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Application No: Y12/0980/SH

Location of Site: Royal Victoria Hospital, Radnor Park Avenue, Folkestone CT19 5BN

Development: Hybrid application comprising a full planning application for the change of use, conversion and part demolition of the main former Royal Victoria Hospital building to provide 18 residential units and associated parking, together with an outline application for the redevelopment of the remaining parts of the site, including demolition of outbuildings to provide up to 26 houses and associated car parking with all matters reserved for future consideration.

Applicant: RVH Folkestone Ltd.

Agent: Mr. P. Carnell, Strutt and Parker

Officer Contact: Robert Allan robert.allan@folkestone-hythe.gov.uk

SUMMARY

The report considers a hybrid planning permission (part detailed, part outline with all matters reserved for future consideration) for the change of use, conversion and part demolition of the former Royal Victoria Hospital building that fronts onto Radnor Park, to provide 18 residential units together with associated off-street parking, alongside outline consent for up to 26 dwellings and associated car parking on the remaining part of the site, following demolition of the outbuildings, with all matters reserved for future consideration. The report finds that the principle of development at this location is sound and aligns with the emerging site allocation in the Places and Policies Local Plan, with issues pertaining to design and layout, residential amenity, ecology and biodiversity, contamination, drainage, archaeology and highway safety all considered to be acceptable. Further, and in light of the submitted Financial Viability Assessment, the findings of which have been independently verified, the off-site commuted sum in respect of affordable housing, with no contribution toward play and open space or KCC contributions, is considered reasonable and acceptable in this instance and it is recommended that planning permission is granted.

RECOMMENDATION:

That planning permission be granted subject to the conditions set out at the end of the report and the applicant entering into a S106 legal agreement securing £195,000 as a commuted sum toward off-site affordable housing and £5,000 toward the provision of a shelter at the Radnor Park bus stop and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and the legal agreement and add any other conditions that he considers necessary.

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1. INTRODUCTION

- 1.1. The application is reported to Committee because of the views of Folkestone Town Council.

2. SITE AND SURROUNDINGS

- 2.1. The application site is located to the north of Radnor Park Avenue, from which it is also accessed from, and includes buildings and land that were formerly the original Royal Victoria Hospital. All the buildings within the site are vacant following the transfer of services to the Royal Victoria Community Hospital, located immediately to the west of the application site.
- 2.2. The site includes the main Victorian hospital building at the front of the site, which has been subject to significant extensions to the side and rear. Within the remainder of the site were an array of outbuildings, including a former hall, chapel and mortuary, although most have now been demolished (Y19/0424/FH - application for prior notification of the proposed demolition of former Royal Victoria Hospital outbuildings, together with the demolition of side and rear extensions to main Royal Victoria Hospital building under Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 11, Class B).
- 2.3. To the eastern, northern and western boundaries are trees and groups of trees covered by TPO No.10 of 2008. There are residential properties to the east of the site entrance fronting Radnor Park Avenue, to the east of the site fronting Radnor Park Road and within Radnor Park Gardens. The latter is a residential cul-de-sac that abuts the eastern boundary of the site. These properties are predominantly three storey, semi-detached, Edwardian/Victorian dwellings of red brick construction, with pitched, tiled roofs and period detailing. The properties in Radnor Park Gardens are located at a significantly lower level than the application site.
- 2.4. To the south of the site is Radnor Park and to the west, beyond the Royal Victoria Community Hospital site, is the Radnor Park boating pond. To the north of the site is the Pent Stream, which is outside of the application site boundary.
- 2.5. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1 The application is a hybrid planning application comprising a full planning application for the change of use, conversion and part demolition of the main former Royal Victoria Hospital building to provide 18 residential units (15 two-bed and 3 one-bed) and 18 associated car-parking spaces, together with an outline application for the redevelopment of the remaining parts of the site, following the demolition of the outbuildings, to provide up to 26 houses and associated car parking, with all matters (appearance, landscaping, layout, scale, access) reserved for future consideration.
- 3.2 For the detailed full element of the application, it is intended to retain the original Royal Victoria Hospital building, but remove the later additions, with internal re-organisation to provide the proposed level of residential accommodation, alongside the installation

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of a lift to all floors. To the front of the building, 18 car parking spaces would be provided to serve the units. To the rear, a communal landscaped area is proposed, together with a combined bin and bike store. Vehicular access would be from Radnor Park Avenue, utilising the existing entrance. Pedestrian access to the building would be via the existing access on the front elevation and a new access to the rear, which would provide level access.

- 3.3 The outline part of the application seeks permission for up to 26 units, with the areas to the east and north cleared of all structures and additions. This has taken place to some extent already, under demolition notice Y19/0424/FH through the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 11, Class B. An indicative layout and dwelling mix for this part of the site has been provided, but these are indicative only and are not for consideration under this application.
- 3.4 The following reports were submitted by the applicant in support of the proposals:

Design and Access Statement

The Design and Access Statement, as updated, sets out the principles behind the proposal and describes the existing site and its context, public consultation that took place on the scheme when submitted, and gives detail on the use, amount, layout, scale, landscaping, appearance and access of the detailed development, as well as including indicative layout, scale and access for the outline aspect of the scheme. An Addendum to the Design and Access Statement has also been submitted that clarifies several points on access, pre-application advice received, public consultation and the indicative information provided.

