

- a) **DOV/20/01236 – Erection of 3no. three and four storey motel buildings (90 bedrooms in total), 1no. two storey reception building, 2no. single storey buildings for welfare and storage, installation of solar panels to roof of motel and reception buildings and associated coach, lorry and car parking**

**Dover Marina Curve Phase 1A, Dover Harbour, Dover**

**DOV/20/01220 – Erection of mixed use development comprising swimming pool, restaurant, bar and mixed-use Class E (Commercial Business and Service)**

**Dover Marina Curve Phase 1B, Dover Harbour, Dover**

**Reason for report:** Deferred from the meeting of the Planning Committee on 22 April 2021.

b) **Summary of Recommendation**

Planning Permissions be Granted for both proposals.

c) **Planning Policy and Guidance**

Please refer to the report attached as an annex.

Although the relevant policy and guidance remains substantially the same as reported to Members at your April meeting, the references to the NPPF need to be updated as a result of the issuing of an amended NPPF in July 2021. This is set out below.

National Planning Policy Framework (NPPF) (July 2021)

Paragraphs 8, 11, 81, 87, 88, 90, 92, 93, 110, 111, 112, 124, 129, 130, 131, 174, 193, 194, 197, 199, 202 and 203.

d) **Relevant Planning History**

Please refer to the report attached as an annex.

e) **Consultee and Third-Party Responses**

Please refer to the report attached as an annex.

**DOV/20/01236 (Motel)**

Additional comments received since the previous report:

Dover TC – Support.

Port of Dover (DHB): Dover Harbour Board wishes to register its keen support for the commercial scheme (Planning Applications DOV/20/01236 & DOV/20/01220) being proposed by our developer partners Bride Hall and The Electric Motel Co. for the recently created 'marina curve' area of the waterfront.

The original shared vision for our £250 million Dover Western Docks Revival (DWDR) was always to enable the Port to diversify and expand its operations, whilst at the same time creating the right conditions for job creation, inward investment and regeneration of the local area.

The DWDR is the biggest single investment that the Port has ever undertaken, and we have already delivered and are successfully operating a brand-new cargo terminal. Next year we anticipate the transition to, and opening of, the new marina, around which we have delivered fresh and significant public realm – including the marina curve.

Our Development Partners recently presented the scheme now seeking planning permission to the Port & Community Forum, the important statutory body that exists for ensuring meaningful and regular consultation and dialogue between the Port and wide-ranging representatives from the local community. The scheme received strong support.

Indeed, the Forum has been an integral part of the Port's engagement on DWDR since the beginning. The vision for the Dover Western Docks Revival was first launched and consulted on specifically with the Port & Community Forum in February 2014, emphasising the importance we place on that forum and indeed the wider community on key development opportunities.

At the launch of the DWDR investment, there was much anticipation and excitement on the development prospects.

Such collective excitement and momentum continues to this day and the Port remains committed to delivery of the original vision. We are now so close to seeing a key regeneration element of that shared vision being realised. As we all look to move forward out of the damaging economic impacts of Covid, such a scheme would be a massive boost for Dover at this critical time of recovery.

Furthermore, as attested to by all the commentary around COP 26, the global climate summit that recently took place in Glasgow, we all need to move to a sustainable footing, one that looks to a different future – one that is clean.

The Port is committed to helping meet the ambitions of the UK's 'Clean Maritime Plan' as well as being a part of the wider contribution towards meeting the United Nations' Sustainable Development Goals.

DWDR has had sustainability built in from the start, achieving 'excellent' ratings for the development of its new cargo terminal, marina and waterfront. It is vital that we continue on this journey and the forward-looking scheme being proposed is designed to do just that.

The Electric Motel fits exactly into our green sustainable vision, as along with providing guests with an affordable luxury experience it limits the impact to the environment by minimising disturbance to the ground, material waste during construction (using modular methods of construction) and "offgrid" green energy in its future operations.

In addition, it provides a UK Hotel first as every guest will be able to park in their own private car space with individual EV charging points (further Visitor Fast Charging EV spaces are also located adjacent to the Reception/Café Bar).

The adjoining mixed-use space /commercial scheme while being similarly sustainable in its design ethos, helps compliment the Electric Motel & New Marina providing vibrancy and interest so visitors are attracted 24/7 both to the Dover Marina & waterfront and the attractions of Dover beyond.

Opportunity, sustainability, economic recovery and community benefit. These are the things that this scheme, set within the overall DWDR project, can help deliver.

