level that, in our opinion and experience, would be required by the market in the event that the Site was to developed by a third party.

Against this background, we are of the opinion that the Scheme cannot viably sustain the development of any affordable housing, or afford to make any form of Section 106 or CIL payment.

2. Factual background

Although the Site is well known to you, I would confirm that the site is situated in the village of Eastry, which lies 7 miles to the north-west of Deal, 12 miles to the south of Ramsgate and 10 miles to the north of Dover.

The Site, which is broadly level and a reverse 'L' in shape is situated on the south side of Mill Lane in Eastry, and extends to some 12 acres or 4.86 hectares. It includes a number of Grade II Listed Buildings located towards the front of the Site comprising a former hospital and work house building. We understand that these buildings have been substantially damaged following a fire at the property in December 2012.

The Site was acquired by Runnymede in November 2007 in consideration of the sum of £1,700,000. The Site was acquired in the open market, in competition, directly from the Department of Health ("the Department") and, as such, the price paid represented market value as at the date of acquisition.

The Site was acquired subject to an overage agreement which required Runnymede to pay an additional sum calculated by reference to a fixed price per square foot multiplied by the number of square feet for which planning permission was obtained.

Following discussions with the Department of Health, in March 2014 Runnymede entered into a supplemental agreement with the Department and negotiated the release of the overage arrangement. In consideration of the release of the overage provisions, a further sum of £400,000 was paid to the Department, who have no further interest in the Site.

Against this background, the total price paid by Runnymede to acquire the Site from the Department of Health was £2,100,000. As noted, this sum and the overage provisions were representative of market value and terms as at the date of the original acquisition in 2007. The amount paid to the Department in consideration of the release of the average obligations is the lowest sum that the Department was willing to accept.

This is an important point in that Runnymede does not seek to test the viability of the Scheme against anything other than the actual cost that it has incurred in acquiring the Site. The volatility in the UK and world economy that emerged in late 2007 and culminated in the Global Financial Crisis of September 2008, had a profound effect on the UK housing market in the period 2008 to date, and whilst the terms on which Runnymede agreed to acquire the Site may not be market terms now, they were at the time that they were agreed and they form the starting point for assessing the financial viability of any development that Runnymede may propose for the Site.

In the absence of Runnymede being able to progress a financially viable scheme, the Site will not come forward for development.

3. Proposed Scheme

We have been provided with a copy of the proposed scheme for which Runnymede seeks planning permission as shown on the Architects drawings No. 14.042.02. This shows proposals for the development of a scheme of 100 units; 20 of which are to be built within the shell of the existing

buildings known as The Range and Tewksbury House. The balance of the units are new build, and are to be developed within the site grounds of the former hospital.

The net saleable area of the proposed scheme is some 93,844 sq ft with units providing between 1 and 4 bedrooms in units of between 600 and 1,581 sq ft. A copy of the indicative layout is shown on the plan attached to this letter as **Appendix 1**.

In addition to the residential accommodation the scheme also provides 3,800 sq ft of commercial accommodation within the Chapel and Tewkesbury House situated towards the front of the Site. We understand that Runnymede propose to convert this accommodation for commercial and employment uses in accordance with the requirements LPA.

4. Methodology

In accordance with your instructions we have undertaken a development appraisal utilising industry standard methodology in order to assess the profitability of the proposed Scheme.

The property market adopts what is known as the residual method of valuation in order to assess the viability of development proposals through an assessment of scheme profit. This approach involves a consideration of the Gross Development Value of a development proposal from which the costs of development, including finance costs, site acquisition costs, Section 106 or CIL contributions are deducted.

The difference between the projected scheme revenue and forecast costs is the amount that, subject to the development being built out in accordance with the assumptions made in the appraisal that is likely to be available as development profit. The monetary amount of profit, which is generally expressed as a percentage of development cost or revenue, that is produced through the residual calculation is then compared to general industry benchmarks in order to assess whether or not the scheme, with any inherent planning liabilities (notably the provision of affordable housing and section 106 and/or CIL Payments), could be said to be commercially viable.

In the case of residential development schemes, the market generally considers that a "viable" scheme is one that generates a profit as a return on all cost of at least 15%. This minimum benchmark applies to what the market perceives as relatively straightforward developments, notably greenfield. In respect of more complicated development situations; for example involving the refurbishment of listed buildings (where the costs of conversion are difficult to estimate); brownfield developments (where there may be additional costs associated with the previous use of the site); or in locations where the scheme is of a significant size in a limited market; the level of profit required would be in excess of the minimum level of 15% profit on cost.

Based on these industry "typical" benchmarks if a scheme is likely to generate a profit that is below a benchmark of 15% of overall development costs, then that scheme is considered by the market to be financially unviable on any basis and is unlikely to be brought forward. On the contrary, where the viability of a scheme is in excess of these benchmark levels the surplus "additional" profit is notionally available to fund Section 106 and affordable housing obligations up to a policy compliant level.

However for a scheme such as the development of Eastry Hospital to be considered viable, I am of the opinion that the minimum profit that the market would require would be higher in order to reflect

the various additional construction and market risks to which the project is subject (listed building, brownfield site and limited local market with an extended sales period). To reflect these risks I consider that the minimum level of profit that would be required to render the development of the site viable is of the order of 17.50% to 20.00% return on cost.

The scheme that has been submitted to LPA does not include the provision of any affordable housing. Furthermore, Runnymede has indicated to the LPA that, based on its own internal assessment of viability, the Scheme cannot afford to make a Section 106 contribution.

The purpose of this letter is to test the reasonableness of these statements.

5. Viability Assessment

As noted we have prepared an assessment of the viability of the proposed Scheme having regard to the actual cost that Runnymede incurred in acquiring Site, coupled with current estimates of likely scheme revenue and build cost. The revenue and cost estimates have been provided to us by third parties and are detailed below.

We have incorporated the revenue and cost assumptions into an industry standard residual development model known as "Argus Developer". This is a commercially available programme that is widely used in the development industry and amongst valuation surveyors.

The information that we have been provided with in terms of revenue and development cost is as follows;

1. An estimate of residential scheme revenue prepared by Colebrook Sturrock dated May 2015. A copy of this note is attached as **Appendix 2**. The units have been priced on a unit by unit basis with values ranging from around £215 per sq ft, up to just under £300 per sq ft. or £230 per sq ft overall. These revenues, which have been split as between the listed buildings and new build units at averages of just under £188 per sq ft and £238 per sq ft respectively, have been carried forward into our development appraisal;
2. An explanatory note prepared by Simon Greaves prepared in July 2015 detailing the rationale and comparable evidence utilised in arriving at his opinion of revenue. A copy of this note is attached as **Appendix 3**;
3. A marketing report prepared by Caxton's detailing the marketing of the Site in the period to October 2013 and confirming that there was no market demand for the existing hospital in its current state for employment uses. A copy of this report, which includes an analysis of available competing office locations is attached as **Appendix 4**;
4. Marketing details prepared by Caxton's in relation to the proposed refurbished office accommodation in which a rent of £10 per sq ft is quoted. A copy of these details are attached as **Appendix 5**; and
5. Various quotations and estimates provided to Runnymede in relation to the cost of developing the Scheme in the period 2011 to 2014, as set out in **Appendix 6**; and

6. Details of the build cost adopted by DVS in their report dated November 2011.

In terms of build cost, the conversion of the listed buildings has been looked at in detail more recently than the remainder of the Scheme, which was considered in detail in 2011 and 2012 in relation to the 2010 application approved by committee, but unimplemented due to Section 106 requirements. We are advised that a consensus as to build cost was reached with DVS at the time, and this has been updated by Runnymede's in house construction team to current, 2015 prices.

Over the period 2011 to 2015 construction costs have increased significantly, particularly in the South-East as the property market and economy has recovered. According to BCIS, the all in Tender Price Index increased by almost 18% over the period, albeit that the level of increase in the residential sector, particularly in the South-East, has been substantially higher at some 27.50% (median cost - housing, mixed developments).

Based on these calculations, we have adopted a total cost of developing the Scheme of just under £13,850,000, which is equivalent to £141 per sq ft overall. In terms of a breakdown this reflects the following:

- Listed building and Tewkesbury House - £1,930,000 (Jenner estimate plus 5% inflation derived from BCIS TPI) which is equivalent to £168.66 per sq ft overall, including non-recoverable VAT; and
- New build costs based on an average cost of £137.28 per sq ft totalling just over £11.90m.

It should be noted that these costs include all estate roads and site services infrastructure.

The remaining inputs to our appraisal are based on our experience generally applied to the specific factors that would be taken into account in assessing the viability of developing the Scheme. Notable assumptions include an overall time scale of 30 months to develop and sell the Scheme, professional fees of 10% of cost and a finance charge of 6.50%.

A copy of our appraisal is attached to this letter as **Appendix 7**. In order to be consistent with Runnymede's adopted position, no allowance for the payment of any section 106 or CIL costs is included within the appraisal, nor is the provision of any affordable housing.

6. Conclusion

In summary the output of our appraisal is as follows;

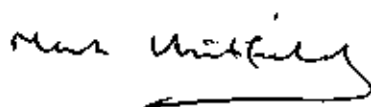
REVENUE	£21,832,590
COSTS (INCLUDING LAND)	£19,414,241
PROFIT	£ 2,418,349
PROFIT AS % COST	12.46%
PROFIT AS % REVENUE	11.06%

Although the Scheme is forecast to make a profit, the level of profit is significantly less than would be commercially acceptable to a third party developer. We understand that, having regard to the costs that Runneymede have already incurred (both site purchase costs and holding costs), they are prepared to proceed with the development of the Scheme at this reduced level of profit.

However, based on our analysis of the Scheme and the development appraisal that we have undertaken, we are of the opinion that having regard to the sub-optimal profitability of the Scheme, it cannot afford to provide any affordable housing, nor can it afford to make a section 106 payment.

I trust that the foregoing is self explanatory, albeit we would, of course, be pleased to outline our approach and appraisal to the LPA in more detail if required.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mark Whitfield', with a long horizontal flourish extending to the right.

Mark Whitfield
Partner
For and on behalf of Montagu Evans



Former Eastry Hospital Masterplan (n.t.s)
 Coloured masterplan using 14.042.29 Revision P5