Planning Statement and Addendum

- 3.5 The Planning Statement describes the site, the application proposal, the pre-application discussions that were held, sets out the policy context for the proposal at local and national level, as well as the applicant's analysis of the proposal within this policy context. Again, there is a more recent Addendum to this document, updating the relevant policies to take account of changes to both local and national policy since 2012.

Desk Study and Ground Investigation Report

- 3.6 This report was carried out to assess the ground conditions at the site to provide initial geotechnical design recommendations and to carry out a risk assessment of potential chemical contaminants to establish the suitability of the site for the proposed use. The report contains the findings from a desk study (covering current and former land uses, geology hydrogeology, hydrology and geo-environmental data) and intrusive ground investigation (including boreholes, gas and water monitoring, chemical testing and geotechnical testing), with the findings of these presented alongside the risk assessment and recommendations for the development.
- 3.7 The following conclusions and recommendations are made in respect of geo-technical matters:

- The site is not at risk from flooding;

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- In consideration of site preparation, earthworks and landscaping, there may be an increased incidence of bricks and general building rubble; no construction is recommended within 4 metres of the eastern site boundary; deep excavations should be shored up; excavations may need dewatering in the northern section of the site; sandstone may be encountered; unknown thicknesses of concrete may be found;
- The ground conditions dictate that a combination of shallow trenchfill foundations and piled foundations will be appropriate, with the need for piling dependent upon the height of the proposed development;
- Suspended floor slabs are recommended due to the plasticity of the soil;
- Soakaways are technically possible in the main portion of the site but their use should be assessed upon production of final designs. Due to high groundwater levels, they are not recommended for the north of the site;
- Recommendations for any buried concrete are made based upon the environment found at the site;
- Slope stability works are recommended should development be proposed in close proximity to the slope on the northern boundary or the retaining wall on the eastern boundary.

3.8 The following conclusions and recommendations are made in respect of geo-environmental matters:

- In respect of human health, no pervasive contamination is present on site, although additional works are identified for two areas. Provision should be made for a 600mm cover system;
- For controlled waters, higher levels of some substances were found, recommending further discussion with the Environment Agency;
- There are no chemical concerns with regard to plant life;
- For water pipelines, where concentrations of substances within the soil exceed trigger values set out within guidelines, special consideration of material selection or pipeline construction will be required;
- In respect of ground gases, no radon protection is required and no special precautions are required in respect of landfill gases;
- For waste management, site-specific advice should be sought from the Environment Agency;
- A preferred remedial strategy will be required for the site incorporating additional works around identified areas, with risk control measures to remediate the site based around removal of the identified hotspot with imported clean cover to 600mm;
- Additional work is recommended in the vicinity of identified risk areas following demolition.

Surface Water Drainage Strategy

3.9 This report was commissioned to organise a CCTV survey and sewer tracing exercise on the existing underground site drainage in order to report on the possibility of utilising existing drainage where possible, as well as make initial proposals for the new underground drainage arrangement.

3.10 For foul drainage, there is an existing connection to a Southern Water combined sewer in Radnor Park Avenue which, subject to confirmation of discharge rates being no greater than before, would be adequate to serve the conversion of the retained

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former hospital building (the detailed element of the scheme) and could be connected by gravity. For the remainder of the site (the outline element) a sewer exits the northern part of the site and connects to an existing Southern Water network sewer running east to west along Parkfield Road. Again, Southern Water would need to be consulted, but the assessment is that there would be an overall reduction in foul water drainage to the system and capacity is not expected to be an issue.

- 3.11 The report identifies a public sewer from the rear of No. 8 Radnor Park Avenue, which may need either a build-over application or diversion, in consultation with Southern Water.
- 3.12 For surface water drainage across the outline element of the site, the report agrees with the finding of the Desk Study and Ground Investigation Report and finds that roofs should be drained to soakaways serving one or two individual properties, with water from permeable hardstanding area soaking away in the upper strata and utilising storage available within the porous sub-base and capping material, or if non-permeable, having gullies connecting to soakaways beneath these areas, or collecting via swales and soakaways. To reduce the risk of contaminants and silt entering soakaways, all water would pass through maintainable catch pits. Soakaways would provide sufficient storage for 1 in 100 year plus 40% storm event, allowing for climate change, and that they would half empty within 24hrs of the critical storm.
- 3.13 For the detailed element covering the conversion of the former hospital building, the existing arrangement with surface water from roofs and hardstanding draining to the foul water system (a combined system) is proposed to, where possible/practical, retain and dispose of as much surface water on-site via SUDS (Sustainable Urban Drainage System) features.

