

- a) **DOV/17/01523 – Outline application for the erection of up to 150 dwellings (with all matters reserved)**

Former Buckland Hospital Coombe Valley Road Dover CT17 0HD.

Reason for report – Number of third party contrary comments.

- b) **Summary of recommendation**

Grant permission.

- c) **Planning policy 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.

A summary of relevant planning policy is set out below:

Dover District Core Strategy (2010)

CP1 – Settlement hierarchy.

DM1 – Settlement boundaries.

DM11 – Location of development and managing travel demand.

DM13 – Parking provision.

DM15 – Protection of the countryside.

DM16 – Landscape character.

Saved Dover District Local Plan (2002) policies

None applicable.

Land Allocations Local Plan (2015)

LA8 – Land in Coombe Valley.

DM27 – Providing open space.

National Planning Policy Framework (NPPF)(2019)

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

11. Plans and decisions should apply a presumption in favour of sustainable development...

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this...

127. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Other considerations

Kent Downs AONB – 470 metres west of the site.

Kent Design Guide.

d) **Relevant planning history**

DOV/17/00225 – Prior notification for the demolition of the former hospital buildings – PRIOR APPROVAL REFUSED.

DOV/17/00353 – Screening opinion: redevelopment of site – ENVIRONMENTAL STATEMENT NOT REQUIRED.

DOV/17/00379 – Demolition of building number five – GRANTED.

DOV/17/00380 – Prior approval for the demolition of former hospital buildings (except building 5) – PRIOR APPROVAL NOT REQUIRED.

e) **Consultee and third party responses**

DDC Regeneration and Delivery (Planning Policy) – comments as follows –

From a policy perspective, we have identified the Coombe Valley as a key area of Dover that is in need of improvement and regeneration. The Stage 1 Coombe Valley study identified 9 objectives – one of the key ones that specifically relates to this development proposal was to ‘create a better environment through improving the character and appearance of the urban environment’. We would be supportive from a policy perspective of re-using this important brownfield site and fully appreciating that the site was previously occupied by a series of redundant hospital buildings. In this respect, whilst I am happy to support the redevelopment of this brownfield site, I would suggest that this proposal would benefit from having an independent design review panel in order to ensure that we are meeting our Local Plan objectives of improving and transforming the perception and appearance of the Coombe Valley area through physical, economic and environmental changes (paragraph 3.93 of the LALP).

DDC Infrastructure Officer – no objection – subject to the following contributions –

- Open space – on-site locally equipped area of play (LEAP) and associated amenity area.
- Off-site sports facilities financial contribution – no response received – a verbal update will be presented to the meeting of planning committee in this regard.
- Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy – £6,021.59.

DDC Strategic Housing – no comment received. A verbal update will be presented to the meeting of planning committee in this regard.

KCC Highways – no objection subject to conditions and informative – comments as follows:

The site is allocated in the Local Plan and therefore the principle of residential development has been accepted. The Transport Assessment submitted indicates that approximately 70-84 two-way vehicle trips may be generated in the network peak hours. These figures are considered to be very robust and the actual trip generation may well be less bearing in mind the proximity of the site to the town centre, local amenities and bus services, together with the implementation of a Travel Plan.

Assessments have been carried out for the signal junctions at Coombe Valley Road/London Road/Cherry Tree Avenue; Cherry Tree Avenue/Buckland Avenue, Charlton Green and Bridge Street/High Street, together with the signals at the railway bridge in Coombe Valley Road. These assessments show that mitigation is required at the Cherry Tree Avenue/Buckland Avenue and Bridge Street/High Street junctions to accommodate the additional vehicle trips. This mitigation takes the form of altering and optimising the timing of the signals to accommodate the additional traffic, and is acceptable in highway terms. These alterations will be funded by the developer.

The majority of Coombe Valley Road allows for two-way traffic flow, however the length between the hospital service/delivery access and Randolph Road has three single-way working sections, due to the presence of on-street parking. Nevertheless there are regular waiting and passing opportunities within this stretch of road and the additional traffic from the development is unlikely to have a severe impact that would warrant a recommendation for refusal.

There will be a need for pedestrians to cross Coombe Valley Road in the vicinity of the site access and therefore dropped kerbs and tactile paving are proposed just to the east of the site access. There are existing single yellow line parking restrictions on the north side of Coombe Valley Road which will need to be changed to double yellow lines, to protect visibility for pedestrians crossing the road. These highway alterations will be funded by the developer.

The proposed site access is acceptable and provides adequate visibility. As the application is in outline form the amount of car parking would be dealt with through reserved matters.

The proposals include commitment to a Travel Plan which will include financial incentives for cycle purchase and travel on public transport.

Taking all of the above into account the proposals are unlikely to have a severe impact that would warrant a recommendation for refusal on highway grounds.

Highways England – no objection – comments as follows –

Summary

On the basis of the evidence available and our own analysis, Highways England can only conclude that the proposals will not result in a “severe” increase in queues and delays on the SRN (the test set out in C2/13 para 9) and under current national planning policy, we would not be able to sustain an objection to the proposals.

Therefore we do not offer any objections or requirements relating to the proposal, and enclose our HEPR form to this effect.