14.042 Forme Entry Hospital Schedule of Accommodation - 28.05.15									
A	B	C	D	E	F	G	H		
Unit Number	Unit Type	Unit Type	No. of Beds	GFA (sqm)	GFA (sqft)	£	£ per sq ft		
1	5 - Affordable Living								
2	U1	B	2	63.7	685.7	125000	182.30		
3	U2	B	2	63.7	685.7	125000	182.30		
4	U3	B	2	63.7	685.7	125000	182.30		
5	U4	B	2	63.7	685.7	125000	182.30		
6									
7	U5	H	2	63.7	685.7	125000	182.30		
8	U6	H	2	63.7	685.7	125000	182.30		
9	U7	H	2	63.7	685.7	125000	182.30		
10	U8	H	2	63.7	685.7	125000	182.30		
11	U9	H	2	63.7	685.7	125000	182.30		
12	U10	H	2	63.7	685.7	125000	182.30		
13	U11	H	2	63.7	685.7	125000	182.30		
14	U12	H	2	63.7	685.7	125000	182.30		
15	U13	H	2	63.7	685.7	125000	182.30		
16	U14	H	2	63.7	685.7	125000	182.30		
17	U15	H	2	63.7	685.7	125000	182.30		
18	U16	H	2	63.7	685.7	125000	182.30		
19	U17	H	2	63.7	685.7	125000	182.30		
20	U18	H	2	63.7	685.7	125000	182.30		
21	U19	H	2	63.7	685.7	125000	182.30		
22	U20	H	2	63.7	685.7	125000	182.30		
23	U21	H	2	63.7	685.7	125000	182.30		
24	U22	H	2	63.7	685.7	125000	182.30		
25	U23	H	2	63.7	685.7	125000	182.30		
26	U24	H	2	63.7	685.7	125000	182.30		
27	U25	H	2	63.7	685.7	125000	182.30		
28	U26	H	2	63.7	685.7	125000	182.30		
29	U27	H	2	63.7	685.7	125000	182.30		
30	U28	H	2	63.7	685.7	125000	182.30		
31	U29	H	2	63.7	685.7	125000	182.30		
32	U30	H	2	63.7	685.7	125000	182.30		
33	U31	H	2	63.7	685.7	125000	182.30		
34	U32	H	2	63.7	685.7	125000	182.30		
35	U33	H	2	63.7	685.7	125000	182.30		
36	U34	H	2	63.7	685.7	125000	182.30		
37	U35	H	2	63.7	685.7	125000	182.30		
38	U36	H	2	63.7	685.7	125000	182.30		
39	U37	H	2	63.7	685.7	125000	182.30		
40	U38	H	2	63.7	685.7	125000	182.30		
41	U39	H	2	63.7	685.7	125000	182.30		
42	U40	H	2	63.7	685.7	125000	182.30		
43	U41	H	2	63.7	685.7	125000	182.30		
44	U42	H	2	63.7	685.7	125000	182.30		
45	U43	H	2	63.7	685.7	125000	182.30		
46	U44	H	2	63.7	685.7	125000	182.30		
47	U45	H	2	63.7	685.7	125000	182.30		
48	U46	H	2	63.7	685.7	125000	182.30		
49	U47	H	2	63.7	685.7	125000	182.30		
50	U48	H	2	63.7	685.7	125000	182.30		
51	U49	H	2	63.7	685.7	125000	182.30		
52	U50	H	2	63.7	685.7	125000	182.30		
53	U51	H	2	63.7	685.7	125000	182.30		
54	U52	H	2	63.7	685.7	125000	182.30		
55	U53	H	2	63.7	685.7	125000	182.30		
56	U54	H	2	63.7	685.7	125000	182.30		
57	U55	H	2	63.7	685.7	125000	182.30		
58	U56	H	2	63.7	685.7	125000	182.30		
59	U57	H	2	63.7	685.7	125000	182.30		
60	U58	H	2	63.7	685.7	125000	182.30		
61	U59	H	2	63.7	685.7	125000	182.30		
62	U60	H	2	63.7	685.7	125000	182.30		
63	U61	H	2	63.7	685.7	125000	182.30		
64	U62	H	2	63.7	685.7	125000	182.30		
65	U63	H	2	63.7	685.7	125000	182.30		
66	U64	H	2	63.7	685.7	125000	182.30		
67	U65	H	2	63.7	685.7	125000	182.30		
68	U66	H	2	63.7	685.7	125000	182.30		
69	U67	H	2	63.7	685.7	125000	182.30		
70	U68	H	2	63.7	685.7	125000	182.30		
71	U69	H	2	63.7	685.7	125000	182.30		
72	U70	H	2	63.7	685.7	125000	182.30		
73	U71	H	2	63.7	685.7	125000	182.30		
74	U72	H	2	63.7	685.7	125000	182.30		
75	U73	H	2	63.7	685.7	125000	182.30		
76	U74	H	2	63.7	685.7	125000	182.30		
77	U75	H	2	63.7	685.7	125000	182.30		
78	U76	H	2	63.7	685.7	125000	182.30		
79	U77	H	2	63.7	685.7	125000	182.30		
80	U78	H	2	63.7	685.7	125000	182.30		
81	U79	H	2	63.7	685.7	125000	182.30		
82	U80	H	2	63.7	685.7	125000	182.30		
83	U81	H	2	63.7	685.7	125000	182.30		
84	U82	H	2	63.7	685.7	125000	182.30		
85	U83	H	2	63.7	685.7	125000	182.30		
86	U84	H	2	63.7	685.7	125000	182.30		
87	U85	H	2	63.7	685.7	125000	182.30		
88	U86	H	2	63.7	685.7	125000	182.30		
89	U87	H	2	63.7	685.7	125000	182.30		
90	U88	H	2	63.7	685.7	125000	182.30		
91	U89	H	2	63.7	685.7	125000	182.30		
92	U90	H	2	63.7	685.7	125000	182.30		
93	U91	H	2	63.7	685.7	125000	182.30		
94	U92	H	2	63.7	685.7	125000	182.30		
95	U93	H	2	63.7	685.7	125000	182.30		
96	U94	H	2	63.7	685.7	125000	182.30		
97	U95	H	2	63.7	685.7	125000	182.30		
98	U96	H	2	63.7	685.7	125000	182.30		
99	U97	H	2	63.7	685.7	125000	182.30		
100	U98	H	2	63.7	685.7	125000	182.30		

	A	B	C	D	E	F	G	H
U67	U67	Semi-detached	C3	2	25.9	706.5	235000	266.43
U68	U68	Flat	B	2	65.7	666.7	126000	162.30
U69	U69	Flat	B	2	63.7	665.7	126000	162.30
U70	U70	Flat	B	2	63.7	665.7	126000	162.30
U71	U71	Flat	B	2	63.7	665.7	126000	162.30
U72	U72	Semi-detached	C3	2	73.9	796.5	200000	261.43
U73	U73	Semi-detached	C3	2	71.9	769.6	204500	263.12
U74	U74	Semi-detached	B1	3	95.1	1023.8	235000	279.58
U75	U75	Semi-detached	D5	3	106.4	1146.3	295000	314.26
U76	U76	Semi-detached	D3	3	106.4	1146.3	295000	314.26
U77	U77	Semi-detached	D1	3	95.1	1023.8	235000	279.58
U78	U78	Semi-detached	D3	3	106.4	1146.3	240000	248.25
U79	U79	Semi-detached	D3	3	106.4	1146.3	250000	258.27
U80	U80	Detached	E1	4	146.9	1581.2	380000	443.49
U81	U81	Detached	E2	4	146.9	1581.2	380000	443.49
U82	U82	Detached	F	4	146.8	1579	378000	437.64
U83	U83	Detached	E1	4	146.9	1581.2	379000	437.16
U84	U84	Detached	E2	4	146.9	1581.2	379000	437.16
U85	U85	Detached	E2	4	146.9	1581.2	389000	459.66
U86	U86	Detached	F	4	146.8	1579	389000	459.66
U87	U87	Detached	E1	4	146.9	1581.2	384000	447.91
U88	U88	Detached	F	4	146.8	1578	378000	443.16
U89	U89	Semi-detached	D4	3	100.2	1078.5	240000	244.59
U90	U90	Semi-detached	D4	3	100.2	1078.5	240000	244.59
U91	U91	Semi-detached	D4	3	100.2	1078.5	241000	245.06
U92	U92	Semi-detached	D4	3	100.2	1078.5	241000	245.06
U93	U93	Semi-detached	D4	3	100.2	1078.5	248000	259.85
U94	U94	Semi-detached	D4	3	100.2	1078.5	248000	259.85
U95	U95	Semi-detached	D4	3	100.2	1078.5	249000	260.83
U96	U96	Semi-detached	D4	3	100.2	1078.5	249000	260.83
U97	U97	Semi-detached	D4	3	100.2	1078.5	255000	268.44
U98	U98	Semi-detached	D4	3	100.2	1078.5	255000	268.44
U99	U99	Semi-detached	D4	3	100.2	1078.5	259000	278.15
U100	U100	Semi-detached	D4	3	100.2	1078.5	259000	278.15
TOTAL					6718.6	80848.6	214415.0	235.07
Please note gross internal floor areas (GIFA) do not include garages, works, bin stores or the stairs of first floor.								
U101								
U102								
U103								
U104								
U105								

**Mark Whitfield
Montagu Evans**

Eastry Hospital site

Martin Brown has asked me to provide you with some background evidence for the sales values we have proposed for the above site. We have secured this from sales on new home sites in the area, combined with sales of comparable re-sale properties as flats have not been available on any of these sites.

The new homes sites in the area include,

Sholden Fields at Sholden, Deal. This is a large site of 230 units on the north western borders of the town (about 1 mile from the centre) by Ward Homes that provides a mix of 2,3 and 4 bed properties and includes affordable units. In terms of appeal I would suggest this represents a better location in that demand for homes in Deal and values achievable are 5-10% higher than those at Eastry.

The Eastry site is close to a village centre with its limited range of amenities including a single pub whereas Deal offers a comprehensive range of facilities and the High Speed rail service that broadens the towns appeal to younger purchasers. The Sholden Fields is also sufficiently separated from nearby development to be able to set its own values.

Based on their claimed sizes their 722ft² 2 bed home is averaging £277/ft²

There is a range of 3 bed homes from £234 - £286/ft² from 786ft² to 1,067ft²

Their 4 bed range starts at 1,192ft² rising to 1,446ft² and have sold at prices between £240 -£266/ft².

At Stanhope Place, Deal Abbey New Homes have a scheme nearing completion of 44 No. 2,3 & 4 bedroom homes. This is located on a former school site in Mill Road, closer to the centre of town.

Their Wilton 2 bed terrace at 650ft² has achieved an average of £176,000 (end and mid-terrace combined) or £271/ft².

Their Rushton 3 bed terrace (820ft²) has achieved from £195,000 to £208,000 or an average of £235/ft².

Their Deene 3 bed semi (903ft²) has achieved £220,000 or £238/ft²

Their Stanwick 4 bed townhouse (1,250ft²) achieved £250,000 or £200/ft²

Persimmon Homes are building Timperley Place, off Church Lane, Sholden a mixed scheme of 65 units including 12 affordable units, including 2,3 & 4 bed homes. At an early stage their completed and exchanged sales include

Their Wootton 2 bed terrace at 613ft² has achieved £174,950 or £277/ft². This included and is adjusted for fitted appliances, flooring and turfing worth c.£5k*.

Their Walmer 4 bed townhouse at 1,207ft² has sold at £254,950 to include a package of carpets, turfing, appliances and £500 legals contribution. This equates to c. £207/ft²

Current pricing for available units ranges from £289/ft² for smaller 2 bed units (Wootton 613ft² and Lydden 639ft²), to £261/ft² for the Elvington (3 bed semi-detached) or £273/ft² for the detached variant.

The larger units are the Alkham (1,266ft²) priced at £248/ft² and Challock (1,443ft²) priced at £246/ft²

***NB for the unsold units I have not allowed for price discounting but have allowed £5k per unit for sales incentives as above**

At Bowman's Place, Sandwich Road, Whitfield Abbey New Homes are offering a site of 74 new homes, part of a larger site planned as part of Whitfield's expansion. Due to an infrastructure hold-up sales started only in April this year since when there have been 10 sales completions and 7 exchanges.

Their Wingham 4 bed detached (1,202 ft²) has achieved £215/ft²

Their Maxwell 4 bed detached at 1,558 ft² has achieved c. £312,000 net of incentives or £200/ft² .

They have reservations for

Their Fernwood (1,366ft²) 4 bed detached at £289,995 or £208/ft²*

Their Carney (1,138ft²) 3 bed semi-detached townhouse is available at £254,995 or £219/ft²*

Their Ripley (1,122ft²)4 bed detached is available at £289,995 or £254/ft² *

***NB for the unsold units I have not allowed for price discounting but have allowed £5k per unit for sales incentives as above**

In addition there are 2 smaller sites in nearby villages that may be considered.

At Woodnesborough (about 1½ miles distance) there is a development site called The Village by TG Designer Homes of 24 units from 2-5 beds backing onto farmland. At an early stage, 3 plots are reserved which are each 2 bed units of 820ft² which show an average of £291/ft². However I understand that this includes a fully fitted kitchen with appliances, under-floor heating, landscaping, turfing, and carpeting throughout. Allowing a figure of say £5,000 for these elements the adjusted value/ft² is £280. You should be aware that the village has few amenities, no shop or pub and residents rely upon travelling to Sandwich (2 miles), Eastry or further afield.

In Ash, a comparable but better village lying about 2 miles to the west towards Canterbury, Rogate built 14 homes on a development called The Lanes, mainly terraced or semi-detached homes, comprising 11 No. 3 bed and 3 No. 4 bed homes in four terraces. These were sold between May & August last year and achieved values ranging from £228/ft² for a 4 bed end terrace (1,447 ft²) but average values were between £250 - £270/ft² for the remaining 3 bed properties averaging 1,110 ft². In a better location this was a higher spec. scheme including Amtico flooring to ground floor and bathrooms, fully fitted kitchens including dishwasher and fridge freezer.