Preliminary Ecological Appraisal

- 3.14 The report was based upon a desk study of the site and an extended phase 1 habitat survey, finding that the site is within 2km of the Folkestone to Etchinghill Escarpment (SAC and SSSI), Folkestone Warren (SSSI), three local nature reserves and one local wildlife site. Four priority habitat types occur within 1.6km of the site, 54 protected species/priority species records and 13 species of conservation concern were located within 1km of the development site. See Figure 1.
- 3.15 The site itself was found to contain a mosaic of scattered scrub, scattered broadleaf trees and tall ruderal vegetation; dense scrub; mosaic of scattered scrub and poor semi-improved grassland; mosaic of scattered scrub and tall ruderal vegetation; mosaic of tall ruderal vegetation and hardstanding; amenity grassland; introduced shrub; fence; buildings; bare ground; and hard standing as shown in Figure 2.
- 3.16 The site was found to contain suitable habitat for protected species including breeding birds and bats. The recommendations made include:
 - Herras fencing and dust sheeting during construction to limit dust impact upon surrounding woodland;
 - Tree planting to be implemented in accordance with BS8545:2014 *Trees: from nursery to independence in the landscape – recommendations*;

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- Retention or re-creation of as much dense scrub, scattered scrub and tall ruderal vegetation, and scattered scrub and poor semi-improved grasslands habitats as possible;
- Site clearance outside of the breeding bird season or under ecological supervision;
- Pre-construction walkover by an ecologist to check legislation compliance;
- Clearance of scrubby habitats undertaken under an ecological watching brief between April to mid-October;
- All open trenches and holes either covered or altered to allow fallen animals to escape;
- Creation of dense hedgerows to allow for mammal movement;
- Preliminary Roost Assessments are undertaken of the buildings and trees on site prior to the start of any works, with the requirement for additional surveys assessed from this.

Phase 1 and Phase 2 Bat Surveys

- 3.17 This was a daytime bat survey conducted on 14th February 2019, updating two previous surveys in 2007 and 2012, which found serotine bat droppings in the roof voids of the main hospital building, the annex to the main building and Wakefield Hall, with no bats seen emerging from buildings, but a single common pipistrelle bat was seen returning to roost on the gable wall of the annex in a dawn survey (2007 survey). In the 2012 survey, pipistrelles were very active over the site, with a small number of serotine passes recorded.
- 3.18 For this most recent 2019 survey, no bats were seen and no fresh droppings recorded in the roof voids. It notes that there is a possibility of bats roosting in soffits or roofs of former roost buildings and recommends that a Phase 2 bat survey is conducted. If that survey confirms bat roosting, a Natural England Bat Mitigation Licence would be required prior to any building works, with detailed mitigation and compensation or enhancement measures agreed to ensure bats can roost on the site in the future. Provisional advice is for roosting features appropriate to serotines to be retained in the roof space of the main hospital building and for roosting provisions for crevice-dwelling bats, such as pipistrelles, to be incorporated into the walls of new buildings on the site.
- 3.19 The phase 2 bat survey was carried out on the evening of 18th April and just before dawn on 19th April 2019, with no bats seen emerging from buildings at dusk, but several species foraging around the site, concentrated around the north of the site where it borders the tree-lined stream. Some bat activity was recorded around dawn, but no bats were seen entering the buildings.
- 3.20 The conclusion drawn within the Phase 2 survey is that the results indicate that bats are not roosting on the site at the present time, although they are very active along the northern boundary and individuals may roost, opportunistically, on the site. A Natural England Bat Mitigation Licence should not be required unless bats move into a building prior to works. Consequently, a detailed method statement for bats should be agreed to allow demolition and building works to take place. The provisional advice included in the Phase 1 survey remains appropriate.

Transport Statement

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3.21 The AECOM transport statement was submitted to update the URS statement submitted with the application in 2012. The report, based upon traffic data collected in November 2018, concludes that there will be no material impact upon the performance of any junction on the local highway network, noting that the traffic flow generated by the hospital would have been significantly higher before it was gradually downgraded.

Figure 1:



Legend

Local Wildlife Site (LWS)	Priority Habitat
Local Nature Reserve (LNR)	Deciduous woodland
Special Area of Conservation (SAC)	Good quality semi-improved grassland
Site of Special Scientific Interest (SSSI)	Lowland calcareous grassland
1km Study Area Buffer	Maritime cliff and slope
2km Study Area Buffer	
Site Boundary	