Stagecoach – no objection – notes the proposed travel plan and comments that this could include provision of the Stagecoach smart card.

DDC Environmental Health – no objection – subject to conditions for land contamination and construction management plan, including hours of working.

DDC Ecology – no objection – subject to provision of a bat-friendly external lighting scheme, which would be secured through condition. It would be expected that this would inform the detailed design of the final scheme should outline permission be granted. Informal comments provided by the White Cliffs Countryside Partnership [which manages the High Meadow local nature reserve (LNR) point towards the need for preventing residents from discarding of domestic waste within the LNR, typically this refers to garden clippings, but the same principle applies with residential units proposed in close proximity to the LNR, and local wildlife site (LWS).

Natural England – no objection – comments as follows – Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). However, our advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site’s conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017.

Kent Wildlife Trust – objects – comments as follows –
First comment.

I note that this development site is adjacent to Local Wildlife Site DO10 Whinless Down and Long Wood. The development should be assessed for potential negative impact on this site of County importance for wildlife, in particular the avoidance of adverse impact from increased recreational pressure and excessive lighting. This needs to be considered from early design stages in order to avoid “unofficial” access to the site and undue additional pressure on recreational facilities. It is particularly concerning that no reference appears to have been made in the application to this important local site, considering the proposal is of multiple storeys and high density.

The impact of excessive lighting on this protected site is likely to be high, particularly from the upper floors of such a tall building and its associated parking areas. This is likely to impact upon foraging bats, invertebrates and breeding birds on the boundary and in the surrounding areas. The application does not appear to be accompanied by either an ecological appraisal of the site itself or any protected species surveys- in particular I would expect particular consideration to be given to the potential impact upon bats currently using the site and its boundaries (I note the report on bats in the roof). This site is very constrained and as such there is no buffer provided to the south or west boundary in order to reduce likely impacts upon the Local Wildlife Site or provide any green infrastructure to link the development with its surroundings.

In addition to this, careful consideration will need to be given to the impact upon the coastal sites of conservation importance, in particular Thanet Coast and Sandwich Bay SPA. The application needs to comply with Dover District Council's Mitigation Strategy and consideration should be given to cumulative impact of this development in combination with others in the district.

Kent Wildlife Trust objects to this planning application. We look forward to commenting on future submitted documents, as requested above.

Second comment.

Thank you for the opportunity to comment on the Preliminary Ecological Appraisal (PEA) submitted in support of this planning application.

I welcome the preparation of the PEA. It begins to address the Trust's objections as set out in our letter dated 26 January 2018 and ranges over a series of appropriate considerations. However, its response to likely impacts is disappointingly generalised and superficial.

Whilst it recognises the value of landscape buffering along the south east boundary in mitigating harm to the adjacent Local Nature Reserve and Local Wildlife Site, it offers little expectation that this will be delivered. It's impossible to see how an external lighting strategy can prevent harm to wildlife interests (particularly foraging bats) on the LNR without an intervening landscaped buffer. This will require a radical review of the layout (if not the scale) of built development and of car parking/circulation space.

The PEA offers no evidence of the effectiveness of the proposed surfaced footpath into the Reserve. A much more ambitious management response to the extra recreational pressure arising from the development is required.

Finally, the PEA makes no assessment of the cumulative impact of this development in combination with other residential development in the District on the Thanet Coast and Sandwich Bay SPA.

In these circumstances, I am not yet persuaded that the development can be designed/mitigated to avoid harm to the Local Nature Reserve and Local Wildlife Site. I remain opposed to the grant of planning permission.

DDC Trees – no objection – subject to condition – comments as follows – The intention as stated in the Design and Access Statement submitted with the application is to retain those trees currently present within the development site as part of the new scheme. On this basis, it is imperative that suitable protection measures are implemented prior to any potentially damaging activity commencing. A Tree Protection Plan has been submitted as part of the Arboricultural Report which seeks to avoid damage to the trees through any necessary demolition works. The implementation of the measures shown in this plan along with those set out in the associated Arboricultural Method Statement must be secured through the use of a condition of planning consent if granted. Details of protective fencing to be used in conjunction with this plan must be submitted for approval prior to any works being undertaken.

In addition to the above, a further Arboricultural Method Statement that conforms with BS3857:2012 will need to be submitted for approval that sets out protection measures in relation to construction of the proposed development. This is to ensure that all trees intended for retention remain unharmed as part of the construction process.

Environment Agency – no objection – subject to conditions for land contamination, verification of any remediation works, restrictions on infiltration drainage, restrictions on foundation designs, and foul drainage strategy. Also informatives relating to foul drainage, piling, waste and remediation.

KCC SUDS – no objection – subject to conditions – comments as follows:

It is noted that the site lies within Groundwater Source Protection Zone (SPZ) 2, and is very close to SPZ1. The report notes there is a relatively limited unsaturated zone beneath the site, and up to 3m of Superficial Deposit. Notwithstanding this, infiltration is likely to be acceptable for clean roof water and may be acceptable for other impermeable areas providing infiltration is kept as shallow as possible and adequate pollution mitigation measures are included. Infiltration must occur within clean, uncontaminated natural ground.