Flats

There are no flats currently being offered on any of these sites. However 2 recent re-sales at the Abbey Homes site (Archers Field) at Whitfield show 2 bed flats of between 517ft² and 559ft² achieving resale values of c. £210/ft² and selling between £116,000 and £118,000.

Comparison of proposed pricing to current market evidence

Flats

Based on the only available data from a recent development that included flats, a price of £200/ft² seems reasonable albeit that the B units proposed are bigger than the comparables. We have proposed a sale value of £135,000 and I feel this is too high based on this evidence. I have adjusted these to £125,000.

Based on the figures above I have not altered the Flat prices in the Range Building.

C1 - 2 bed units

Smaller units such as this are clearly achieving higher prices/ft² but this is also size dependent where the smaller units in the range available achieve £275-£285/ft² for a typical 613-650ft² whereas the larger units proposed at Eastry are 770ft². I have therefore amended the pricing of these units to reflect a £265/ft² average.

Although larger overall, I have not altered the anticipated prices achievable for The Range building.

D1/D2/D3 variants

These are mid-sized 3 bed units proposed between 1,000 and 1,145ft² with a median sales value proposed of £225/ft². The lower achieved values at the Whitfield site and Church Lane, Sholden site suggest that this value should be adjusted to an average £220/ft² which I have applied.

D4 semi-detached 3 bed units

At 1,078ft² these are priced within the range of £225 to £240/ft². I have made no adjustment to these as I feel these sit comfortably within the range achieved elsewhere and are in a better part of the site.

Detached units 80-88 (E1, E2 & F)

Although these units have southerly views over open farmland I cannot ignore the most recent evidence for the sale of similar sized detached homes nearby. Our estimate average price/ft² is £240. I have applied a more modest reduction from previous estimates to £235/ft

MARKETING REPORT

Applicant: Runnymede Investments Limited

Proposal: Residential Redevelopment

Location: Former Eastry Hospital, Mill Lane, Eastry, Kent CT13 0LD

Marketing: Through Caxtons from 9th March 2009 to 10 October 2013

1. Marketing / Media

Caxtons commenced marketing in March 2009. There was a comprehensive range of advertising, details of which are shown below with copies attached.

2. Formal Offers Received

Caxtons have not received any formal offers for the premises.

3. Source of Enquiries

Four enquiries have been received as set out below.

- 24.05.10 Strutt and Parking in Canterbury for sales particulars
- 07.10.10, 27 July 2011 and 24.12.11 General enquires from individuals and details sent

4. Marketing Analysis

The hospital closed in 1997 and has been unused since this time. Caxtons have marketed the premises for sale and to let for office use for nearly three years. The lack of success is due to two main factors which are location and the prevailing market conditions. Eastry is a rural location and as such is not suited to large scale office development. Small offices take time to find occupiers for in Canterbury and Dover but rural areas are not suitable for many employees due to extended travelling times, lack of local service and higher housing costs.

We did not feel that it was appropriate to quote a price or rent on the marketing details. This was due to the size of the premises and the probability that most occupiers would wish to take on a smaller proportion of

the overall space. This is a frequently used approach when advertising unrefurbished space which is dilapidated.

The economy has also had a negative effect on the success of the marketing campaign. The lack of bank lending has severely reduced the number of businesses requiring office space. It will be some time before the currently available space is taken up again, and before new stock is required.

The following comments are from Locate In Kent who have assisted in marketing the site.

The property has been logged on our system since March 2009.

We have received very little interest in the site. It has been put forward to clients on a few occasions but there has been no follow up to my knowledge. As you know demand for offices is slow at the moment and the enquiries we have had for Dover have been looking for town centre premises.

Another factor is Discovery Park in Sandwich. Hopefully this will soon come to the market but that could accommodate all the local office demand, particularly when you factor in the Enterprise Zone status (business rate exemption up to £55k per annum) and availability of Regional Growth Fund grants. There is circa 3 million sq.ft. of available space at Discovery Park which will have a significant impact on the commercial property market in East Kent.

A residential use would no doubt create employment in the short term during the construction phase. Importantly, employment would also be required for ongoing maintenance of the buildings, grounds and communal areas of this site.

The development of a similar former hospital site at Chartham proved successful. The residential development has successfully incorporated some of the former hospital buildings.

In March 2013 we added further office space to our particulars in the form of the chapel building. This will provide 1884 sqft of modern office space within the original chapel building.

5 Comparative analysis

There are a number of vacant offices available in the vicinity. We have offices available at Eurokent Business Park, Ramsgate, Discovery Park and Spratling Court, Manston.

	Space available	Asking Rent £psf	Caxtons Marketing Commenced
Eurokent	1775sqft	14	2008
Discovery	500,000	20	Feb 2013
Spratling	3000	8	Feb 2013

Whilst we have recently had enquiries for all of the above offices, take up appears to depend hugely on whether the offices are in an existing hub such as the former Pfizer plant or not. There has been no take up of the rental office space at Eurokent. Shell units have been bought and fitted as offices by occupiers but there have been no offers to take the office suite. Discovery park has seen reasonable take up of office space but this existing office space benefits from reduced rates and excellent on site facilities. Spratling Court Offices are converted from a barn and we have had no offers on the advertised space since marketing commenced in February 2013.

The offices at Eastry will provide good accommodation but they are relatively remote despite being on the village outskirts. It is apparent that lettings are achievable when office are close to coastal towns and established hubs which provide the facilities so often required by companies. These include good transport network, support services including catering facilities and good local housing stock. I would suggest that the subject premises would see good take up if they were offered as residential accommodation for which there is demand.

James Logan BSc (Hons) MRICS
For and on behalf of Caxtons

1 Castle Street, Canterbury
Kent, CT1 2QF
Tel: 01227 788088
Fax: 01227 450003



**FORMER EASTRY HOSPITAL
MILL LANE
EASTRY
NEAR SANDWICH
KENT
CT13 0LD**

**PROPOSED REFURBISHED OFFICES
UP TO 2,203 M² (23,704 FT²)**

**FOR SALE / TO LET
ADDRESS OF PROPERTY**

Caxtons, for themselves and for vendors or lessors of the property whose agents they are, give notice that:

1. The particulars set out as a general outline only for the purpose of indicating the general character of the property and do not constitute part of an offer or contract.
2. The reference to any plans, drawings, advertisements, printed leaflets or listings in the particulars must not constitute a representation unless it is specifically stated to be a representation and is supported by a copy of the document in which it is contained.
3. No person in the employment of Caxtons has any authority to make or give approval or authority to any person in connection with the property.

4. All descriptions, dimensions, references to condition and necessary permissions for use and occupiers and other details are given without responsibility and any intending purchasers or tenants should verify or obtain any statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each item.

Where a particular is figured in bold type it is of vital importance.

100, RUSSELL SQUARE, LONDON, E.C. 4P. Surveyors and Property Consultants

Registered Office: James Fife at House, 45/46 Westgate Street, Florence, Kent, SA7 1EG

Registered in New Zealand



Location

The offices are to be located in the former Eastry Hospital fronting Mill Lane, close to the village centre.

Eastry is approximately 3 miles south east of the Cinque Port of Sandwich, just off the A256 dual carriageway from Eastry to Dover, approximately 11 miles from the Port, town and A20/M20. The A2 at Whitfield is only 6 miles distant, so the property is well placed for the motorway network.

There is a main line station in Sandwich with London Charing Cross being approximately 2 hours.

Description

The property is attractively situated and comprises two of the remaining buildings of the now Listed former hospital.

The remainder of the site to the rear is to be redeveloped for residential purposes.

It is proposed that the buildings will be fitted out to a high standard of finish and to any internal layout required by the tenant consistent with the restrictions of a Listed Building.

Accommodation

	Gross Int. Areas	
	M²	FT²
Main Building		
Ground floor office	618	6650
First floor office	481	5176
Second floor office	167	1797
Basement storage	171	1839
Total	1437	15462
Range building		
Ground floor office	374	4024
First floor office	392	4218
Total	766	8242
Total for both buildings	2203	23,704

Outside – parking areas will be provided for both buildings.

Terms

The offices are available for rent at £10psf or purchase on terms to be agreed. Expressions of interest are invited and further details and plans are available on request.

1 Castle Street, Canterbury
Kent, CT1 2QF
Tel: 01227 788088
Fax: 01227 450003



Rating

To be assessed by the Valuation Office.

EPC

Results awaited, a copy of the report will be available upon request to prospective purchasers / tenants

Legal Costs

The landlord's legal costs in respect of a letting will be the responsibility of the incoming tenant.

Note

The buildings are currently in a poor state of repair and access is restricted.

Viewing

Strictly by appointment through Sole Agents Caxtons on ☎ 01227 788088 James Logan (Extn 225) or Beverley Chaplin (Extn 240).

Caxtons act themselves and/or agents or lessees of the property whose agent they are, give notice that:

1. The particulars are set out as a general outline only for the guidance of intended purchasers or lessees, and do not constitute an offer or a contract.
2. The information is given, including any special conditions, on the basis of the best of the knowledge and belief of the agent at the time of completion of the particulars of the building, and the agent does not warrant its accuracy or completeness.
3. No person is to be taken as relying on any authority or making a contract on the basis of any statement or representation made by the agent.

4. All descriptions, dimensions, floor, ceiling and wall heights are given for the information and guidance of intended purchasers or lessees, and are not to be taken as a guarantee of accuracy or as a contract.

Where the above information is given, it is given as a guide only.

CAXTONS COMMERCIAL LIMITED Registered and Regulated Chartered Surveyors
Registered Office: 1000 Park Road, London, E14 6AF
Legal Entity Number: 2629755



Chartered
Building
Company

Our ref: -AKR/akr/11-013

Your ref: -

Runnymede Homes Limited
182 Brooklands Road
Weybridge
Surrey
KT13 0RJ

4th March 2014

For the attention of Mr Martin Brown

Dear Martin,

RE: - Indicative Costs for refurbishment and conversion of Existing Fire Damaged Listed Building and Tewksbury House into 12 Units.

Further to our recent telephone conversation I have pleasure in submitting the following budget information.

The indicative costs to construct the above as shown on guy holloway drawings 13.028 – 45, 46, 47 & 48 would be in the sum of £1,837,500.00 including VAT. This is based upon carrying out the works in a traditional manor and under a traditional form of building contract, with the design aspects of the works remaining with yourselves.

I trust the above is sufficient for your purposes at this stage but should you wish to discuss any points or require any further information please do not hesitate to contact me.

I look forward to hearing from you again in the near future.