Site Grid Reference: 622,397 136,000

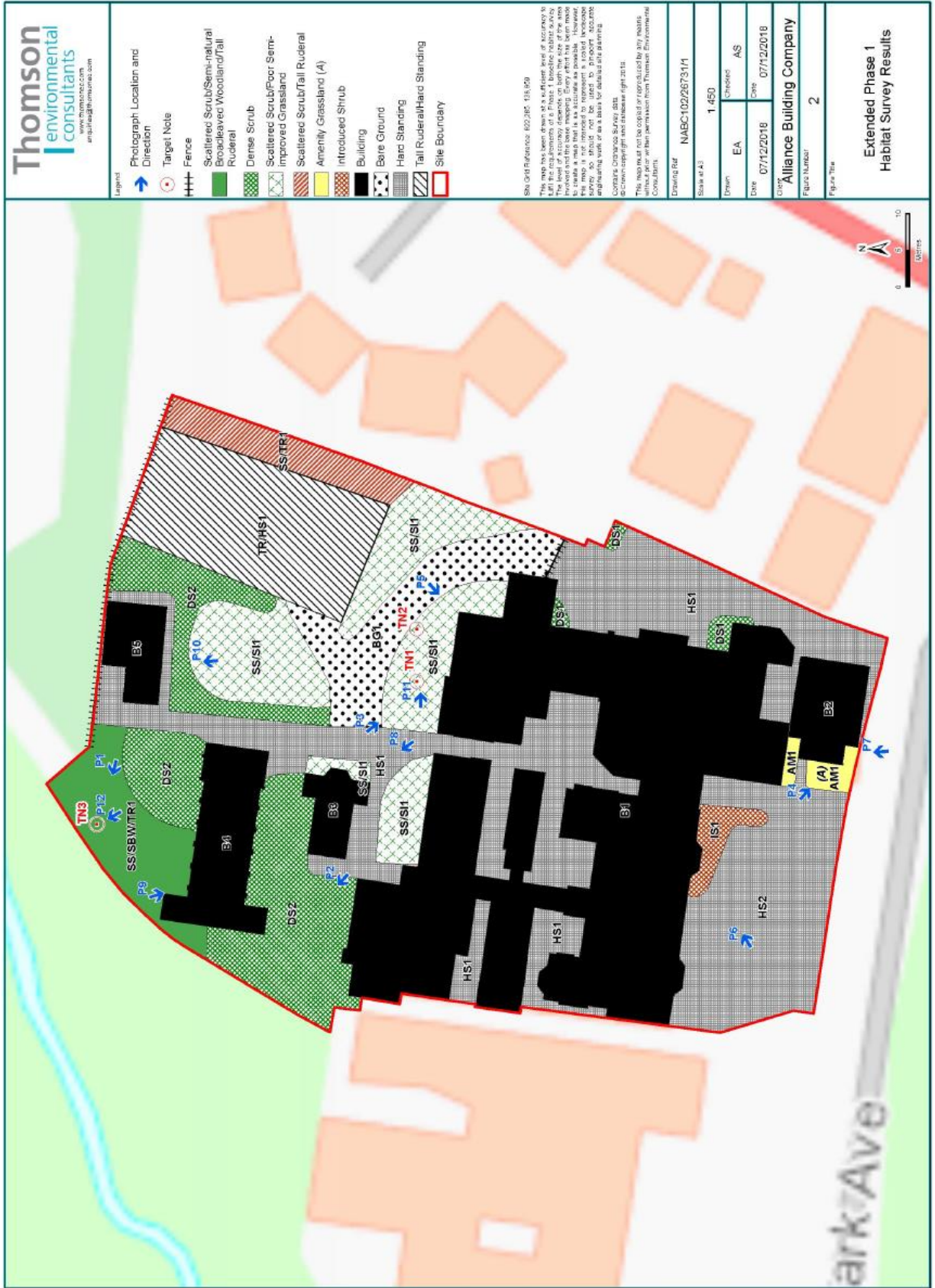


Client	Alliance Building Company		Drawing Ref	NABC102/26724/1		
Figure Number	1		Scale of A4	1:25,185		
Figure Title	Site Location, Study Area and Desk Study Results		Drawn	EA	Checked	AS
			Date	03/12/2018	Date	03/12/2018

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consultants

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Figure 2:



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- 3.22 The collected data suggests that there is not a specific accident problem on the network surrounding the development site and that the small amount of additional traffic generated will not exacerbate any existing safety issue on the network.
- 3.23 In terms of sustainability, the site is well located to take advantage of public transport facilities, with frequent bus and mainline rail services operating within walking distance of the site. There are a safe network of footways providing access to bus and rail services and to other local facilities including schools and a range of amenities within the town centre. Controlled and uncontrolled crossing facilities provide pedestrians with safe and direct routes.

Tree Inspection Report

- 3.24 The tree inspection report, carried out in December 2018, inspected a total of 74 trees and groups, ranging from under 20 years to circa 140 years of age, with virtually all of the trees being deciduous and mainly Sycamore and Ash. The majority have self-seeded since the 1940's on areas of no/low maintenance with secondary development of follow on generations of the main species and others such as Thorn, Elm, and Elder in small numbers.
- 3.25 Tree health varies considerably, with two individual trees and a cluster of Elms recommended for felling and two trees for dead wooding on safety grounds. Most of the trees present are included in Tree Preservation Order No. 10 of 2008. The tree constraints plan provides guidance on the potential influence above and below ground elements of trees could have upon any redevelopment proposals and account should be taken of future growth potential and shading by trees.

Financial Viability Assessment

- 3.26 This assessment was prepared in May 2019 and identifies that, taking into account the build costs, gross development value (GDV), demolition costs CIL contributions and an accepted 17.5% developer profit, together with abnormal costs at the site for retention and repair of the existing former hospital building, the proposal cannot provide affordable housing on site when taking into account costs and projected values.