Where infiltration is demonstrated to be unviable in parts of the site, the SuDS report notes a surface water sewer is located adjacent the site and discharge into the sewer may be acceptable. This may be permitted by the undertaker where it is demonstrated that the site previously connected to the surface water sewer. Discharge rates should be as possible to greenfield rates due to the known flood risks downstream.

At present there is little evidence that the recommendations of the SuDS strategy have been included into the site masterplanning, however it is recognised that the application is outline with all matters reserved. Should the development be granted outline planning consent, we would expect a detailed surface water drainage strategy to be presented for approval of reserved matters (to ensure that the site layout incorporates a suitable sustainable drainage scheme) followed by confirmation of the detailed design prior to commencement. These should include site specific ground investigations and testing.

At the detailed design stage, we would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the

requirements of our latest drainage and planning policy statement (June 2017); the FSR dataset should not be used.

KCC Infrastructure contributions – no objection – subject to the following contributions being met:

- Primary education – £137,115 – towards White Cliffs Primary School.
- Secondary education – £169,777 – towards Phase 1 Dover Christ Church.
- Community learning – £3,846 – towards relocation of Dover Adult Education Centre.
- Libraries – £11,799 – towards Dover Library enhancement and book stock.
- Social care - £8,772 – towards the new Dover Adult Social Care hub.
- Wheelchair adaptable homes – 2x – as part of on-site affordable homes delivery.
- Fibre optic broadband – informative for provision of next generation access broadband.

KCC Archaeology – no comment received.

South Kent Coast CCH (NHS) – no objection – subject to requested financial contribution of £113,100 towards the extension of Pencester Surgery.

Kent Fire Officer – comments as follows – Following examination of the plans the provision of an access roadway of 3.7m in width which allows an appliance to within 45m of all points within the dwelling must be provided.

In addition, turning facilities should be provided in any dead end access route that is more than 20m long. This can be by a hammerhead or turning circle in accordance with Table 8, B5 (ADB).

Southern Water – no objection – subject to condition and following comments – Southern Water has undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network.

This initial study indicates that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme.

Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

Southern Water hence requests the following condition to be applied:

“Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development”

It may be possible for some initial dwellings to connect pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required.

Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of works required (If any) and to design such works in the most economic manner to satisfy the needs of existing and future customers.

Our assessment of the timescales needed to deliver network reinforcement will consider an allowance for the following:

- Initial feasibility, detail modelling and preliminary estimates
- Flow monitoring (If required)
- Detail design, including land negotiations
- Construction

The overall time required depends on the complexity of any scheme needed to provide network reinforcement. Southern Water will seek however to limit the timescales to a maximum of 24 months from a firm commitment by the developer to commence construction on site and provided that Planning approval has been granted.

Affinity Water – no comment received.

EDF Energy – no comment received.

National Grid – no comment received.

Kent Police – comments – recommends that the applicant liaises with Kent Police to implement secured by design. Makes reference to the following aspects of the proposal:

- Perimeter
- Undercroft parking
- Ground level parking
- Siting of cycle and bin stores
- Access and movement including permeability
- Landscaping and setting
- Lighting
- Access between units and blocks
- Stairs and lifts including communal areas
- Doorsets and windows

Dover Town Council – objects – ‘Object. Committee does not alter its previously expressed views. The development is at risk of causing flooding (Environment Agency/Southern Water responses) and will increase on road parking restrictions in an area where there are parking pressures already due to KCC Highways’ requirement of double yellow lines.

Council believes that affordable housing in line with DDC policy must form part of the application. It does not accept that this would make the project financially unviable. The

outline application with its height and encroachment on views of the Local Nature Reserve for local residents does not deliver acceptable quality.’

Public comments – Support x 10, Object x 18

Support

- Site is currently in a bad condition.
- Area needs more houses.
- Existing local facilities are good.

Objections

- Too many extra residents for the area, density too high.
- Infrastructure is stretched.
- Concerns about attracting anti-social behavior.
- No affordable housing.
- Design is bland, looks Soviet/eastern block.
- Design should follow prevailing Victorian vernacular, would support houses.
- Negative impact on LNR and views towards it.
- Poor road access to area, too much traffic generated.
- Utilities concerns.
- Flooding on site.
- Hazardous materials from hospital needs remediation.

Neutral

- Has concerns about the development proposal but is more concerned about the current condition of the site.

f) **1. The site and the proposal**

1.1. The site

The site is located on the south eastern side of Coombe Valley Road in Dover. Coombe Valley is a dry valley, which runs south west to north east. The road runs along the valley bottom, meeting up with London Road at its north eastern end. Towards the north eastern end of the road, the Dover to London railway line crosses the road over a bridge, which restricts the width of the road to one lane – vehicles passing this restriction are controlled by traffic lights.

- 1.2. The character of the area is mixed. Along the core section of the road from the railway bridge, travelling south west, passing the site and on towards the roundabout junction with Barwick Road and Poulton Close, the south east side of the road the area is largely post-industrial with residential uses taking over from former concerns such as the Powell print works, and with features such as a gas holder awaiting decommissioning. On the north western side of the road, the area is largely residential with Victorian terraces and later semi-detached dwellings prevailing in a tight knit street pattern. This housing extends to both sides of Coombe Valley Road and meets the site adjacent on its south western boundary at Whinless Road.