Yours sincerely,
For Jenner (Contractors) Ltd



Andrew Ralph
Estimating Director

JENNER

Building in Kent since 1876

Jenner (Contractors) Ltd
Dartford House
Park Farm Road
Park Farm Industrial Estate
Folkestone
Kent CT21 2 6DZ

T 01622 260144
F 01622 262443
E enquiries@jennergroup.co.uk
W www.jennergroup.co.uk



Registered office
Jenner (Contractors) Ltd
Dartford House, Park Farm Road
Park Farm Industrial Estate, Folkestone
Kent CT21 2 6DZ

Registered in England No. 0201101
VAT Registration No. 999 459 890

Questions
All enquiries should be sent to
300 hours 01622 260144
1800 hours 01622 262443
ask@jennergroup.co.uk
or 01622 260144
or 01622 262443

BUDGETARY ADVICE

PROPOSED REDEVELOPMENT
OF
THE FORMER
EASTRY HOSPITAL

ON BEHALF OF

RUNNYMEDE HOMES LTD

ISSUE 1
10.10.11

Coombs
... the constructive answer

Contents

- **Proposed Budget Cost Sum Analysis**
- **Client's Provisional Sums**
- **Contractor's Provisional Sums**
- **Qualifications/ Exclusions**

Proposed Budget Contract Sum Analysis

Preliminaries (80 weeks)	631,042.00
Flats Type A (2 blocks of 6 units @ £60,144)	721,728.00
Flats Type B (1 block of 4 units @ £68,274)	273,096.00
House Type C – 30 units	
C1 terraced (13 no. @ £73,922.00)	960,986.00
C1 semi-detached (4 no. @ £78,835.00)	315,340.00
C2 terraced (5 no. @ £74,214.00)	371,070.00
C3 semi-detached (3 no. @ £79,368.00)	238,104.00
C4 semi-detached (3 no. @ £82,780.00)	248,340.00
C5 semi-detached (2 no. @ £79,798.00)	159,596.00
Step/ staggers (4 no. @ £500.00)	2,000.00
House Type D – 26 units	
D1 semi-detached (3 no. @ £99,840.00)	299,520.00
D1 terraced (3 no. @ £97,476.00)	292,428.00
D2 terraced (2 no. @ £95,678.00)	191,356.00
D2 semi-detached (3 no. @ £97,330.00)	291,990.00
D2 detached (3 no. @ £98,509.00)	295,527.00
D4 semi-detached (2 no. @ £97,346.00)	194,692.00
D5 detached (2 no. @ £98,490.00)	196,980.00
D6 semi-detached (8 no. @ £97,368.00)	778,944.00
Step/ staggers (7 no. @ £500.00)	3,500.00
House Type E	
Detached (4 no. @ £181,831.00)	727,324.00
House Type F	
Detached (4 no. @ £164,447.00)	657,788.00
Refurbishment to externals of existing buildings	215,000.00
External works	2,261,540.00
	10,327,891.00
Overhead & profit recovery	275,893.00
	<u>£10,603,784.00</u>

NB/ the Bills above include the Provisional Sums

Client's Provisional Sum

Flats	Type A	Kitchen units @ £2500	12 no	30,000.00
	Type B	Kitchen units @ £2500	4 no.	10,000.00
House	C1 terrace	Kitchen units @ £2500	13 no.	32,500.00
	C1 Semi	Kitchen units @ £2500	4 no.	10,000.00
	C2 terrace	Kitchen units @ £2500	5 no.	12,500.00
	C3 semi	Kitchen units @ £2500	3 no.	7,500.00
	C4 semi	Kitchen units @ £2500	3 no.	7,500.00
	C5 semi	Kitchen units @ £2500	2 no.	5,000.00
House	D1 semi	Kitchen units @ £3500	3 no.	10,500.00
	D1 terrace	Kitchen units @ £3500	3 no.	10,500.00
	D2 terrace	Kitchen units @ £3500	2 no.	7,000.00
	D2 semi	Kitchen units @ £3500	3 no.	10,500.00
	D2 detached	Kitchen units @ £3500	3 no.	10,500.00
	D4 semi	Kitchen units @ £3500	2 no.	7,000.00
	D5 detached	Kitchen units @ £3500	2 no.	7,000.00
	D6 semi	Kitchen units @ £3500	8 no.	28,000.00
	E detached	Kitchen units @ £4500	4 no.	18,000.00
	E	Fire hearths @ £500	4 no.	2,000.00
	F detached	Kitchen units @ £4500	4 no.	18,000.00
	F	Fire hearths @ £500	4 no.	2,000.00
		Site clearance		10,000.00
		Gas supply complete		20,000.00
		Electrical supply complete		60,000.00
		Water supply complete		60,000.00
		Sight lines		5,000.00
				£401,000.00

Qualifications/ Exclusions

1. Any works which may be required in re-routing, removal or upgrade of existing services which may be found crossing the site.
2. Any works in the removal of contaminated materials which may be found on site. This includes any demolished or excavated materials.
3. Any works which may be required in connection with an archaeological survey.
4. All fees to the Local Authorities in connection with obtaining/ discharging of Planning Approval or Building Regulations.
5. Design fees including Robust Details.
6. NHBC or any other similar insurance cost.
7. Costs involved in testing for compliance with Building Regulations.
8. The works are to be completed in a continuous operation with a contract period of 80 weeks.
9. The works will be constructed in an economical sequence, not based upon a sales sequence.
10. Standard of properties to achieve Code Level 3.
11. Standard Form of Contract
12. Exclusion of a Bond if required
13. No allowance made for a Contingency Sum
14. Type D5 – no detailed drawing – assumed similar to other "D" type units

Net Estimate

Tender No. **c8189**
 Title **Eastry Hospital Site**

Bill
 Section

Ref.	Description	Quantity	Units	Rate	Extension
Section Summary					
04 A	SUBSTRUCTURES				36,151.48
04 B	STRUCTURAL FRAMEWORK				43,123.50
04 C	EXTERNAL WALLS				40,122.90
04 D	UPPER FLOORS & STAIRS				3,474.23
04 E	WINDOWS EXTERNAL DOORS				34,844.24
04 F	ROOF				25,277.85
04 G	INTERNAL WALLS				3,771.54
04 H	INTERNAL DOORS				9,776.57
04 I	MECHANICAL & ELECTRICAL				61,842.77
04 J	FIXTURES & FITTINGS				20,357.18
04 K	FINISHINGS				70,411.48
04 L	DECORATIONS				11,708.57
				Grand Total	360,861.29
Bill Summary					
04	Flats Type A	2.00		360,861.29	721,722.58
				Grand Total	721,722.58

Summary

Net Estimate

Tender No. c8189
 Title Eastry Hospital Site

Bill
 Section

Ref.	Description	Quantity	Units	Rate	Extension
Section Summary					
05 A	SUBSTRUCTURES				26,814.89
05 B	STRUCTURAL FRAMEWORK				31,530.00
05 C	EXTERNAL WALLS				31,316.29
05 D	UPPER FLOORS & STAIRS				2,973.18
05 E	WINDOWS & EXTERNAL DOORS				27,762.11
05 F	ROOF				18,033.63
05 G	INTERNAL WALLS				3,835.31
05 H	INTERNAL DOORS				7,301.62
05 I	MECHANICAL & ELECTRICAL				43,542.08
05 J	FIXTURES & FITTINGS				13,048.90
05 K	FINISHINGS				57,131.14
05 L	DECORATIONS				9,806.88
				Grand Total	<u>273,096.03</u>
Bill Summary					
05	FLATS TYPE B				273,096.03
				Grand Total	<u>273,096.03</u>

Summary

Net Estimate

Tender No. **c8189**
Title **Eastry Hospital Site**

Bill
Section

Ref.	Description	Quantity	Units	Rate	Extension
Section Summary					
01 A	Management & Staff				139,000.00
01 B	Site Accommodation				20,800.00
01 C	Services & Facilities				73,100.00
01 D	Mechanical Plant				13,200.00
01 E	Temporary Works				369,942.00
01 F	Project Specific Requirements				15,000.00
01 G	Design Fees				
				Grand Total	631,042.00
Bill Summary					
01	Preliminaries				631,042.00
				Grand Total	631,042.00

Summary

Net Estimate

Tender No. **c8189**
Title **Eastry Hoospital Site**

Bill
Section

Ref.	Description	Quantity	Units	Rate	Extension
Section Summary					
13 A	SUBSTRUCTURES				18,523.57
13 B	STRUCTURAL FRAMEWORK				18,230.00
13 C	EXTERNAL WALLS				22,112.30
13 D	UPPER FLOOR & STAIRS				2,417.47
13 E	WINDOWS & EXTERNAL DOORS				13,887.26
13 F	ROOF				13,876.48
13 G	INTERNAL WALLS & CHIMNEY				6,637.65
13 H	INTERNAL DOORS				3,857.90
13 I	MECHANICAL & ELECTRICAL				22,367.55
13 J	FIXTURES & FITTINGS				6,264.65
13 K	FINISHINGS				30,807.74
13 L	DECORATIONS				5,664.50
				Grand Total	164,447.27
Bill Summary					
13	HOUSE TYPE F	4.00		164,447.27	657,789.08
				Grand Total	657,789.08

Summary

Montagu Evans LLP

Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Project : Easry Hospital - Revised June 2015
Address :

Date : August 2015
Project Number :
GFA : 98,222
GLA : 97,644
Units : 100

Element	Cost Ratio	Elemental Amount	Cost/psf per Gross Leasable Area	Cost/psf per Gross Buildable Area	Cost per Unit	Amount	% of Total
Phase 1							
Construction Costs	100.00%						
Con. - Commercial	5.33%	738,393	141.77	140.94	138,429.97		
Con. - Private Units	86.06%	11,913,021	7.56	7.52	7,383.93		
Con. - Listed Building	8.61%	1,191,683	122.00	121.29	119,130.21		
			12.20	12.13	11,915.83	13,842,997	77.26%
Net Building Cost (Excluding Site)	100.00%	13,842,997	141.77	140.94	138,429.97	13,842,997	77.26%

Montagu Evans LLP

Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Project : Easry Hospital - Revised June 2015
Address :

Date : August 2015
Project Number :
GFA : 98,222
GLA : 97,644
Units : 100

Element	Cost Ratio	Elemental Amount	Cost/psf per Gross Leasable Area	Cost/psf per Gross Buildable Area	Cost per Unit	Amount	% of Total
Phase 1							
Acquisition Costs							
Fixed Price	15.84%	1,700,000	22.46	22.33	21,930.00		
Stamp Duty	12.28%	68,000	17.41	17.31	17,000.00		
Other Acquisition	0.49%	400,000	0.70	0.69	680.00		
Town Planning	2.89%	25,000	4.10	4.07	4,000.00		
	0.18%		0.26	0.25	250.00	2,193,000	12.24%
Professional Fees							
Architect	10.00%	1,384,300	14.18	14.09	13,843.00	1,384,300	7.73%
Marketing, Letting & Disposal Costs							
Sales Agent Fee	2.19%	302,827	5.10	5.07	4,982.41		
Sales Legal Fee	1.09%	151,414	3.10	3.08	3,028.27		
Marketing	0.32%	44,000	1.55	1.54	1,514.14		
			0.45	0.45	440.00	498,241	2.78%

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	Rate ft²	Unit Price	Gross Sales
Private Units	90	232.92	224,584	20,212,565
Listed Building	10	173.95	122,896	1,228,957
Totals	100			21,441,521

Rental Area Summary

Commercial	Units	Rate ft²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
	1	10.00	38,000	38,000	38,000

Investment Valuation

Commercial	Units	YP @	YP @	
Market Rent	38,000	8.0000%	8.0000%	415,147
			PV 1yr 9mths @	

ELEMENTAL COST SUMMARY**MONTAGU EVANS LLP**

Runnymede Scheme (0% affordable)
 Fixed Land Cost plus Overage @ £400k
 GROSS DEVELOPMENT VALUE

21,856,669

Purchaser's Costs

5.80% (24,079)

(24,079)

NET DEVELOPMENT VALUE

21,832,590

NET REALISATION

21,832,590

OUTLAY**ACQUISITION COSTS**

Fixed Price 1,700,000
 Stamp Duty 68,000
 Town Planning 25,000

4.00%

1,793,000

Other Acquisition

400,000

400,000

CONSTRUCTION COSTS

	ft ²	Rate ft ²	Cost
Construction	4,378 ft ²	168.66 pft	738,393
Commercial	86,779 ft ²	137.28 pft	11,913,021
Private Units	7,065 ft ²	168.66 pft	1,191,583
Listed Building			
Totals	98,222 ft²		13,842,997

13,842,997

PROFESSIONAL FEES

Architect

1,384,300

MARKETING & LETTING

Marketing

44,000

DISPOSAL FEES

Sales Agent Fee 302,827
 Sales Legal Fee 151,414

454,241

FINANCE

Debit Rate 6.50% Credit Rate 0.00% (Nominal)

1,364,638

Land

131,065

Construction

1,495,702

Total Finance Cost

File: \\nev-app01\apps\Developer1\ProgramData\Data\MJWEastry - No affordable units PROFIT appraisal original timing.wcfx
 ARGUS Developer Version: 6.00.003

Date: 18/08/2015

ELEMENTAL COST SUMMARY**MONTAGU EVANS LLP**Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k**TOTAL COSTS**

19,414,241

PROFIT

2,418,348

Performance Measures

Profit on Cost% 12.46%

Profit on GDV% 11.08%

Profit on NDV% 11.08%

Development Yield% (on Rent) 0.20%

Equivalent Yield% (Nominal) 8.00%

Equivalent Yield% (True) 8.42%

IRR

13.94%

Rent Cover

63 yrs 8 mths

Profit Erosion (finance rate 6.500%)