The Port fully supports the proposed scheme, commends both planning applications for APPROVAL and looks forward to seeing the shared vision move a step closer to full realisation.

The Dover Society – (Initial response 1/11/2021): We continue to fully support the principle of hotel and retail development on this newly reclaimed land as has always been part of the Dover Western Docks Revival project and we welcome the beneficial impact that this would have for the town as a whole. But we also want to ensure that planning proposals will bring something of quality that reflect the historic and cultural context that it adjoins and does not debase the area so that its full potential for regeneration would not be realised.

We note that since the original application, improvements have been made to the hotel plans with the room sizes increased and the shipping container concept being replaced with a modular arrangement with timber cladding to the façade. This modern design, although an improvement on the original one, still fails to deliver the quality that is needed to attract visitors and is still out of place with the numerous listed buildings nearby and heritage assets that have been preserved. The hotel rooms lack the facilities required for anything other than a one night stay.

The landscaping referred to in the design and access statement consists of planters with marine grasses similar to those along the beach. Whilst this is undoubtedly of benefit to wildlife it can give the appearance of a neglected patch of weeds and should be supplemented with something more visually appealing including flowering plants and trees which are clearly shown in the visuals but not referred to elsewhere.

This application together with that for the mixed-use development (DOV/20/01220) were originally put forward together to be seen as an integrated whole but this is no longer the case despite the fact that much of the documentation still portrays and describes them as if they were part of a single scheme. This is most confusing and misleading. The two applications do indeed need to be considered together so that the overall effect is not seen as disjointed but this is no longer happening. This is to the detriment of the area as a whole.

We are disappointed with the lack of community engagement considering the scale and importance of this scheme. The applicant cites conversations with DDC and a presentation to the Port and Community Forum as satisfying the need but neither allow involvement and participation of the wider public. We also note that the landowner, Dover Harbour Board, has not given its support to the scheme which seems to suggest that they too have serious reservations about the scheme.

In view of the above we continue to OBJECT to this application.

(Further response 13/11/2021): The Dover Society has previously written in response to these two planning applications both when originally advertised and subsequently following amendments.

Notwithstanding our views of the suitability of these schemes, we are greatly concerned about the way they are being presented which is ambiguous, confusing and misleading.

Both of the applications contain the same Planning Statement and the same Visuals which clearly indicates that the two schemes are being proposed as a single integrated whole. In the revised plans for the motel the same Planning Statement is still included together with further Visuals which also clearly illustrate the appearance of both schemes as if they are still to be considered together despite the alterations to one but not the other.

With hotel plans having been significantly revised it might easily be assumed by those not very familiar with Planning that the other scheme has also been altered but this is not the case. It is difficult for the public to make properly informed comment when such confusion exists.

I urge you therefore to have these two applications withdrawn and resubmitted (the application fee could be waived) either

- As two entirely separate and fresh applications with completely separate supporting documents so that the one scheme is not confused with the other
- Or as one single fresh application showing the two parts as an integrated whole.

The current state of affairs is extremely misleading for both the public and possibly the District Planning Committee and there is a very real danger that views will be expressed and decisions will be made on the basis of misunderstanding.

Private representations – Two further letters received, both raising objections.

One vehemently objects, describing the proposal as an ill-conceived and unedifying monstrosity that squanders a site of importance for Dover and its future prosperity. The site needs world-class architecture to complement its setting and Dover should “aim high” and leave something on this site to be proud of.

The other letter raises a number of detailed points including:

- Whilst it is pleasing to see revised plans for the hotel application (20/01236), there is a requirement for design changes to the mixed use application (20/01220) as both applications should be integrated and have a common synergy;
- There has been very limited consultation. A public exhibition or meeting should be held as has happened for previous DWDR proposals. The Port Community Forum does not represent the whole community and extended consultation with constituent bodies was not facilitated;
- Whilst it is recognised that the objective of have a quality hotel here would benefit the town, the design aspect has always been controversial;
- The “green” issues addressed by the application are applauded;
- The construction is still akin to converted containers or portacabins and any planning permission should only have a limited life;
- The proposed timber cladding is a considerable improvement;
- Landscaping plans are absent/inadequate;
- The penthouse addition is overpowering;
- To alleviate concerns over potential use as temporary accommodation, a condition should be imposed preventing residential occupation;
- The jobs provided will not be “high quality”.

(This is a lengthy and detailed letter and Members are invited to read the full text on the website.)