- 1.3. Formerly occupying the site was the Buckland Hospital. This has now been demolished with a new hospital reprovided approximately 60 to 70 metres north east of the site. The site itself is now empty. A predominant feature of the site is that it is set on two distinct terraces – upper and a lower. Where the former hospital was fronted by a car park, situated adjacent to Coombe Valley Road, this car park has been retained for use by the new hospital, meaning that approximately two thirds of the site frontage is actually set back from the road behind this car park. The site is accessed at its south western end where the other third of the site frontage is directly adjacent to Coombe Valley Road.
- 1.4. Policy LA8 of the Land Allocations Local Plan (LALP) (2015) covers “Land in Coombe Valley” including this site. The policy is as follows:

Policy LA 8

Land in Coombe Valley

The sites identified on Figure 3.4 are allocated for residential development with a total estimated capacity of 450 dwellings. Planning permission will be permitted provided that:

- i. the mix of dwellings should include larger units, to reflect the SHMA, to promote family housing;
- ii. development seeks to maximise the use of available land, at a minimum of 40dph;
- iii. proposals comply with the Health and Safety Executive’s (HSE) requirements for development in proximity to gas holders;
- iv. If street lighting is required this should be designed to minimise the impact of light pollution and conserve the dark night skies of the AONB; and
- v. the development should provide a connection to the sewerage system at the nearest point of adequate capacity and ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.

- 1.5. Behind the site (south east, up the valley slope) is the High Meadow local nature reserve (LNR) and the Whinless Down and Long Wood local wildlife site (LWS).
- 1.6. Approximately 460 metres west of the site is the Kent Downs Area of Outstanding Natural Beauty (AONB).
- 1.7. Approximate site dimensions:
 - Depth – 110 metres (at site access), 70 metres (behind hospital car park).
 - Width – 180 metres.
- 1.8. Proposed development

The proposed development is outline in form with all matters reserved, although for practical purposes details of the proposed access have been agreed with Kent Highways. The development comprises the erection of up to 150 dwellings. The

indicative drawings show a site layout on the upper and lower terraces, comprising apartment blocks, and terraced dwellings facing onto the street adjacent either side of the site access.

1.9. The indicative proposed blocks would have undercroft parking accessed from a one way ring road around the site. Around and in between the roads and blocks of flats would be amenity open space.

1.10. The indicative breakdown of the proposed development is as follows:

Upper terrace:

- 4x 6 storey apartment block (ground floor parking)
 - 1x 1 bed apartment
 - 15x 2 bed apartment
 - 2x 3 bed apartment

- 1x 5 storey apartment block (ground floor parking)
 - 1x 1 bed apartment
 - 11x 2 bed apartment
 - 2x 3 bed apartment

Lower terrace:

- 1x 6 storey apartment block (ground floor parking)
 - 1x 1 bed apartment
 - 15x 2 bed apartment
 - 2x 3 bed apartment

- 2x 5 storey apartment block (ground floor parking)
 - 1x 1 bed apartment
 - 11x 2 bed apartment
 - 2x 3 bed apartment

- 1x 4 storey apartment block (ground floor parking)
 - 1x 1bed apartment
 - 7x 2 bed apartment
 - 2x 3 bed apartment

Road fronting:

- 2x 4 dwelling terrace
 - 4x 3 bed house

1.11. In total, the provision of units within the indicative layout is as follows:

- 1 bed – 9 units.
- 2 bed – 115 units.

- 3 bed – 26 units.

1.12. Plans will be on display.

2.. **Main issues**

2.1. The main issues to consider are:

- Principle of development
- Design and street scene
- Residential amenity
- Highways and traffic impact
- Ecology considerations
- Viability – affordable housing and planning obligations
- Other matters

3.. **Assessment**

3.1. Principle of development

The site is located within the Dover urban boundary, meaning that the proposed development is accepted in principle.

3.2. Further to the location of the site within the urban boundary, it is also identified as part of the wider Land in Coombe Valley residential allocation policy LA8. This policy seeks the regeneration of sites within Coombe Valley, with an estimated capacity of 450 dwellings across seven sites.

3.3. The expected capacity of 450 dwellings has not been reached. This would remain the case if an upper capacity of 150 dwellings proposed as part of this application were permitted. The land allocation policy does not set an absolute limit and subject to material considerations, it is reasonable to expect that the dwelling number may not be achieved, or alternately, may be exceeded. Such material considerations will include design, residential amenity, infrastructure, highways and any other policy consideration. These aspects of the proposal are considered below.

3.4. Notably, the proposed indicative mix of dwellings is balanced towards the provision of apartments, of which there are 115 two bed units (76%). The 26 three bed units represents 17% of the proposed number. While the wider picture of development might not represent the housing mix as identified in the SHMA, reasoning behind the development proposal is considered below and it should be noted that housing mix is only one factor in the evolution of the proposal.

3.5. Design and street scene

The proposed development is currently in outline form only, with all matters reserved. Therefore, in terms of appearance, scale and layout, were outline permission to be granted, the detailed consideration of these issues would be left until the reserved matters stage. That said, there needs to be some comfort that the proposal can be accommodated even if the detailed design is not actually being considered at this stage, this is particularly important where the proposal comprises

up to 150 dwellings.