1 yr 10 mths

APPENDIX

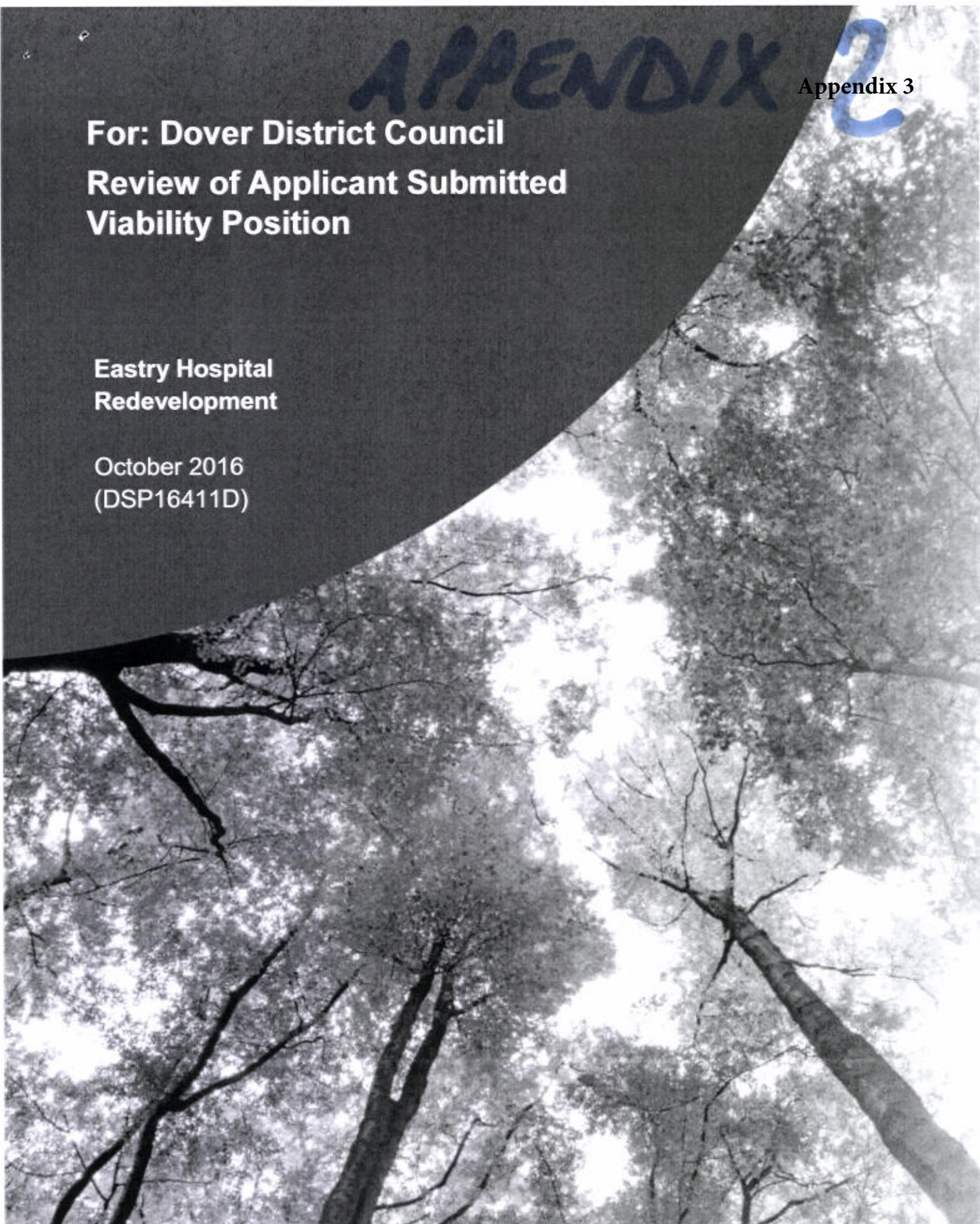
Appendix 3

2

For: Dover District Council Review of Applicant Submitted Viability Position

**Eastry Hospital
Redevelopment**

October 2016
(DSP16411D)



APPENDIX S

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Notes and Limitations 1

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1. Notes and Limitations

- 1.1.1 The following does not provide formal valuation advice. This review and its findings are intended purely for the purposes of providing Dover District Council (DDC) with an independent check of, and opinion on, the planning applicant's viability information and stated position in this case.
- 1.1.2 This document has been prepared for this specific reason and should not be used for any other purpose without the prior written authority of Dixon Searle Partnership (DSP); we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned. To the extent that the document is based on information supplied by others, Dixon Searle Partnership accepts no liability for any loss or damage suffered by the client.
- 1.1.3 We have undertaken this as a desk-top exercise as is appropriate for this stage and level of review. For general familiarisation we have considered the site context from the information supplied by the Council and using available web-based material. We have not visited the location; it was not considered necessary to enter the site for this current review purpose.
- 1.1.4 We have assumed that the information supplied to DSP to inform and support this review process has been supplied on a **COMMERCIALY CONFIDENTIAL BASIS**; hence DSP's assumption is that the review detail, as contained within this report is to be treated in the same way.
- 1.1.5 It is requested that the viability information, this report and any further supporting information or similar reporting prepared by DSP will not be disclosed to any third parties under the Freedom of Information Act (Sections 41 and 43(2)) or under the Environmental Information Regulations.

2. Introduction & Background

- 2.1.1 Dixon Searle LLP (DSP) has been commissioned by Dover District Council (DDC) to carry out an independent review of the viability letter, appendices and appraisal supplied to the Council by the applicant's agent Montagu Evans on behalf of the applicant Runnymede Investments Limited. This is in respect of the proposed development comprising: two storey terrace, semi-detached and detached new build dwellings; Change of use and conversion of Tewkesbury House and the Chapel to provide 568 sq. m of community space (Use Class D1) and employment space (Use Class B1) two residential units; minor demolition, alteration and conversion of the 'Old Workhouse' to provide ten residential units; retention and reinstatement of the fire damaged Range building and erection of a two-storey terrace of ten residential units; car parking, landscaping, public open space and alteration to existing access. A total of 100 residential units are to be provided. The Council's planning reference is DOV/14/00240. The development is also subject to an application for listed building consent (DOV/14/00241).
- 2.1.2 In presenting their viability position the applicant's agent has supplied to the Council a viability letter dated 5th August 2015. In addition we were supplied with both a hard-copy and electronic versions of the applicant's appraisal (Appendix 7). This was supported by a copy of the architect's masterplan (Appendix 1); estimate of residential scheme revenue (Colebrook Sturrock (May 2015); explanatory note by Simon Greaves (July 2015) detailing rationale and comparable evidence (Appendix 3); marketing report for the hospital in its current state (Appendix 4); marketing details prepared by Caxton's in relation to the proposed refurbished office accommodation (Appendix 5) and; quotations and estimates relating to the cost of developing the scheme in the period 2011 – 2014 (Appendix 6). We have also had sight of the other documents contained on the electronic planning file.
- 2.1.3 The Council's adopted affordable housing policy (Policy DM5) of their Core Strategy requires the Council to *"seek applications for residential developments of 15 or more dwellings to provide 30% of the total homes proposed as affordable homes"* which in this case equates to 30 no. affordable units.
- 2.1.4 For general background, a viable development can be defined as *'the ability of a development project to meet its costs including the cost of planning obligations, while*

ensuring an appropriate Site Value for the landowner and a market risk adjusted return to the developer in delivering that project...Site Value should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan... The residual land value (ignoring any planning obligations and assuming planning permission is in place) and current use value represent the parameters within which to assess the level of any planning obligations¹. Under normal circumstances, if the residual land value (RLV) created by a scheme proposal exceeds the current or alternative use value then we usually have a positive viability scenario – i.e. the scheme is much more likely to proceed.

2.1.5 As an alternative a development appraisal may be run as a profit residual where the land cost becomes a fixed cost to the development appraisal and the profit becomes the key output / variable. This is the case here whereby the applicant's agent has carried out the development appraisal exercise assuming a fixed level of land cost (£2.1m).

2.1.6 The submitted viability report presents and the scheme as appraised by the applicant, currently produces a profit of 12.46% on cost / 11.06% on revenue. The applicant's agent states that:

"Although the Scheme is forecast to make a profit, the level of profit is significantly less than would be commercially acceptable to a third party developer. We understand that, having regard to the costs that Runneymede have already incurred (both site purchase costs and holding costs), they are prepared to proceed with the development of the Scheme at this reduced level of profit.

However, based on our analysis of the Scheme and the development appraisal that we have undertaken, we are of the opinion that having regard to the sub-optimal profitability of the Scheme, it cannot afford to provide any affordable housing, nor can it afford to make a section 106 payment".

2.1.7 We assume (as appears to be the case in the statement above) that in putting this proposal forward as unviable, the applicant is prepared to accept an element of commercial risk as represented by the submitted position, and accept the resultant profit level in order to progress the scheme. This could therefore be regarded as the applicant's base position. We will consider this further as the review progresses.

¹ Financial Viability in planning – RICS Guidance note (August 2012)

- 2.1.8 This review does not seek to pre-determine any Council positions, but merely sets out our opinion on the submitted residential viability assumptions and outcomes in order to inform the Council's discussions with the applicant and its decision making; it deals only with viability matters, in accordance with our instructions.
- 2.1.9 We should point out at this stage that the submission of the viability letter is dated August 2015 and the associated supporting evidence dated across a range 2011 – 2014. All appear significantly out of date and we have not had an explanation as to why an updated viability letter / report and evidence has not been submitted. We therefore have concerns over the robustness of the viability assessment put forward in that so much could have changed in the intervening period in terms of both costs and values. The Council may need to bear this in mind when reviewing our report and in the decision taking process. At this stage we have reviewed the information as factually as possible (given the passing of time) based on the instructions provided to us by Dover District Council. We have, where possible, attempted to update the assumptions (at a high level) to test the impact of those changes to see the potential impact on the currently indicated outcomes.
- 2.1.10 We also note reference to a 2010 application approved by committee – a search of the Council's planning file indicates an application for 80 residential units and associated works but no outcome is available. For the purposes of this review we have assumed that no current, implementable consent exists.
- 2.1.11 Dover District Council requires our opinion as to whether the viability figures and position put forward by the applicant are reasonable. We have therefore considered the information submitted. Following our review of the key assumptions areas, this report provides our views.
- 2.1.12 We have based our review primarily on the submitted report and appraisal to see if the viability assumptions are valid in our opinion and whether the base position put forward by the applicant is reasonable. We then discuss any variation in terms of any surplus (or deficit) created from that base position by altering appraisal assumptions (where there is disagreement) utilising the applicant's appraisal as a base.
- 2.1.13 This assessment has been carried out by Rob Searle and Richard Dixon of DSP who have many years combined experience in the development industry working for Local

Authorities, developers, Housing Associations and in consultancy. As consultants we have a considerable track record of assessing the viability of schemes and assessing the scope for Local Authority planning obligation requirements. This expertise includes viability-related work carried out for many Local Authorities nationwide over the last 13 years or so.

2.1.14 The purpose of this report is to provide our overview comments with regard to this individual scheme, on behalf of the Council - taking into account the details as presented. It will then be for the Council to consider this information in the context of the wider planning objectives in accordance with its policy positions and strategies.

2.1.15 In carrying out this type of review a key theme for us is to identify whether, in our opinion, any key revenue assumptions have been under-assessed (e.g. sales value estimates) or any key cost estimates (e.g. build costs, fees, etc.) over-assessed – since both of these effects can reduce the stated viability outcome (in this case the RLV, equating to the estimated cross-subsidy level available).