4. RELEVANT PLANNING HISTORY

- 4.1 There is no planning history on the site. Members will note the significant period of time that has elapsed since the submission of the application. This was due to multiple changes in land ownership, during which time the application lay dormant.

5. CONSULTATION RESPONSES

- 5.1 The consultation responses are summarised below.

Consultees

Folkestone Town Council: Support provision of 18 units in main building. Object to up to 26 units as part of the outline application on grounds of inadequate room and extensive overlooking.

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KCC Highways and Transportation: Impact from traffic generation for the scheme as a whole is not considered likely to be problematic.

Detailed - cycle parking is adequate and the proposed 18 spaces and layout in front of the building is acceptable. This should allow for an extra 3 visitor parking spaces, however it is accepted that developing the whole site in two parcels and keeping this block separate for construction purposes makes that difficult to achieve. The layout is accepted in the knowledge that these will follow as part of the phase 2 build and only being 3 spaces, there is on street parking available a short walk away which would not cause an obstruction. The vehicular access where it joins Radnor Park Avenue, as an existing well used access, is acceptable. The sight lines are more than adequate taking account of the wide footway and parking restrictions on the north side of the road.

Outline - supporting documents state that cycle parking will be provided to standard, which will need to be demonstrated on plan at the detailed design stage to ensure it can be conditioned. The Transport Statement details the overall on-site parking allowance will be 1 space per dwelling and 11 visitor spaces across the site (the latter conforming to the 0.2 visitor spaces per dwelling requirement). In a suburban location, both IGN3 and parking guidance contained in Folkestone and Hythe District Council's (FHDC) Places and Policies Plan require 1.5 spaces per 3 bed unit across the site. As this is within the outline element of this proposal; it is not a sticking point at this stage, it will however need to be further explored by the developer when subsequent reserved matters submissions are made.

The indicative site plan shows a turning movement for a refuse vehicle at the end of the access road. This will need to cater for an 11.4m refuse vehicle; the vehicle used appears to be less than 10m in length. This detail will need further exploration at reserved matters detailed design stage as the indicative turning movement is already close to building lines and as such is likely to require localised redesign.

In 2012, Stagecoach requested the provision of a bus shelter be conditioned to be installed at the nearby Radnor Park bus stop for services heading out of town. This is still appropriate.

Conditions requested for:

1. Provision of construction vehicle loading/unloading and turning facilities
2. Parking facilities for site personnel and visitors
3. Wheel washing facilities
4. Provision and permanent retention of the vehicle parking spaces
5. Provision and permanent retention of the cycle parking facilities
6. Installation of a bus shelter at the Radnor Park bus stop

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Transportation Manager: Radnor Park is outside of the controlled parking zone (CPZ). There are no current plans to extend the CPZ to include this road. The provision of off-street car parking for this development will help with the demand for on-street parking.

Stagecoach: No comment received.

KCC Ecology: Sufficient information has been received to determine the application. For bats, consideration must be given to the lighting design, with a suggested condition should permission be granted. An informative relating to the timing of works and breeding birds is proposed, as well as a condition to secure the incorporation of ecological enhancements into the development.

KCC Flood and Water Management: Satisfied that the proposals for dealing with surface water, namely infiltration to ground, will not increase the risk of flooding. Suggested conditions for both the outline and detailed aspects of the scheme to address details of a sustainable surface water drainage scheme and verification of its installation and function.

Environment Agency: No objection subject to conditions to secure a strategy to deal with the potential risks associated with any contamination of the site, prevent infiltration of surface water drainage into the ground without written consent, no piling or other driven foundation designs to be used without express written consent, and submission of a comprehensive drainage strategy to ensure no increase in flood risk for the adjacent Pent Stream.

Southern Water: The position of public sewers should be determined by the applicant before the layout is finalised. No new development or new tree planting should be within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction. No new soakaways should be located within 5 metres of a public sewer. Initial investigations indicate that Southern Water can provide foul sewage disposal top service the proposed development, but a formal application for connection to the public sewer must be made. Initial investigations indicate that there are no dedicated public surface water sewers in the area to serve the development so alternative means of draining surface water from the development are required.

Contamination Consultant: The requirements of part 1 of the Council's standard land contamination condition have been met. The site investigation is of a reasonable scope and standard given pre-demolition constraints. Additional investigation is proposed where contamination has been identified to allow robust risk assessment. IDOM recommend additional inspections are undertaken following demolition and lifting of building slabs, as these represent a significant area of the site that has not been investigated to date. In particular, further testing for asbestos fibres in soils is recommended.

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Environmental Protection Officer: No objections subject to the comments made by the Councils contaminated land consultants.

KCC Archaeology: No objection subject to conditions requiring a programme of archaeological works and a programme of building recording.

Arboriculture Manager: An updated tree protection plan is required, which can be secured via condition.

Housing Strategy Manager: Confirms that given the outcome of the viability assessment, the preferred approach is to approve the affordable housing financial contribution from the developer. This will enable the Council to secure the delivery of two affordable units on an alternative site in the district. For example, the contribution could assist the Council to deliver additional affordable homes through the new build and acquisition programme.