- 3.6. The application as now reported has been through a number of iterations and public consultations. The originally submitted application comprised 188 dwellings, indicatively laid out in two apartment blocks, with terraced houses located adjacent to the site access. This design evolved to test whether an apartment block could be accommodated at the site access. Ultimately it was considered that in either formation, the proposal comprised too many dwellings.
- 3.7. The comments of the policy and projects manager are noted. During the negotiation process the opportunity to undertake a design review was available, however, given the outline nature of the proposal, where detailed design was not being considered, advice was instead sought from the council's in-house architect. The purpose of this aspect of the process was to understand if by reducing numbers the proposal, indicatively in this form, could be made acceptable.
- 3.8. The current iteration results from a reduction in numbers to 150 dwellings overall, and involves the reinstatement, albeit indicative, of the terraced dwellings facing onto the street adjacent to the site entrance.
- 3.9. Notwithstanding the above and the outline nature of the application, key influences on the design should normally derive from the wider context of the location in which it is proposed. For this location in Coombe Valley such influences would include the topography, the tight-knit terraced streets and/or the commercial enterprises that were once a strong aspect of the character along the southern side of the road. Influence could also be taken from the hospital buildings which once stood on this site, or from the newer additions such as the care home at the junction with Randolph Road, or indeed, the new Buckland Hospital. All the while, it should be borne in mind that Coombe Valley is a focus for local regeneration with transformative development a key aim of the local plan.
- 3.10. Given that this is an outline proposal with all matters reserved [for future approval], the focus of the submitted drawings is towards a consideration of scale and hierarchy within the street while also seeking to understand what might constitute an achievable layout. The indicative proposal, in seeking to accommodate larger numbers on site, perhaps inevitably leans in the direction of apartment blocks and in doing so eschews the tight knit and intimacy of development seen primarily on the opposite side of the valley. In doing so, the heights of the apartment blocks are increased beyond any of the existing smaller residential units that are a feature of the area.
- 3.11. The site section illustrates that the indicative proposed apartment blocks would exceed the height of the previous hospital buildings. In giving consideration to this, attention must be paid to how the buildings might fit into the street scene and if such variances in scale, relative to existing development, can be comfortably achieved. The buildings, particularly those on the upper terrace, would stand up in the site much more than any other development that can be found within the valley and their mass would be unmistakeable. However, in reducing the dwelling numbers, the applicants have been able to reduce this impact, such that the amended blocks

would nevertheless still be seen in the context of verdant valley slope to the south. This is considered necessary to aid accommodation of such a proposal.

- 3.12. In terms of how the buildings might appear within the street, the yellow brick facades of the old hospital buildings have provided a starting point, with the aim to illustrate the effect of a high quality, articulated and industrial aesthetic. The applicant has submitted drawings with this character to give an indication of what the proposal could ultimately look like, although for the consideration of this application, it is important to recognise that were permission granted, the submitted proposal at reserved matters stage could be something that bears no similarity in form or appearance to that currently presented. That said, it is considered important that any development, and particularly one that seeks to incorporate a large number of dwellings, should have a high quality finish.
- 3.13. The indicative site layout is undoubtedly driven by the need to accommodate parking for the 150 dwellings. Policy DM13 of the Core Strategy specifies parking at a rate of 1 space per unit for 1 and 2 bed apartments, 1 space per unit for 3 bed houses in edge of centre locations, and 0.2 spaces per unit for visitors. Spaces for 3 bed apartments are not specified, but for the purposes of assessment, are taken at 1 space per dwelling. Accordingly, this equates to a need for 150 residential parking spaces and 30 visitor spaces – 180 in total. Combined with topographical considerations i.e. the split level, the indicative layout does appear very road/highway engineer orientated, and necessitates an undercroft parking solution. Site cohesion, including how amenity green space has been incorporated, does come across as somewhat of an afterthought. However, as noted previously, layout is a reserved matter and with further detailed design consideration, which would be a necessity for any reserved matters application, the ultimate character of the development may be able to be improved.
- 3.14. In design terms, the proposed development is considered to be at the very limit of what can be reasonably be accommodated on the site. The constraints of the site, which have influenced these design illustrations are acknowledged and if increasing the number of dwellings is the necessary way to improve viability to a point that development can proceed, in an area acknowledged as being constrained by lower land values, then there are trade-offs that need to be made. It is hoped, however, and would be pursued vigorously at any reserved matters stage, that the illustrative design choices for this proposal could be revisited, particularly if land values increase.
- 3.15. Residential amenity
Given that the application is outline in form with all matters reserved, any assessment of the effect of the proposal on residential amenity must be undertaken in broad terms. In principle, the number of dwellings proposed – up to 150, means that the indicative drawings, at least in terms of form and scale, and to a slightly lesser degree layout, allow for assessment of where any issues relating to residential amenity might arise.
- 3.16. Any effects that could be determined based on the application submitted are likely to be related to overbearing or overshadowing effects. There is also the potential for

overlooking from the development, however, such matters could reasonably be expected to be addressed at a reserved matters stage, where detailed elevations, including window locations, and layouts would be submitted.