3. Review of Submitted Viability Assumptions

- 3.1.1 The following commentary reviews the applicant's submitted viability appraisal assumptions as set out in the viability letter and associated development appraisals issued to DSP by the Council.
- 3.1.2 As noted above DSP was also supplied with working versions of the appraisal used by the applicant. The applicant's agent has used Argus Developer software, a suitable tool for use in testing the viability of specific sites in our opinion. In summary the appraisal works on a residual valuation basis, with a cashflow sitting behind it in order to take account of the timing of the various current stage estimations of the revenue (receipts) and development costs (expenses). In this case the development appraisal has been run on the basis of a residual profit calculation. This produces a residual profit after all development costs have been deducted from the anticipated level of sales revenue (from the open market housing, affordable homes and capitalised ground rents) finance costs on the basis of a fixed level of land cost.
- 3.1.3 Primarily the review process takes into account the fact that the collective impact of the various elements of the cost and value assumptions is of greatest importance, rather than necessarily the individual detailed inputs in isolation. We have considered those figures (the appraisal assumptions) provided, as below. In the background to this we have used the working version appraisals to review the impact of trial changes to particular submitted assumptions.
- 3.1.4 This type of audit / check is carried out so that we can give the Council a feel for whether or not the indicated profit positions are approximately as expected – i.e. informed by a reasonable set of assumptions and appraisal approach.

Site value / Benchmark Land Value

- 3.1.5 In all appraisals of this type, the base value (value of the site or premises – e.g. in existing use) is one of the key ingredients of scheme viability. A view needs to be taken on land value so that it is sufficient to secure the release of the site for the scheme (sale by the landowner) but is not assumed at such a level that restricts the financial capacity of the scheme to deliver suitable profits (for risk reward), cover all development costs (including any abnormals) and provide for planning obligations as a part of creating sustainable development. This can be a difficult balance to reach, both in terms of

developers' dealings with landowners, and Councils' assessments of what a scheme has the capacity to bear.

3.1.6 The RICS Guidance 'Financial Viability in Planning'² states that:

'A viability appraisal is taken at a point in time, taking account of costs and values at that date. A site may be purchased some time before a viability assessment takes place and circumstances might change.'

This is part of the developer's risk. Land values can go up or down between the date of purchase and a viability assessment taking place; in a rising market developers benefit, in a falling market they may lose out.

A developer may make unreasonable/overoptimistic assumptions regarding the type and density of development or the extent of planning obligations, which means that it has overpaid for the site'.

'Site Value' is defined in the same Guidance as the following: 'Site Value should equate to the market value subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which is contrary to the development plan'. It goes on to say 'It is for the practitioner to consider the relevance or otherwise of the actual purchase price, and whether any weight should be attached to it, having regard to the date of assessment and the Site Value definition as set out in this guidance. Where historic costs (for example remediation works) are stated it is important that these are not reflected in the Site Value (i.e. double counted)'.

3.1.7 In this case, the site value (cost) is stated to be £2.1m. This in turn is explained in some depth within the Monatgu Evans letter. This is set out again here for ease of reference:

"The Site was acquired by Runnymede in November 2007 in consideration of the sum of £1,700,000. The Site was acquired in the open market, in competition, directly from the Department of Health ("the Department") and, as such, the price paid represented market value as at the date of acquisition.

² RICS Professional Guidance – Financial Viability in Planning (August 2012)

The Site was acquired subject to an overage agreement which required Runnymede to pay an additional sum calculated by reference to a fixed price per square foot multiplied by the number of square feet for which planning permission was obtained.

Following discussions with the Department of Health, in March 2014 Runnymede entered into a supplemental agreement with the Department and negotiated the release of the overage arrangement. In consideration of the release of the overage provisions, a further sum of £400,000 was paid to the Department, who have no further interest in the Site.

Against this background, the total price paid by Runnymede to acquire the Site from the Department of Health was £2,100,000. As noted, this sum and the overage provisions were representative of market value and terms as at the date of the original acquisition in 2007. The amount paid to the Department in consideration of the release of the overage obligations is the lowest sum that the Department was willing to accept.

This is an important point in that Runnymede does not seek to test the viability of the Scheme against anything other than the actual cost that it has incurred in acquiring the Site. The volatility in the UK and world economy that emerged in late 2007 and culminated in the Global Financial Crisis of September 2008, had a profound effect on the UK housing market in the period 2008 to date, and whilst the terms on which Runnymede agreed to acquire the Site may not be market terms now, they were at the time that they were agreed and they form the starting point for assessing the financial viability of any development that Runnymede may propose for the Site.

In the absence of Runnymede being able to progress a financially viable scheme, the Site will not come forward for development”.

- 3.1.8 RICS Guidance makes it clear, as discussed above, that the price paid for a site does not necessarily equate to the market value of the site. Equally, the value of the site should be the Market Value at the date of the assessment (in this case it is debateable whether that should be August 2015 or at this current review point). Theoretically therefore there should be an up to date valuation of the site taking into account the current constraints and opportunities including the requirement for affordable housing and any other planning obligations.

3.1.9 Without an up to date valuation it is difficult to comment as comparable evidence, given the type of site, is very difficult to source. DSP have been involved in a viability review of development of hospital land elsewhere in the South East where the land value was put forward by the applicant's agent in that case at £2.295m (£21,650/plot) in December 2014. This was for a scheme of 106 units in a locality with significantly higher sales values than those of the subject site (approximately 30% higher than those indicated within the subject site development appraisal). Taking the figures above and discounting to take account of the difference in average sales values would suggest a site cost equivalent per plot of approximately £16,250/plot and an overall site value in the region of £1.6m. This is not significantly different from the price paid for the site previously but of course does not take into account the overage release cost. At a very high level therefore it appears that the site value included here, regardless of the price paid, is possibly too high when including the £400,000 overage release costs. The Council may therefore wish to see up to date evidence in this regard.

Gross Development Value – Private Residential & Affordable Housing

3.1.10 The viability submission indicates sales values based on advice provided by Colebrook Sturrock (May 2015) with units priced on a unit by unit basis with comprehensive supporting information provided in a note to Mark Whitfield of Montagu Evans detailing evidence for the sales values assumed. The values range from £215/sq.ft. to approximately £300/sq.ft. (£2,315/m² - £3,229/m²). This provides capital values of £115,000 - £135,000 for the flats £190,000 to £228,000 for the terraced properties, £204,500 to £258,000 for the semi-detached properties and £375,000 to £392,000 for the detached properties. The gross development value of the residential element of the scheme is stated to be £21,441,521 with an overall average sales rate of approximately £228/sq.ft. (£2,459/m²). Please note that whilst the sales value information states £230/sq.ft average, the development appraisal indicates an average of £228/sq.ft. The overall gross development value is the same and we therefore assume that the difference is caused by rounding within the sales value schedule.

3.1.11 We have carried out our own desktop research of property values using property search engine RightMove and similar sources to review local market indications for comparable properties (both re-sale and new build) considering current / recent asking prices within a 1-mile radius of Eastry. This research indicates that overall the sales values assumed are possibly low in the current market but potentially approximately valid, as assumptions, at the point the viability submission was made (May 2015). Reviewing the comparable information and the UK House Price Index for Dover District as a whole we

would expect prices now to achieve in the region of 10% more than at the date the sales advice was provided. Of course, any sales price increase in the development appraisal would also need to be accompanied by updated build cost data – please see associated Development Costs section.

3.1.12 In addition to the sales values, it is normal to include revenue associated with the capitalised ground rental income for any apartments / flats within a development. In this case not such revenue appears to have been included. Typically, we would expect ground rents at an average of £250 - £350 per unit, capitalised assuming a yield of 5% - 6%. For the purposes of this review we have assumed ground rents at £250/unit and a yield of 5.5% (applied to 22 units) and added this to the applicant's version of the development appraisal.

3.1.13 It is worth noting that any improvement in the sales value assumptions (compared with a level set at the point of the appraisal) would most likely be reflected in an improvement in scheme viability. Whilst the opposite could also occur (the sales values could fall relative to the assumptions made), that is the developer's risk and such factors need to be kept in mind in making an overall assessment of the applicant's position.

Affordable Housing

3.1.14 No affordable housing has been included within the scheme and as such we are unable to comment further in this regard. As a general point, it is always useful if a policy compliant development appraisal can be included in order that any identified differences of opinion within the review process can be sensitivity tested against the policy compliant appraisal.

Gross Development Value – Non-Residential

3.1.15 The scheme as submitted also includes an element of non-residential space. We understand that this forms part of the Chapel & Tewkesbury Houses as converted and refurbished community and / or employment space. For the purposes of the viability assessment it appears that this space is included as office accommodation.

3.1.16 3,800sq.ft. (353m²) of office accommodation has been included in the development appraisal at an average of £10/sq.ft. (£107.64/m²) indicating a net annual rent of £38,000. A yield of 8% has been assumed leading to a capitalised value of £415,147 once a 12-month void period has been included within the appraisal. The rental value is based on advice provided by Caxton's Chartered Surveyors that suggest an asking rent of

£10/sq.ft. this figure has been included within the development appraisal and in our opinion is not an unreasonable assumption based on our own research using Co-Star property research database. The same is true of the yield assumptions.

- 3.1.17 What is very clear is that the office / non-residential accommodation is having a negative impact on development viability in that the cost of development is, as set out in the development appraisal, significantly higher than the revenue received.

Development Costs, Contingencies & Fees

- 3.1.18 Build costs for the development have been based on cost advice and quotes obtained between 2011 and 2014. As noted previously in this review report, the data is now increasingly historic and it is difficult to know how much reliance to place on it at this stage. Ideally the build cost information would have been updated to the date of the viability assessment at the very least (notwithstanding our overall comments about the timing of the viability assessment).
- 3.1.19 Budgetary advice was provided in 2011 by Coombs, presumably the principal contractor for the applicant in this case and indicates build costs of £10,603,784. A separate single page quote from Jenner building contractors provides an estimate / indicative costs for the refurbishment and conversion of the existing listed buildings and Tewkesbury House of £1,837,500 (dated March 2014).
- 3.1.20 In setting out the costs within the development appraisal, Montagu Evans state:

'In terms of build cost, the conversion of the listed buildings has been looked at in detail more recently than the remainder of the Scheme, which was considered in detail in 2011 and 2012 in relation to the 2010 application approved by committee, but unimplemented due to Section 106 requirements. We are advised that a consensus as to build cost was reached with DVS at the time, and this has been updated by Runnymede's in house construction team to current, 2015 prices.

Over the period 2011 to 2015 construction costs have increased significantly, particularly in the South-East as the property market and economy has recovered. According to BCIS, the all in Tender Price Index increased by almost 18% over the period, albeit that the level of increase in the residential sector, particularly in the South-East, has been substantially higher at some 27.50% (median cost - housing, mixed developments).

Based on these calculations, we have adopted a total cost of developing the Scheme of just under £13,850,000, which is equivalent to £141 per sq. ft. overall. In terms of a breakdown this reflects the following;

- *Listed building and Tewkesbury House - £1,930,000 (Jenner estimate plus 5% inflation derived from BCIS TPI) which is equivalent to £168.66 per sq. ft. overall, including non-recoverable VAT; and*
- *New build costs based on an average cost of £137.28 per sq. ft. totaling just over £11.90m.*

It should be noted that these costs include all estate roads and site services infrastructure'.

3.1.21 We have not been party to any discussions that the applicant may have had with the DVS during previous negotiations on the level of \$106 costs for a previous application. We note (and accept) the commentary on the build cost inflation over the period between 2011/12 and the date of the Montagu Evans (2015) letter as well as the assumed uplift in costs from the date of the Jenner indicative cost estimate. We note however that no evidence has been supplied to show the costs as updated by Runnymede's in house construction team in relation to the main new-build construction costs.

3.1.22 In order to provide a high level comparison, we have reviewed the RICS Building Cost Information Service (BCIS) database re-based for a Dover location factor and updated to current day rates. The data indicates that for housing, mixed developments median build costs are in the region of £1,236/m² (£115/sq.ft.). To allow comparison with the new build costs indicated above we would also need to make an allowance for external works (typically 10% - 20% of base build costs) and contingencies (typically 2-5% for new build; more for conversion / refurbishment). Allowing 15% for external works and 3% contingencies would lead to an overall build cost for comparison of approximately £1,464/m² (£136/sq.ft.). These are the costs as at the current time, not a comparison with May 2015. We are therefore of the opinion that along with updated sales values, the new build costs set out in the development appraisals would be broadly acceptable today.