KCC Economic Development:

	Per applicable House (x26)	Per applicable flat (x15)	Total
Primary	£3324.00	£831.00	£98,889.00
Secondary	£4115.00	£1029.00	£122,425.00

'Applicable' excludes 1 bed units of less than 56 sqm GIA

	Per dwelling (x44)	Total
Community Learning	£21.08	£927.52
Youth Service	Currently no requirement	
Library Bookstock	£48.02	£2112.88
Social Care	£60.37	£2656.28
	1 Wheelchair Adaptable Home as part of the on-site affordable homes delivery	
Broadband:	INFORMATIVE: Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that gigabit capable fibre to	

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	<p>the premise Broadband connections. Access to gigabit broadband is an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest gigabit connection. We understand that major telecommunication providers are now offering fibre to the premise broadband connections free of charge to the developer. For advice on how to proceed with providing broadband access please contact broadband@kent.gov.uk</p>
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These figures are to be index linked to the date of payment and are valid for 3 after which they may need to be recalculated

Local Residents Comments

5.2 61 neighbours directly consulted. 7 letters of objection, 0 letters of support received.

5.3 I have read all of the letters received. The key issues are summarised below:

Objections

- The proximity and elevation of buildings at the north east corner of the site adjacent to Radnor Park Gardens
- Overlooking
- Loss of light
- Insufficient parking provision
- Will there be social housing and where will it be located?
- Measures are needed to mitigate impacts of demolition such as dust etc.
- Bat report was conducted at the wrong time of year
- Not clear if there will be further tree felling
- Insufficient detail on protection of root systems
- Overdevelopment of site
- Land instability
- Proposal for piling could lead to structural damage of properties and would impact detrimentally upon amenity from vibration
- Detrimental impact upon a range of wildlife
- Light pollution
- Increased noise and disturbance
- Pollution from car exhausts at a higher level than Radnor Park Gardens due to the difference in land levels
- There is a colony of bats

5.4 Responses are available in full on the planning file on the Council's website:

<https://searchplanapps.folkestone-hythe.gov.uk/online-applications/>

6. RELEVANT PLANNING POLICY

- 6.1 The Development Plan comprises the saved policies of the Shepway District Local Plan Review (2006) and the Shepway Core Strategy Local Plan (2013)
- 6.2 The new Places and Policies Local Plan Submission Draft (February 2018) has been the subject to public examination, and as such its policies should now be afforded significant weight, according to the criteria in NPPF paragraph 48.
- 6.3 The Folkestone & Hythe District Council Core Strategy Review Submission Draft (2019) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019, as such its policies should be afforded weight where there are not significant unresolved objections.
- 6.4 The relevant development plan policies are as follows:-

Shepway District Local Plan Review (2013)

SD1	Sustainable development
HO1	Housing land supply
LR9	Open space provision and protection
LR10	Provision of children's play space in developments
BE1	Standards expected for new development in terms of layout, design, materials etc.
BE16	Requirement for comprehensive landscaping schemes
BE17	Tree Preservation Orders and criteria for allowing protected trees to be removed
U2	Five dwellings or more or equivalent to be connected to mains drainage
U4	Protection of ground and surface water resources
U10	Waste recycling and storage within development
U10a	Requirements for development on contaminated land
TR5	Provision of facilities for cycling in new developments and contributions towards cycle routes
TR11	Accesses onto highway network
TR12	Vehicle parking standards
CO11	Protection of protected species and their habitat

Shepway Local Plan Core Strategy (2013)

DSD	Delivering sustainable development
SS1	District spatial strategy
SS3	Place-shaping and sustainable settlements strategy
CSD1	Balanced neighbourhoods for Shepway
CSD2	District residential needs

Places and Policies Local Plan Submission Draft (2019)

UA3	The Royal Victoria Hospital, Radnor Park Avenue, Folkestone
HB1	Quality places through design
HB2	Cohesive design
HB3	Internal and external space standards
HB4	Self-build and custom housebuilding development
C3	Provision of open space
C4	Children's play space
T2	Parking standards
T5	Cycle parking
NE2	Biodiversity
NE7	Contaminated land
CC2	Sustainable design and construction
CC3	Sustainable Drainage Systems (SuDS)
HE2	Archaeology

Core Strategy Review Submission draft (2019)

SS1	District spatial strategy
SS3	Place-shaping and sustainable settlements strategy
CSD1	Balanced neighbourhoods for Shepway
CSD2	District residential needs

6.5 The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

- Affordable Housing SPG

Government Advice

National Planning Policy Framework (NPPF) 2019

6.6 Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Paragraph 11	Presumption in favour of sustainable development
Paragraph 38	Approach decisions on proposed development in a positive and creative way
Paragraph 47	Applications for planning permission be determined in accordance with the development plan
Paragraph 59	Support the Government's objective to significantly boost the supply of homes
Paragraph 112	Planning decisions should support the expansion of electronic communications networks, including full fibre broadband connections
Paragraph 118	Give substantial weight to the value of using suitable brownfield land within settlements for homes