3.17. In terms of overshadowing, the relative locations of the blocks of flats and distances between them and existing neighbours, i.e. approximately 35 metres north and east of the dwellings in Whinless Road (the immediate neighbours) and approximately 50 to 60 metres from the dwellings to the north on the opposite side of Coombe Valley Road, means that any shadows that are cast are unlikely to result in undue harm to neighbours. This is particularly true where the illustrative iterations have resulted in the proposed 8 terraced dwellings adjacent to the site entrance.

3.18. The scale and bulk of the indicative buildings could result in undue harm to neighbouring residents, particularly those at Whinless Road. However, where the iterative process has resulted in the number of dwellings being reduced, this has allowed the nearest apartment block (on the upper terrace) to be moved away from the neighbours and be reduced in height, albeit still recognising that it is indicatively five storeys tall.

3.19. It is nevertheless considered that the applicants have adequately demonstrated that development could be accommodated which would preserve the amenity of neighbouring residents. This of course, would be addressed through matters of layout and scale in any reserved matters application, were outline permission to be granted.

3.20. Highways and traffic impact

A key concern about the proposal is the impact of 150 dwellings and their associated traffic movements. However, it should be recognised in considering this principle, that the site is part of a wider allocation in Coombe Valley for 450 dwellings, which would not be exceeded even if permission were granted.

3.21. Consequently, the highways officer has commented on this matter and raised no objection. The officer comments that the submitted transport assessment shows that in the network peak hours approximately 70-84 two way vehicle trips may be generated. Due to the proximity of the site to the town centre, however, the availability of local amenities, and public transport services, and the implementation of a travel plan, which would be secured through condition, the number of trips may actually be lower.

3.22. Assessments submitted with the planning application show that as a result of the development, mitigation is required at the Cherry Tree Avenue/Buckland Avenue and Bridge Street/High Street junctions to accommodate the additional trips. Such mitigation would include alteration and optimisation of the timing of traffic signals.

3.23. The highways officer notes that in the vicinity of the new Buckland Hospital, Coombe Valley Road does operate, in effect, single lane working, due to parked cars along one side. It is not considered, however, that as a result of the development this aspect of the road's functioning would be severely impacted to any degree that might warrant recommending refusal of the application.

- 3.24. The highways officer also notes that works will be required to allow pedestrians to cross Coombe Valley Road near to the site access. This would include dropped kerbs, tactile paving and the change of some single yellow line parking restrictions to double yellow lines, in order to protect pedestrian visibility.
- 3.25. In highways terms therefore, the proposed development is considered to be acceptable.
- 3.26. Ecology considerations
- 3.27. **The Conservation of Habitats and Species Regulations 2017, Regulation 63: Appropriate Assessment**
- 3.28. All impacts of the development have been considered and assessed. It is concluded that the only aspect of the development that causes uncertainty regarding the likely significant effects on a European Site is the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.
- 3.29. Detailed surveys at Sandwich Bay and Pegwell Bay were carried out in 2011, 2012 and 2018. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have an adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 3.30. Following consultation with Natural England, the identified pathway for such an adverse effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves.
- 3.31. The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites.
- 3.32. For proposed housing developments in excess of 14 dwellings (such as this application) the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy requires the applicant to contribute to the Strategy in accordance to a published schedule. This mitigation comprises several elements, including the monitoring of residential visitor number and behaviour to the Sandwich Bay, wardening and other mitigation (for example signage, leaflets and other education).
- 3.33. Having had regard to the proposed mitigation measures, it is considered that the proposal would not have an adverse effect on the integrity of the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites. The mitigation measures (which were agreed following receipt of ecological advice and in consultation with Natural England) will ensure that the harmful effects on the designated site, caused by recreational activities from existing and new residents, will be effectively managed.

- 3.34. **Local nature reserve and local wildlife site.** Located south of the site are the High Meadow local nature reserve (LNR), which extends along the crest of the landform down to the site and prevents coalescence between Coombe Valley and Tower Hamlets, and the local wildlife site (LWS) Whinless Down and Long Wood. These sites partially coincide with each other, and together form the southern boundary of the site.
- 3.35. Concerns have been raised by Kent Wildlife Trust in relation to the impact of the development in terms of recreational pressure, and the effect of light pollution on bats in the Whinless Down and Long Wood LWS. For the purposes of assessment, the LWS and LNR at this location are taken together.
- 3.36. The preliminary ecological report proposes a landscape buffer between the site and the LNR/LWS, and a bat-friendly external lighting strategy, with the intention of reducing light pollution and any associated impact that this might have on bats foraging in neighbouring trees. It is considered that the previous hospital buildings did set some precedent at this location for light disturbance, although the nature of the development proposal is such that potentially taller buildings, as illustrated, could increase that disturbance if not designed in a sensitive manner. The submitted preliminary ecology report proposes that bat bricks or tubes be incorporated into any new buildings.
- 3.37. The submitted ecology report recommends that a formalised path is proposed at design stage which would relieve the need for informal access points being made between the site and the LNR/LWS. Some concern has been raised by the Kent Wildlife Trust about the impact of such a connection being made, however, the White Cliffs Countryside Partnership – the organisation that maintains the LNR, has commented informally that the LNR is open access and is intended for residents to enjoy. Details of such a connection would be expected at the reserved matters stage.
- 3.38. There is some difficulty in making an absolute determination in this regard due to the outline nature of the proposal, with all matters reserved. It is possible that the effects of the detailed development may be less than are anticipated and that the form of development on the upper terrace is lower than might be expected, or that it is sited such that impacts are reduced. Additionally, with the detailed design of the proposal not yet evolved, it is reasonable to expect that were outline permission granted, when the reserved matters are submitted light pollution could be significantly reduced by design and use of materials.
- 3.39. It is considered that the ecological implications of the development are able to be mitigated through detailed design including where the proposed bat-friendly external lighting scheme would inform that design.
- 3.40. Viability – affordable housing and planning obligations
Policy DM5 of the Core Strategy requires that for developments comprising 15 or more dwellings, 30% of these dwellings should be affordable, subject to economic viability. For this proposal, that would require that 45 affordable dwellings are provided on site. However, the applicant has submitted a viability appraisal