3.1.23 For the refurbishment and conversion of the existing buildings, it is difficult to analyse the costs by unit type as the costs are not broken down in that way but at a high level,

the BCIS data indicates base build costs of £1,270/m²; £906/m² for offices. Even allowing for external works and contingencies these costs are obviously lower than those assumed within the development appraisals. However, given that they are based on a costs estimate (albeit indicative) we would need to accept those at this stage – as a current date allowance for build costs.

- 3.1.24 The viability submission and development appraisals also include an allowance of 10% for professional fees. This assumption appears within typical parameters in our experience.

Cost Assumptions – Section 106 Payments / Planning Obligations

- 3.1.25 The viability assessment allows for no affordable housing, CIL or other specifically requested s106 payments. The Council would need to be clear on the planning obligations requirements and whether those were required to mitigate the impact of the development and are compliant with CIL Regulation 122 being (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. We would assume, if any and regardless of the viability exercise, that without meeting those requirements the scheme would not be acceptable in planning terms? Equally, of course from the Council's perspective it must ensure that in requesting any contributions it does not fall foul of the pooling restrictions by entering into 5 or more s106 obligations for the same type of infrastructure (backdated to April 2010).

Cost Assumptions – Agent's, Marketing & Legal Fees

- 3.1.26 The viability assessment has assumed marketing costs of £44,000, agent's fees on sale of 1.5%, legal fees on sale of 0.75% and purchaser's costs on the non-residential units at 5.8%. Overall these cost additions are not untypical and we would not query those further.

Development Timings & Development Finance

- 3.1.27 Finance costs have been assumed based on debt finance rate 6.5% p.a. with no credit interest rate (assuming 100% debt funding over the whole development period). No allowance for other finance related fees has been made.
- 3.1.28 The interest rate is the cost of funds to the scheme developer; it is applied to the net cumulative negative cash balance each month on the scheme as a whole. According to the HCA in its notes to its Development Appraisal Tool (DAT) 'The rate applied will

depend on the developer, the perceived scheme risk, and the state of the financial markets. There is also a credit interest rate, which is applied should the cumulative month end balance be positive. As a developer normally has other variable borrowings (such as an overdraft), or other investment opportunities, then the value of credit balances in reducing overall finance charges is generally the same as the debit interest charge. A zero rate of credit interest is not generally plausible, and will generate significantly erroneous results in a long term scheme'.

- 3.1.29 RICS also points out that it is often the case that schemes are modelled at current costs & values i.e. ignoring inflation (as is the case here). In this case RICS Financial Viability in planning paper states in appendix D 4.5 *'... current values and costs should be used together with a net of inflation finance rate. Such a net of inflation rate would be much lower than a bank rate (which naturally includes inflation expectations)'.*
- 3.1.30 As a package, the overall finance cost does not look unreasonable in our experience given that other finance costs are not included separately.
- 3.1.31 Development timings indicate an overall project timescale of 30 months to develop and sell the scheme with an 18-month construction and overlapping 18 month sales period.
- 3.1.32 The overall scheme period does not appear unreasonable in our opinion however we have noticed that the land payment is included at September 2007 (£1.7m) with the 'overage' release payment included at March 2014. This is effectively attributing a holding cost to the appraisal and would not normally be included (i.e. it increases the period over which interest is charged and as such leads to a worsening viability picture). RICS Guidance (Financial Viability in Planning) makes it clear that *'The site will be valued at the date of assessment. Holding costs attributable to the purchase of the site should, therefore, not normally be allowed, as the Site Value will be updated'*. It is therefore our opinion that whatever site values is attributed, this should be included at the date of the appraisal. In the case of the appraisal submitted that would be May 2015 with all other construction / sales dates following on from that including a reasonable allowance for pre-commencement planning. As we have updated both sales values and build costs to the current date in carrying out this review we have also adjusted the project timings to include bringing the land cost payment to the current date, allowing a 6-month lead-in period, 18-month construction and 18 month sales period. We note that in the submitted appraisal the sales appear to occur in one lump sum at the start of the sales period with construction continuing beyond the sales period. This does not appear

correct and again we have made alterations in our version of the applicant's development appraisal. Making the timing changes alone (before any adjustment to sales values / ground rents or land value assumption) leads to an improved output of 15.79% on cost and above the stated minimum benchmark profit level (see discussion below).

Developer's risk reward – profit

3.1.33 In this case the level of developer profit is indicated as an output of the appraisal process. The Montagu Evans letter states

'In the case of residential development schemes, the market generally considers that a "viable" scheme is one that generates a profit as a return on all cost of at least 15%. This minimum benchmark applies to what the market perceives as relatively straightforward developments, notably greenfield. In respect of more complicated development situations; for example, involving the refurbishment of listed buildings (where the costs of conversion are difficult to estimate); brownfield developments (where there may be additional costs associated with the previous use of the site); or in locations where the scheme is of a significant size in a limited market; the level of profit required would be in excess of the minimum level of 15% profit on cost.

Based on these industry "typical" benchmarks if a scheme is likely to generate a profit that is below a benchmark of 15% of overall development costs, then that scheme is considered by the market to be financially unviable on any basis and is unlikely to be brought forward. On the contrary, where the viability of a scheme is in excess of these benchmark levels the surplus "additional" profit is notionally available to fund Section 106 and affordable housing obligations up to a policy compliant level.

However, for a scheme such as the development of Eastry Hospital to be considered viable, I am of the opinion that the minimum profit that the market would require would be higher in order to reflect the various additional construction and market risks to which the project is subject (listed building, brownfield site and limited local market with an extended sales period). To reflect these risks I consider that the minimum level of profit that would be required to render the development of the site viable is of the order of 17.50% to 20.00% return on cost'.

3.1.34 The level of profit assumed viable is a matter of debate and there are no rules about what can be considered acceptable; case law as well as our own significant experience of recent site specific schemes suggests a significant range. We would however comment that the overall approach to the profit level does not appear unreasonable in our opinion in relation to this particular site and location. For the purposes of carrying out this review and associated sensitivity testing we have assumed a benchmark of 15% - 17.5% on cost.

4. Summary & Overview of Findings

- 4.1.1 Our review of the submitted information leads us to conclude that a number of the assumptions used in the submitted viability information and associated appraisals appear reasonable.
- 4.1.2 There are we think difficulties in being asked to review a viability submission that is historic both in terms of the date of the submission and even more so in terms of the evidence used to support the submission. We have however attempted to review as factually as possible and updated the submitted development appraisal both in terms of timings and assumptions where we feel those should be updated / altered.
- 4.1.3 In summary, the areas that have been updated include the overall development programme and in particular the timing of the land payment and subsequent overage release payment. In our opinion, the site value, where an input assumption (rather than a residual output) should equate to the site value at the date of the appraisal for reasons explained above. Equally we are of the opinion that the sales values and development costs should be updated to the current date and so have increased sales values by 10% in line with average house price inflation within Dover and suggested that the build costs utilised could, at this stage, be considered current for the purposes of this exercise. We have also included an allowance for ground rental income for the 22 flats included within the scheme.
- 4.1.4 The net result of those changes is to increase the profit on cost to 27.9% compared to a profit on cost of 12.82% as presented within the submitted viability assessment.
- 4.1.5 In order to test the impact of the additional profit we have run a further test appraisal that, through iteration, includes a sum representative of the affordable housing / S106 package that could potentially be secured whilst maintaining either 15% profit on cost or 17.5% profit on cost. The development appraisals (DSPv1 – base updated; DSPv2 15% profit on cost and DSPv3 17.5% profit on cost) are appended to the rear of this review report.
- 4.1.6 Assuming a 15% profit on cost, a surplus of approximately £1.85m is created. Assuming a 17.5% profit on cost benchmark, a surplus of approximately £1.485m is

created. This sum could theoretically be diverted into providing on-site affordable housing and / or other s106 requirements.

4.1.7 Of course, no viability appraisal or review can accurately reflect costs and values until a scheme is built and sold - this is the nature of the viability review process. In this sense the applicant and their agents are in a similar position to us in estimating positions moving forward – it is not an exact science by any means, and we find that opinions will usually vary.

4.1.8 We also need to be clear that the above is based on making adjustments to key assumptions, as described within this report and also subject to any views the applicant may have on this. Any agreed affordable housing either via a financial contribution or on-site will need to be agreed based on updated full appraisals.

4.1.9 DSP will be happy to advise further as required.

Review report ends

October 2016

Carried out by: Rob Searle BSc (Hons) MSc CIHM
Checked by: Richard Dixon BSc (Hons) MRICS CIHM

Appendix I

DSP Versions of Applicant Submitted Development Appraisal

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Development Appraisal
Dixon Searle Partnership
October 16, 2016

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Easly Hospital - Revised June 2015
 Runnymede Scheme (0% affordable)
 Fixed Land Cost plus Coverage @ £400k

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft ²	Rate ft ²	Unit Price	Gross Sales
Private Units	90	86,779	256.21	247,041	22,233,648
Listed Building	10	7,065	191.35	135,189	1,351,889
Totals	100	93,844			23,585,535

Rental Area Summary

	Units	ft ²	Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Commercial	1	3,800	10.00	38,000	38,000	38,000

Investment Valuation

Commercial					
Market Rent	38,000	YP @	8.0000%	12.5000	
		PV 9yrs @	8.0000%	0.5002	237,618

GROSS DEVELOPMENT VALUE

23,823,154

Purchaser's Costs

(13,782)

(13,782)

NET DEVELOPMENT VALUE

23,809,372

Additional Revenue

Ground Rent Income

100,000

100,000

NET REALISATION

23,909,372

OUTLAY

This appraisal report does not constitute a formal valuation.

Project: 16411D - Easly Hospital redevelopment\16411E - Easly (No affordable units PROFIT) - DSP v1 wpx
 ARGUS Developer Version: 7.50.001

- 2 -

Date: 16-Oct-16

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

ACQUISITION COSTS

Fixed Price		1,700,000		1,700,000
Stamp Duty	4.00%	68,000		
Town Planning		25,000		
				93,000

Other Acquisition

Other Acquisition		400,000		400,000
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CONSTRUCTION COSTS

	ft²	Rate ft²	Cost	
Commercial	4,378 ft²	168.66 pP	738,393	
Private Units	66,779 ft²	137.26 pP	11,913,021	
Listed Building	7,065 ft²	169.66 pP	1,191,593	
Totals	98,222 ft²		13,842,998	13,842,998

PROFESSIONAL FEES

Architect	10.00%	1,384,300		1,384,300
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MARKETING & LETTING

Marketing		44,000		44,000
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DISPOSAL FEES

Sales Agent Fee	1.50%	333,298		
Sales Legal Fee	0.75%	166,649		
				499,947

FINANCE

Debt Rate 6.500%, Credit Rate 0.000% (Nominal)				
Land		345,480		
Construction		362,838		
Total Finance Cost				728,316

TOTAL COSTS**18,692,561**

This appraisal report does not constitute a formal valuation.

Project: 16411-D - Eastry Hospital redevelopment\16411-E - Eastry (No affordable units PROFIT) - OSP v1 wdx
 ARGUS Developer Version: 7.50.001

- 3 -

Date: 16-Oct-16

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k
PROFIT

5,216,811**Performance Measures**

Profit on Cost%	27.91%
Profit on GDV%	21.90%
IRR	38.43%

This appraisal report does not constitute a formal valuation.

Project: 16411D - Eastry Hospital redevelopment/16411E - Eastry (No affordable units PROFIT) - DSP v1 wcfx
ARGUS Developer Version: 7.50.001

- 4 -

Date: 16-Oct-16

SENSITIVITY ANALYSIS REPORT**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Coverage @ £400k

Sensitivity Analysis results are not available.
Click the Analysis Results tab, then print the report.

This appraisal report does not constitute a formal valuation.