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Paragraph 175 Mitigate impacts upon biodiversity and take opportunities to incorporate biodiversity improvements in and around developments

National Planning Policy Guidance (NPPG)

Design: process and tools

Climate Change

Flood Risk and Coastal Change

Natural Environment

National Design Guide October 2019

- C1 - Understand and relate well to the site, its local and wider context
- I2 - Well-designed, high quality and attractive
Paragraph 53 *'Well designed places are visually attractive and aim to delight their occupants and passers-by'*.
- N3 - Support rich and varied biodiversity

7. APPRAISAL

7.1 In light of the above the main issues for consideration are:

- a) Principle of development
- b) Design and layout
- c) Residential amenity
- d) Ecology and biodiversity
- e) Protected trees
- f) Contamination
- g) Drainage
- h) Archaeology
- i) Highway safety
- j) Play and Open Space
- k) Affordable Housing
- l) Viability
- m) Other issues

a) Principle of Development and Sustainability

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- 7.2 The NPPF (2019) is clear that local planning authorities should support the Government's objective to significantly boost the supply of homes (paragraph 59) and that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 11). Likewise, Core Strategy policy SS1 of the Core Strategy seeks to direct development to existing settlements, and policy SS3 seeks to protect the open countryside and coastline in accordance with policy SS1.
- 7.3 The site is located within the settlement boundary of Folkestone, identified as a Sub-Regional Town capable of accommodating substantial residential, commercial and social development. The site is also allocated for residential development for approximately 42 dwellings within Policy UA3 of the emerging Places and Policies Local Plan (PPLP).
- 7.4 Eight representations were received relating to Policy UA3 and supporting text. These raised the following issues:
- There is a severe lack of medical facilities in Folkestone, including GP surgeries, and hospital facilities. The building should remain a medical centre;
 - There is one-way traffic flow and limited highway capacity on Radnor Park Avenue. Adequate parking should be provided on-site as any on-street parking restrictions would displace parking to neighbouring residential areas;
 - The policy should include details of walking and cycling links to routes to the north, Radnor Park to the west and south; and
 - There is a lack of respect for the history of the building.
- 7.5 With regard to the first objection, there seems to be some confusion as to the affected property, as the hospital use will remain. Consequently, this is considered to have little impact upon the weight afforded to the policy. The second and third points in the list relate to parking standards and aspects of good design that are addressed via other policy requirements on these topics, rather than solely within the site specific policy and are also, therefore, considered not to impact upon the weight afforded the policy. The final point would also be subject to a consideration of the proposed works upon the character of the unlisted building, also a topic addressed under other policies. Consequently, given the limited amount of specific objection to the aim of the policy and the progression of the local plan past EIP, it is considered that it can be afforded a significant amount of weight.
- 7.6 In terms of the criteria within the emerging policy UA3, the proposed development is assessed as follows:
1. *There is a comprehensive masterplan that ensures a coherent approach to both the conversion of the original Victorian building and the redevelopment of the rear aspect of the site;*

In this respect, a full suite of drawings has been submitted, with what is considered to be an appropriate level of detail for the conversion aspect of the scheme and the requisite level of detail for the remainder of the site, given that it is an outline element with all matters reserved for future consideration.

2. *A high quality conversion preserves or enhances the character and setting of the Victorian elements of the original hospital building;*

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It is proposed to remove later additions to the Victorian building in order to facilitate its conversion, together with internal re-organisation to accommodate the proposed 18 residential units. The acceptability of this aspect of the proposal will be assessed in the sections to follow.

- 3. The design and scale of proposals to the rear aspect of the site are of a manner that would enhance the wider setting of the area;*

The rear of the site is part of the outline planning application site, for which all matters are reserved for future consideration. Therefore the design and scale can only be assessed at the stage of submission of those reserved matters and not as part of this application.

- 4. Traffic flow and parking provision is assessed to ensure that the development does not put undue pressure on the local highway network and that adequate parking provision is provided so that there are no detrimental parking impacts on Radnor Park Avenue. If required, mitigation measures or parking permit restrictions should be applied to ensure the free flow of traffic;*

KCC Highways and Transportation and the FHDC Transportation Manager have been consulted, with their comments and the parking demand and highway issues associated with the proposal assessed within the relevant section below.

- 5. Appropriate and proportionate contributions are made towards the upkeep and/or improvement of open space and existing play facilities at Radnor Park;*

With regard to this consideration and the financial contributions required to offset the impact of the proposed development are set out within the report. The applicant has submitted a Financial Viability Appraisal setting out why the proposal cannot meet all the financial obligations required by adopted policy, including open space and play space contributions.

- 6. Mitigation and enhancement measures are incorporated into the design of the development to minimise effects on the local Biodiversity Action Plan Priority Habitat;*

As part of the application process, the submission has been accompanied by a preliminary ecological appraisal and phase 1 and 2 bat surveys, with comments sought from KCC Ecological Advice Service regarding the impacts upon biodiversity and the findings set out in the relevant section below.