### **DOV/20/01220 (Mixed use commercial and leisure development)**

Additional comments received since the previous report; whilst no formal re-consultation has been undertaken (as this application has not received revised plans), some of the comments noted above in relation to the hotel application also allude to this application, and the following comments have been received specifically in relation to this application:

The Dover Society: When originally advertised, the two applications for both the hotel and the mixed use development were described as part of the same overall project, were of similar designs and were clearly to be treated as an integrated whole. Considerable improvements have now been made to the hotel design but none to this design. We are greatly concerned that the two applications have now become separated with the applicant clearly expecting them to be considered separately and stating that this particular application does not need to be re-advertised leading us to conclude that the hope is for it slip through unnoticed on the back of the improved hotel design.

We continue to regard the use of shipping containers as entirely inappropriate particularly as this part of the development is closest to the heritage assets in the clocktower square and along the waterfront. The proposal would debase the area so that its full potential for regeneration would not be realised. The site requires something of quality that better reflects the historic and cultural context that it adjoins.

The hotel design has been improved considerably and we expect this mixed development to be amended in similar manner using timber clad modular units with landscaping so that there is cohesion between the two parts of the development. Failure to do so would make this particular part stand out as poor quality and incongruous in such an important part of the town.

In view of the above we continue to strongly OBJECT to this application.

Private representations – One further member of the public wrote in support of both schemes (received just prior to the April Committee meeting and reported orally then), as offering something positive for Dover, especially the swimming pool which will provide a facility to keep young people occupied.

An additional letter of support has also been received.

Three further objections received raising the following issues:

- The timber cladding proposed for the hotel should also be applied to the buildings in this application;
- Heritage assets should not be removed from the Clock Tower Square to enable this development. An aesthetic public realm has been created using listed assets from the former Prince of Wales Pier. Any alteration the Clock Tower Square should be subject to a separate application for the removal of heritage assets. This problem could be addressed by moving the “mixed use” buildings closer to the hotel to avoid the need for disturbance;
- Lack of landscaping and maintenance proposals;

- No objection in principle to the leisure facilities being provided, but objection is raised on the grounds set out;
- The proposal is totally unsuitable for this location in the context of attractive period properties and does not reflect the original conception of the scheme;
- Although this is described as a temporary structure, doubt is expressed as to when or whether it will be replaced with the more permanent ones previously promised;
- The correspondent who vehemently objects to 20/01236 also objects to this application in similar terms.

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

- 1.1 For a description of the general background to these proposals, and the context of the site itself, Members are asked to refer to the report attached as an annex.
- 1.2 Since that report was written, and subsequent to Member's previous debate, there have been significant amendments to the motel scheme (DOV/20/01236), which are described below. The site context has also changed somewhat (particularly with regard to the mixed-use development (DOV/20/01220)), in that the Clock Tower Square refurbishment works that were underway earlier in the year have now been completed.
- 1.3 The amendments that have been made to the hotel scheme may be summarised as follows:
- The number of accommodation blocks has been reduced from five to three, and the middle of the three blocks now has an additional fourth storey. Overall room numbers remain the same at 90.
  - The accommodation blocks are no longer made from shipping containers, but are of a modular construction.
  - The new external materials are now in the main, timber cladding & screens (taking the lead from the new nearby buildings), and some Corten steel. The east, south and west elevations would have hit-and-miss timber cladding, whilst the north elevation would have a painted black finish with vertical sections of timber screening. The penthouse elevations will be steel clad. The ground floor elevations of the Reception building will be timber clad.
  - The room sizes have been increased to 14.4m<sup>2</sup> and (in the applicant's words) have sufficient space to incorporate all travellers' requirements including hanging space/luggage storage. The applicants say it will be an affordable luxury hotel offering (3-4\*). The two penthouse suites will be approximately 47m<sup>2</sup>.
  - The applicants explain that the new design allows for room access from the rear stairs/walkways (safer/secure by design and easier for the guest) and the front marina elevations now give all the rooms a picture harbour facing window and are broken up with timber panels/screens. Openable windows are provided to the front (and rear) to allow for natural cross ventilation.
  - 100 guest parking spaces are provided, plus 12 public fast-charging EV points.

Photovoltaic panels are proposed for the roofs of the accommodation blocks. The design and finish of the single storey staff welfare block remain unchanged.