Project 16411E - Eastry (No affordable units PROFIT) - DSP v1.wcfx
ARGUS Developer Version: 7 \$0.001

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Report Date: 16-Oct-15

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Development Appraisal
Dixon Searle Partnership
October 16, 2016

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
 Runnymede Scheme (0% affordable)
 Fixed Land Cost plus Overage @ £400k

Summary Appraisal for Phase 1

Currency in £

REVENUE						
Sales Valuation	Units	ft ²	Rate ft ²	Unit Price	Gross Sales	
Private Units	90	86,779	256.21	247,041	22,203,648	
Listed Building	10	7,065	191.35	135,189	1,351,848	
Totals	100	93,844			23,585,536	
Rental Area Summary						
	Units	ft ²	Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Commercial	1	3,800	10.00	38,000	38,000	38,000
Investment Valuation						
Commercial						
Market Rent	38,000	YP @	8.0000%	12.5000		
		PV Byrs @	8.0000%	0.5002	237,618	
GROSS DEVELOPMENT VALUE				23,823,154		
Purchaser's Costs			(13,782)	(13,782)		
NET DEVELOPMENT VALUE				23,809,372		
Additional Revenue						
Ground Rent Income			100,000	100,000		
NET REALISATION				23,909,372		
OUTLAY						

This appraisal report does not constitute a formal valuation.

Project: 16411D - Eastry Hospital redevelopment\16411E - Eastry (No affordable units PROFIT) - DSP v2 15% PoC.wofx
 ARG\JS Developer Version: 7.50.001

- 2 -

Date: 16-Oct-16

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

ACQUISITION COSTS			
Fixed Price		1,700,000	
Stamp Duty	4.00%	68,000	1,700,000
Town Planning		25,000	
			93,000
Other Acquisition			
Other Acquisition		400,000	
			400,000
CONSTRUCTION COSTS			
Construction	ft²	Rate ft²	Cost
Commercial	4,378 ft ²	168.66 p ²	738,393
Private Units	86,779 ft ²	137.28 p ²	11,913,021
Listed Building	7,065 ft ²	168.66 p ²	1,191,563
Totals	98,222 ft²		13,842,978
Statutory/LA		1,850,000	
			1,850,000
PROFESSIONAL FEES			
Architect	10.00%	1,384,300	
			1,384,300
MARKETING & LETTING			
Marketing		44,000	
			44,000
DISPOSAL FEES			
Sales Agent Fee	1.50%	333,298	
Sales Legal Fee	0.75%	166,649	
			499,947
FINANCE			
Debt Rate 6.500%, Credit Rate 0.000% (Nominal)			
Land		367,105	
Construction		580,632	
Total Finance Cost			947,737

This appraisal report does not constitute a formal valuation.

Project: 18411D - Eastry Hospital redevelopment(16411E -Eastry (No affordable units PROFIT) - DSP v2 15% PoC.wcfx
 ARGUS Developer Version: 7.50.001

- 3 -

Date: 16-Oct-16

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

TOTAL COSTS	20,762,031
PROFIT	3,147,341

Performance Measures	
Profit on Cost%	15.16%
Profit on GDV%	13.21%
IRR	22.85%

This appraisal report does not constitute a formal valuation.

Project: 184110 - Eastry Hospital redevelopment\16411E - Eastry (No affordable units PROFIT) - DSP v2 15% PoC.wct
ARGUS Developer Version: 7.50.001

Date: 16-Oct-16

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SENSITIVITY ANALYSIS REPORT

DIXON SEARLE PARTNERSHIP

Easry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Sensitivity Analysis results are not available.
Click the Analysis Results tab, then print the report.

This appraisal report does not constitute a formal valuation.

Project: 16411E -Easry (No affordable units PROFIT) - DSP v2 15% PoC.wch
ARGUS Developer Version: 7.50 001

- 5 -

Report Date: 16-Oct-16

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Development Appraisal
Dixon Searle Partnership
October 16, 2016

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Summary Appraisal for Phase 1

Currency in £

REVENUE

Sales Valuation	Units	ft ²	Rate ft ²	Unit Price	Gross Sales
Private Units	90	86,779	256.21	247,041	22,233,646
Listed Building	10	7,065	191.35	135,189	1,351,388
Totals	100	93,844			23,585,034

Rental Area Summary

	Units	ft ²	Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Commercial	1	3,800	10.00	38,000	38,000	38,000

Investment Valuation

Commercial	Units	YP @	Rate %	MRV/Unit	Net Rent at Sale
Market Rent	38,000	PV 9yrs @	8.0000%	12.5000	237,618
			8.0000%	0.5002	

GROSS DEVELOPMENT VALUE

23,823,154

Purchaser's Costs	(13,782)
	(13,782)

NET DEVELOPMENT VALUE

23,809,372

Additional Revenue

Ground Rent Income	100,000
	100,000

NET REALISATION

23,909,372

OUTLAY

This appraisal report does not constitute a formal valuation.

Project: 164110 - Eastry Hospital redevelopment/164111E - Eastry (No affordable units PROFIT) - DSP v3 17.5% PoC.wbx
 ARGUS Developer Version: 7.50.001

- 2 -

Date: 16-Oct-16

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2016
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

ACQUISITION COSTS

Fixed Price		1,700,000		1,700,000
Stamp Duty	4.00%	68,000		
Town Planning		25,000		93,000

Other Acquisition

Other Acquisition		400,000		400,000
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CONSTRUCTION COSTS

Construction	ft ²	Rate ft ²	Cost	
Commercial	4,378 ft ²	169.66 pP	738,393	
Private Units	86,779 ft ²	137.28 pP	11,915,021	
Listed Building	7,065 ft ²	169.98 pP	1,191,583	
Totals	98,222 ft²		13,842,996	13,842,996

Statutory/LA		1,480,000		1,480,000
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PROFESSIONAL FEES

Architect	10.00%	1,384,300		1,384,300
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MARKETING & LETTING

Marketing		44,000		44,000
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DISPOSAL FEES

Sales Agent Fee	1.50%	383,298		
Sales Legal Fee	0.75%	168,849		
				499,947

FINANCE

Debit Rate 6.500%, Credit Rate 0.000% (Nominal)				
Land		362,865		
Construction		539,783		
Total Finance Cost				902,448

This appraisal report does not constitute a formal valuation.

Project: 16411D - Eastry Hospital redevelopment\16411E - Eastry (No affordable units PROFIT) - DSP v3 17.5% PoC.wdx
 ARGUS Developer Version: 7.50.001

Date: 16-Oct-16

- 3 -

APPRAISAL SUMMARY**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

TOTAL COSTS 20,348,693

PROFIT 3,582,873

Performance Measures

Profit on Cost% 17.51%

Profit on GDV% 14.95%

IRR 25.61%

This appraisal report does not constitute a formal valuation.

Project: 16411D - Eastry Hospital redevelopment\16411E -Eastry (No affordable units PROFIT) - DSP v3 17.5% PoC.wok
ARGUS Developer Version: 7.50.001

- 4 -

Date: 16-Oct-16

SENSITIVITY ANALYSIS REPORT**DIXON SEARLE PARTNERSHIP**

Eastry Hospital - Revised June 2015
Runnymede Scheme (0% affordable)
Fixed Land Cost plus Overage @ £400k

Sensitivity Analysis results are not available.
Click the Analysis Results tab, then print the report.

This appraisal report does not constitute a formal valuation.

Project: 16411E -Eastry (No affordable units PROFIT) - DSP v3 17.5% PoC.wpk
ARGUS Developer Version: 7.50.001

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Report Date: 16-Oct-16

Appendix 4

Minutes of Planning Committee Meeting of 31 August 2017

Members were shown photographs of the application site. The Planning Consultant advised that the application sought full planning permission for the redevelopment of the site, providing 100 dwellings and 568 square metres of commercial and community space. The site had been allocated for development under Policy LA29 of the LALP which set out a provision of up to 80 dwellings and 2,000 square metres of commercial floor space at the site. The scheme therefore proposed a significant uplift to the number of dwellings provided for in the LALP, and a significant reduction in the amount of commercial space. However, in respect of the latter, there was more attractive commercial space available elsewhere in the District (e.g. at the Discovery Park), with better connections to the public transport and highway networks.

The site contained a number of listed buildings which were in a significant state of disrepair. The renovation costs involved were considerable, and the applicant had gone to a lot of trouble to devise sensitive plans for these buildings. The new buildings were of a scale and form to be expected. The applicant had taken a structured approach to the layout of the development, with a less dense form of development as buildings moved away from the road and closer to the countryside.

KCC Highways had raised no objections. Concerns had been raised about visitor parking provision and how it related to the dwellings. Concerns had also been raised about the number of vehicular movements which were predicted to be around 60 two-way movements during peak hours. However, this was not a significant number in the context of Eastry which was a large and busy village.

A Viability Assessment had been submitted and independently assessed. The applicant had originally proposed to make no affordable housing contribution but, following advice from the Council's assessor that house values had been underestimated, and further negotiations, a revised offer of 10% affordable housing had been made, as well as contributions towards play space and SAMMS (Strategic Access Management and Monitoring Strategies for protected areas).

In summary, the Committee was advised that the site, which had been allocated for development since 2002, would deliver 100 dwellings without the strategic infrastructure issues of other sites in the District. Whilst the level of affordable housing provision was disappointing, it was not surprising given the costs involved in renovating/repairing the listed buildings. Overall, the scheme was well designed, and it was considered that, on balance, the benefits outweighed any negative factors.

Councillor Gardner expressed concerns that 30% affordable housing would not be delivered, and conjectured that this was because the applicant had paid too much for the site. Granting planning permission would send out the wrong message to applicants that affordable housing did not matter. He proposed that the application should be refused on this basis. He also raised concerns about the advice received from Southern Water that there was a lack of capacity in the foul sewage network. Councillor Conolly questioned how much reliance could be placed upon the Viability Assessment which was now two years out of date.

The Chairman advised that the applicant would be required to submit drainage details which would then need to be approved by Southern Water. He also pointed out that some of the figures submitted with the Viability Assessment were now three years old. The Planning Consultant clarified that the Viability Assessment had been submitted the previous year and reviewed in October 2016. It was as a result of the Council's independent assessment that the absence of affordable housing provision had been challenged. He appreciated the concerns raised about drainage. Nevertheless, these could be addressed by conditions. Surface water would be disposed of by way of a sustainable drainage system which would not feed into the foul sewage network. In respect of foul sewage, it was for Southern Water to ensure that there was suitable off-site capacity.

In response to Councillor Butcher, the Planning Consultant clarified that the Chapel would be renovated for commercial or community use. There was a policy requirement for some commercial space at the site, and it was easier to convert the Chapel for commercial purposes than it was for residential. It was clarified that the conversion of The Range would be the most costly part of the scheme.

Councillor Bond expressed unease that Southern Water would not carry out any infrastructure upgrades until schemes were complete or nearly so. Schemes such as Whitfield often had an immediate detrimental impact on the drainage network. Further information was needed on this and the increased flood risk.

The Chairman wondered whether the sewerage infrastructure could be incorporated into a legally binding Section 106 agreement to ensure it was in place by a certain time. He also expressed reservations about the lack of any phasing plan to ensure that the renovation of the listed buildings was carried out. The renovation/preservation of these historic buildings was probably the most important reason for developing the site after all. Councillor Eddy agreed that the low level of affordable housing provision was disappointing, particularly in a semi-rural area like Eastry. He also supported proposals for further clarification on drainage, details of the proposed conservation of the listed buildings and Eastry Parish Council's views on additional traffic.

In response to Members' queries, the Planning Consultant confirmed that a phasing plan had been submitted which indicated that the renovation of the listed buildings would happen in the second phase of the development. A phasing plan could be incorporated into the Section 106 agreement, and could restrict occupation to the listed building works. Suitable trigger points would need to be considered. Following discussions with the developer, KCC Highways had indicated that it was satisfied with the traffic information provided. Requesting more information would therefore be unreasonable. The layout of the site had largely been dictated by the position and reinstatement of The Range building. In respect of drainage, it was not standard procedure to include such matters in a Section 106 agreement. Finally, a reduced time limit could be placed on the development to ensure that the Viability Assessment remained relevant and to achieve the early delivery of housing.

RESOLVED: That, notwithstanding the Officer's recommendation, Application No DOV/14/00240 be DEFERRED for the following information: (i) An updated Viability Assessment and an independent review of that Assessment; (ii) Clarification from Southern Water on whether there is an increased flood risk; (iii) Clarification from Southern Water regarding what drainage infrastructure is required; (iv) Details of the phasing plan for the listed buildings; and (v) Clarification on the design of the housing in front of the hospital and its association with that building.