alongside the application, which states that the viability of the scheme would be negatively affected by complying with policy DM5, such that the scheme would not be able to come forward.

3.41. Independent review of the submitted viability appraisal concurs with its findings. Since the independent review was undertaken, the scheme has been amended from 188 dwellings to 150 dwellings. Further discussion with the viability consultant confirms that the change in numbers would not affect the conclusions of the review, such that the proposal would now be able to support the provision of any affordable housing.

3.42. The review recommends that due to the nature of the proposal, i.e. prevailing market conditions, land values, and the potential for detailed design input at reserved matters stage to affect scheme viability, a further review should be conducted at reserved matters stage. The applicant has agreed to this recommendation, which would be secured as part of the legal agreement.

3.43. In the viability appraisal, which the applicants submitted alongside the proposal of 188 dwellings, a section 106 cost of £1,500 per dwelling, totalling £282,000, is assumed. This figure is presumed to be available for contributions toward infrastructure. However, taking the same rate for 150 dwellings equates to £225,000.

3.44. The following infrastructure requests have been made:

3.45. **Kent County Council** has requested the following contributions:

- Primary education – £137,115 – towards White Cliffs Primary School.
- Secondary education – £169,777 – towards Phase 1 Dover Christ Church.
- Community learning – £3,846 – towards relocation of Dover Adult Education Centre.
- Libraries – £11,799 – towards Dover Library enhancement and book stock.
- Social care - £8,772 – towards the new Dover Adult Social Care hub.
- Wheelchair adaptable homes – 2x – as part of on site affordable homes delivery.
- Fibre optic broadband – informative for provision of next generation access broadband.

3.46. Of these requests contributions towards book stock at Dover Library have already exceeded the statutory limit of five, and it is not clear that general enhancement is reasonably related to the proposed development. Therefore this part of the request will not be pursued. As noted, the viability review confirms that affordable housing cannot be delivered, therefore the wheelchair adaptable homes which would form part of those affordable dwellings, will also not be pursued.

3.47. The **South Kent Coast CCG** has requested the following contribution towards the extension of Pencester Surgery – £113,100. Comment is awaited from the infrastructure officer as to the validity of this request in respect of the CIL

regulations. This matter is being pursued and will be updated verbally at the meeting of planning committee.

- 3.48. **Open space.** An on-site locally equipped area of play (LEAP) is required, including an associated area of amenity green space. The infrastructure officer has previously indicated that an off-site payment towards sports facilities is required, but no details of this have been received. This matter is being pursued and will be updated verbally at the meeting of planning committee.
- 3.49. As addressed in the ecology section, the required contribution to the **Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy** is £6,021.59.
- 3.50. The total requested contributions are **£450,430.59**. Of these **£438,631.59** are being pursued. Of this figure **£113,100** (the CCG request) is subject to review for compliance with CIL (2010) regulations 122 and 123. Advice on this matter is awaited from the infrastructure officer. A verbal update regarding this will be given at the meeting of planning committee.
- 3.51. The applicants have indicated that they are content to follow this approach, and that this is subject to awaiting the comments of the infrastructure officer. As noted, the applicants also agree to a further viability review at reserved matters stage, should outline permission be granted.
- 3.52. Other matters
- 3.53. **AONB** – the site is located approximately 470 metres east of the Kent Downs AONB, which at that point coincides with the industrial estate at the western end of Coombe Valley Road. It is a further 380 metres to the open part of the AONB. In any case, when assessing the site on numerous visits no clear or uninterrupted views of the site were available from the AONB. It is not considered therefore that the proposal would cause any harm to the natural beauty of the AONB.
- 3.54. **Archaeology** – no comments were received from the archaeological officer. Notwithstanding, it is considered prudent to impose a condition on any future development that would require works to cease if archaeological remains are found and for a scheme of investigation to be submitted to the LPA for agreement at that point.
- 3.55. **Fire officer** – the fire officer has commented regarding the specifications of internal site roads for the purpose of appliances being able to manoeuvre within the site. It is considered, given that layout is a reserved matter, that this can be dealt with at the detailed design stage.
- 3.56. **Stagecoach** – comments provided by Stagecoach in reference to the proposed travel plan point to the use of the Stagecoach smart card with one week of bus rides pre-loaded. While this is potentially an option, it is considered that the travel plan should seek to encourage sustainable travel on a longer term basis, which might be better served through the use of exchangeable vouchers for items such as bicycles.