- 1.4 The mixed use development proposed in application DOV/20/01220 has not been amended and remains as described in paragraphs 1.3 and 1.4 of the appended report.
- 1.5 In terms of the works that have been carried out to the Clock Tower Square, in addition to refurbishment of the buildings themselves this includes laying new pavements and granite setts to rejuvenate the floorscape, and the re-introduction of some historic features that had previously been removed from the site. In terms of floorscape, there is a circular arc in contrasting colours that, in a sense, defines the area immediately around the Clock Tower and adjacent buildings. Outside that arc, and significantly for consideration of the current proposals, granite setts have been laid to replicate the alignment of the former pier, and historic lamp columns and lanterns have been erected to form a colonnade. There is also a (modern) refreshment kiosk and café building.

## **2. Main Issues**

- 2.1 These applications were initially reported to Planning Committee on 22 April 2021. At that time, Members expressed a number of concerns including disappointment over the design and appearance of the motel, the smallness of the rooms, and the apparent lack of public consultation on the scheme overall. The applications were deferred in order to allow for amendments to the design and additional public consultation.
- 2.2 The main issues remain essentially the same, namely:
- The principle of developing this site for the proposed uses, including application of the Sequential Test;
  - Design and visual Impact;
  - Heritage issues;
  - Parking and highways considerations;
  - Economic impact.

In the context of considering these issues it is also appropriate to consider the extent to which Member's previous concerns have been overcome.

### **Assessment**

#### **Principle**

- 2.3 This is discussed in detail in the appended report. There have been no substantial changes to the considerations set out there.

#### **Design and visual impact (including response to the issues raised at April Planning Committee)**

- 2.4 The NPPF places a strong emphasis on the need to achieve good design. Paragraph 126 says that 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. Paragraph 130 says that developments should add to the overall quality of the area, not just for the short term but over the lifetime of the development, that they should be visually attractive as a result of good architecture, are sympathetic to local character and history (whilst not preventing appropriate innovation or

change), and establish or maintain a strong sense of place, using (amongst other things) building types and materials to create attractive, welcoming and distinctive places to live, work and visit. Most of the relevant considerations for these applications were set out in the previous report (appended); please see, in particular, paragraphs 2.12 to 2.16.

- 2.5 In response to Members' concerns, significant amendments have been introduced, in particular to the construction, design and appearance of the motel accommodation blocks. The reduction in the number of accommodation blocks from five to three does not undermine the fundamental concept of providing a substantial development that takes advantage of views over the marina and beyond, towards the Castle. The inclusion of the penthouse suites atop the central building provides an element of visual interest and focus, as well as providing symmetry to the development overall. The abandonment of the use of shipping containers for this element of the scheme has allowed more flexibility in the design of the individual rooms and how they are arranged; room sizes have increased and the access arrangements to and within each block have been made more customer friendly. Although the buildings remain of modular construction, with units manufactured elsewhere most likely being assembled on site, this is a common approach to the construction of buildings of this nature and, in principle, does not detract from the overall design concept.
- 2.7 The introduction of timber cladding to the majority of elevations is a significant alteration that not only brings a deeper respect for the context of the proposed buildings, but also provides a real uplift in the design quality and the overall "feel" of the development. Similar timber finishes have been used successfully on a number of recent nearby buildings (to the extent that this has almost become a "theme" for development hereabouts) and insofar as it is possible to identify a design context for this site (as mentioned in the previous report), what is now proposed will introduce a degree of coherence that was perhaps missing from the original proposals.
- 2.8 Taken overall, I believe the changes that have been introduced to this element of the scheme constitute a positive response to the concerns expressed previously.
- 2.9 There has been some criticism of the fact that similar changes have not been introduced to the mixed used development in application DOV/20/01220. Notwithstanding the applicant's apparent perception that changes were not required to this element of the scheme, there is a case for saying that the two proposals, although complementary, are aimed at fulfilling different functions and operating in different ways. The previous report discussed the ways in which the use of colour has been seen to add vibrancy, vitality, and a sense of place to developments elsewhere that cater for the range of leisure uses that this scheme will accommodate, and those considerations remain relevant. It is therefore not inappropriate that a different design ethos be applied to the two distinct elements of the broader development, as reflected in the separate applications.