3.57. Sustainability and conclusion

Dover District Council, as the local planning authority (LPA), can demonstrate a five year supply of deliverable housing land. Nevertheless, it is considered good practice to assess the development in general sustainability terms. As defined in the NPPF, planning undertakes three roles in respect of sustainability – that is economic, social and environmental.

3.58. **Economic** – the proposed development would bring economic benefits to the Coombe Valley area through construction contracts in the short term, and in the longer term through an increase in residents. Discounting where residents may be moving within the area, 150 new dwellings represents new people, which potentially represents more resources supporting local shops, facilities and services. In economic terms, it is not considered that there are any disadvantages to this proposal.

3.59. **Social** – the proposed development cannot support the provision of any affordable housing, which represents a significant disadvantage, however, the applicant has submitted a viability appraisal that has been verified by independent experts. In terms of local facilities, as noted above, the potential for a significant increase of new people in the area does represent a benefit where these people would play a role in the local community and support those existing facilities. The former hospital buildings have been lost prior to this application, however, this loss was predicated on the provision of the new Buckland Hospital, and therefore no disadvantages are associated with this aspect of the proposal. It should also be noted that one of the key NPPF endeavours is to seek to increase the supply of new homes.

3.60. **Environmental** – the proposed development could result in a very prominent change to the street scene of Coombe Valley Road. However, it is fair to make broad comparisons between the buildings that once occupied the site, and which were of an institutional character, and the proposed apartment blocks which would bear some similarity. The site as it now stands is barren and empty, so its development has the potential to lift the character at this part of the valley, particularly as it would represent the provision of housing on previously developed land. Where the proposed development may impact on the environment enjoyed by neighbours, it is considered that the applicant has submitted sufficient information to satisfy the LPA that at the reserved matters stage these issues could be designed out.

3.61. In relation to the LWS to the rear (south) of the site, these are not a statutory designation as considered by the NPPF so it is difficult to attribute any significant weight to any potential impacts that the proposal might have on these. The local consultee has referenced paths from the development entering into the LWS but given that this is an outline proposal in any case, with all matters reserved, such considerations can be more usefully addressed at a detailed design stage.

3.62. Concluding generally on the proposal, the development would certainly be transformative at this part of the valley. Originally submitted information led to concerns that the proposal represented an overdevelopment of the site, particularly where a nine storey building stepping down across the rear of upper terrace had

been proposed. The applicant has worked within the constraints that the site presented and has worked with the LPA to try to address these matters while seeking to deliver a scheme that could be delivered in viability terms.

3.63. It must be remembered that the proposal is outline in form with all matters reserved, meaning that there will be further opportunity to improve the design and layout of the scheme at a later date.

3.64. While the LPA can demonstrate a five-year land supply, the local plan is nevertheless considered to be out of date, including in its references to the objectively assessed housing need. Paragraph 11 of the NPPF, regarding the presumption in favour of sustainable development, directs LPAs to grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered ultimately that it is not the case that the adverse impacts outweigh the benefits, as considered above, and accordingly the recommendation is to grant permission.

g) **Recommendation**

- I. Subject to a section 106 legal agreement, and conditions including the following, outline planning permission be GRANTED: (1) Drawings (2) Reserved matters – layout, scale, appearance, landscaping, access (3) Reserved matters time period for application (4) Reserved matters time period to commence (5) Accessible green space and equipped play space (6) Public realm management strategy (7) Highways – travel plan including exploration of Stagecoach smart card (8) Highways – visibility splays (9) Highways – parking and turning facilities, including provision for electric vehicle charging (10) Highways – cycle parking (11) Highways – completion of access prior to use of site commencing (12) Highways – completion of uncontrolled pedestrian crossing and associated highways alterations prior to use of site commencing (13) Highways – provision of measures to prevent discharge of surface water onto highway (14) Highways – bound surface first 5 metres from edge of highway (15) Highways – completion of alterations to traffic signals at Cherry Tree Avenue/Buckland Avenue, and Bridge Street/High Street junctions prior to use of site commencing (16) Sewerage – occupation of site phased in line with sewerage network reinforcement (17) Sewerage – foul drainage strategy (18) SUDS – detailed surface water drainage scheme (19) SUDS – operation and maintenance manual for proposed drainage scheme (20) SUDS – verification report for provision of scheme (21) SUDS – infiltration drainage only where agreed with LPA with reference to risk to controlled waters and ground stability (21) EH – land contamination and risk assessment (22) EH – remediation scheme, if necessary (23) EH – verification of remediation scheme, if necessary (24) EH – unidentified contamination (25) Foundation design – no piling unless consented by LPA (26) Trees – arboricultural method statement, including tree protection measures (27) Archaeology – cease works if remains found (28) Provision of recommended ecological enhancements (29) External lighting strategy, with regard to impact on ecology (bat-friendly) (30) Topographical details (31) Utility strategy (32) Marketing areas (33) Refuse bins (34) Construction management plan, noise remediation, vibration remediation, dust suppression, hours of working.

- 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

Darren Bridgett