#### Heritage issues

- 2.10 These issues are discussed in detail in the appended report (paragraphs 2.19 to 2.23) and remain relevant. In the meantime, however, the refurbishment works to Clock Tower Square have been completed and this now enables a clearer understanding of the relationship that will exist.
- 2.11 DHB has explained why it was felt appropriate to carry out the proposed Clock Tower Square works in their entirety, notwithstanding these pending planning

applications as follows: *“As our contractor was already on site, albeit having shut down for a period due to covid, the additional cost and delay associated with stopping an element of the works, changing the design (including the electrical layout), getting DDC’s approval etc. was unacceptable – especially as the hotel development was far from certain at that time and we would have been left with a seemingly unfinished public area. DHB therefore took the decision to complete the works as planned on the understanding that elements would ultimately have to be changed when the commercial development finally happened”.*

- 2.12 However unfortunate it might appear that some of this recent work would need to be removed, if the works proposed in application DOV/20/01220 were to be implemented, the extent of any direct impact is relatively limited, being confined to the removal of those elements outside the circular arc referred to in paragraph 1.5 above. This would include a section of granite setts, approximately four lighting standards with their lanterns, and a similar number of bollards. The formal position relating to these works is that LBC was grated in 2015 for works to the listed pier, including removal of furniture (lampposts, etc) and a condition as part of that approval (condition 4) required further approval for details of where the “furniture” was to be reinstated. Subsequently, those details were approved, most recently under application CON/15/00627/G. As these works were undertaken pursuant to a listed building consent (as opposed to a planning permission), at some stage there will be a need for a further approval pursuant to condition 4 to account for any further changes. Ideally, it would be beneficial if at least some of these items could be incorporated into the scheme now under consideration, so that they remain close to their original setting. So far as the current planning application is concerned, this could be covered by a planning condition.

#### Parking and highways

- 2.13 These issues are discussed in detail in the appended report and there is nothing to add.

#### Economic impact

- 2.14 This is discussed in the appended report.

### **3 Conclusion and sustainability**

- 3.1 These two applications provide an opportunity to accommodate welcome investment to bolster the visitor economy. The hotel will provide further opportunities to encourage otherwise transient visitors to stay longer, an objective long recognised as a key element in promoting the tourism sector in the town and the wider district. These sites are in a highly sustainable location and the development takes appropriate advantage of the setting and ambience provided by the new marina. Significant changes to the design and appearance of the motel buildings have been introduced in response to Members’ earlier concerns. These changes, and the overall development concept, have been the subject of additional local consultation through the Port and Community Forum. The design employed in the mixed use development application is innovative and colourful and will provide a suitably upbeat context for the proposed uses. It successfully balances this with appropriate respect for the historic elements of its setting.
- 3.2 In terms of the three strands of sustainable development identified in NPPF paragraph 8, the schemes together supports economic growth, building on local strengths, achieves the social objective of providing services to support a strong, vibrant and healthy community and support the environmental objectives of making

effective use of land and making an appropriate contribution to the built environment. In terms of the overarching test in NPPF paragraph 11(d), there are no adverse impacts of the proposed developments that would significantly and demonstrably outweigh the clear benefits and, on that basis, planning permissions should be granted.

**g) Recommendations**

I. **DOV/20/01236 – GRANT PLANNING PERMISSION** subject to conditions to cover the following matters:

1. Standard commencement condition
2. List of approved plans
3. Submission of hard and soft landscaping scheme including details of floorscape/ground surface treatments
4. Provision of car parking as shown on plans
5. Submission of details of access from the public highway (as required by Kent Highways)
6. Submission of details of cycle parking
7. Submission of details of refuse bin storage
8. Submission of a detailed scheme for the disposal of surface water drainage, including SUDS (pre-commencement condition)
9. Submission of a detailed scheme for the disposal of foul sewage (pre-commencement condition)
10. Submission of, and adherence to, site-specific Construction Management Plan (pre-commencement condition)
11. Provision of electric vehicle charging points

II. **DOV/20/01220 – GRANT PLANNING PERMISSION** subject to conditions to cover the following matters:

1. Standard commencement condition
2. List of approved plans
3. Submission of hard and soft landscaping scheme including details of floorscape/ground surface treatments
4. Provision of car parking as shown on plans
5. Submission of details of access from the public highway (as required by Kent Highways)
6. Submission of details of cycle parking

7. Submission of details of refuse bin storage
  8. Submission of a detailed scheme for the disposal of surface water drainage, including SUDS (pre-commencement condition)
  9. Submission of a detailed scheme for the disposal of foul sewage (pre-commencement condition)
  10. Submission of, and adherence to, site-specific Construction Management Plan (pre-commencement condition)
  11. Provision of electric vehicle charging points
  12. Submission of details of canopy for parking area
  13. Submission of details of PV panels
  14. Submission of details of replacements locations for those elements of the completed Clock Tower Square works that need to be removed.
- III. Powers to be delegated to the Head of Planning, Regeneration and Development to settle any necessary planning conditions, in line with the issues set out in the report and as resolved by Planning Committee and to draft and issue a Statement of Reasons.

Case Officer

Neil Hewett