- 7. Any potential contamination from former use is investigated, assessed and if appropriate, mitigated as part of the development;*

This is a standard requirement for all schemes where previous uses may have left contamination on a site. Consequently, the applicant has submitted a desk study and ground investigation report, which has been reviewed by the Council's contaminated land consultant and the findings set out in the relevant section below.

- 8. Access is maintained to the existing underground sewerage infrastructure for maintenance and up-sizing purposes; and*

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As part of the planning application process, Southern Water have been consulted, their comments summarised in section 5 above and discussed in the relevant section below.

9. *The archaeological potential of the land is properly considered and appropriate archaeological mitigation measures are put in place.*

As the scheme is within an Area of Archaeological Potential (AAP) KCC Archaeology have been consulted, with their comments summarised above in section 5 and discussed in the relevant section below.

7.7 Overall, it is considered that the principle of residential development at this site is acceptable, subject to the detailed consideration of all other material considerations.

b) Design and Layout

7.8 The site is located within the defined settlement boundary in an urbanised area characterised by predominantly Victorian / Edwardian buildings. The detail of the residential conversion of the Royal Victoria Hospital building is considered as part of this application, whilst the detailed layout and design of the rear portion of the site will be dealt with at the Reserved Matters stage, should permission be granted. This will allow the opportunity for assessing the layout, scale, design and materials of the proposed houses and how this will impact and interact with the wider setting at that stage.

7.9 In consideration of the outline part of the application, this seeks up to 26 units on the rear portion of the site and it is considered that it would possible to design a layout and scale of development for this number of units that would incorporate suitable roadways, landscaping and green areas ensuring that the new buildings are assimilated sensitively into the existing local environment. The indicative plans submitted with this application demonstrate this can be acceptably achieved.

7.10 Turning to the detailed element of the site, the proposal would see the existing Victorian main building retained, subject to the removal of the later elements on the eastern and northern elevations, as shown on the submitted demolition plan. It is considered that this will allow a better appreciation of the original structure and its relationship to Radnor Park, as well as improve the street scene through the removal of unsympathetic and poorly-maintained elements that detract from the character of the building and wider street scene.

7.11 It is proposed to refurbish the building entirely, together with the replacement of existing window units and it is considered reasonable that the detail of these and any other replacement materials would be secured via condition, in order that they are more sympathetic to the building than the current casement-style UPVC units that are installed. Whilst the building is not listed or in a conservation area, it is an important and attractive building in the streetscene and it as such it is considered reasonable to secure details of the relevant elements of the building which would result in a significant visual improvement.

7.12 As is the current situation, car parking to serve the development would be to the front of the site on a hard-standing area, which it is proposed to retain. This would result

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in a neutral visual impact upon the street scene, as the current situation would be preserved.

- 7.13 To the rear of the converted building, it is intended to provide a shared landscaped space, with a bin and cycle store to serve this part of the development. This space is not currently visible within the street scene and was occupied by outbuildings, but would become accessible and viewable within the wider development of the site. As such, this improvement to the site is considered a benefit through the provision of green space and would aid a better appreciation of the main former hospital building from within the site.
- 7.14 Consequently, it is considered that, subject to conditions requiring details of how the main structure would be 'made-good' following the demolition of the later elements, together with full details of the materials to be used in the refurbishment of the structure, including fenestration, and details associated with the landscaped area to be provided, that the proposal would accord with saved policies SD1 and BE1 of the Shepway District Local Plan Review and emerging policies HB1 and UA3 of the Places and Policies Local Plan.

c) Residential Amenity

- 7.15 For the conversion of the Royal Victoria Hospital building, the flats proposed all meet the National Space Standards contained within Places and Policies Local Plan emerging policy HB3 for internal space standards, with the landscaped shared space to the rear considered appropriate to meet the requirements for a communal garden for the exclusive use of the residents of a group of flats in place of individual balconies or terraces.
- 7.16 There are no near residential uses to this part of the site, with the adjacent healthcare use unlikely to be affected by a residential use next door. It is noted that the windows in the eastern flank elevation of the current hospital building face toward the windows in the western elevation of the building to be converted, with a mix of bathroom, kitchen and bedroom windows facing west. For the bathroom windows, which are likely to be obscure glazed, and the kitchen windows, which are not considered as habitable rooms, this is considered to be acceptable. For the bedroom windows, the proximity to the existing adjacent use would be likely to require the use of blinds to prevent compromised privacy. However the remainder of the flats, including the living rooms, would afford an acceptable living environment for occupants, with most bedrooms predominantly utilised during evening hours when blinds or curtains may reasonably be expected to be used anyway and the neighbouring hospital use would have ceased. In combination with the access to the communal external space and also the adjacent Radnor Park area, it is considered that future occupants have an acceptable living environment and there would be no significant detriment to residential amenity for future residents.
- 7.17 For the outline element of the scheme, the impact upon the amenity of neighbouring residents as well as future occupants of this element of the scheme would only be able to be established following the consideration of reserved matters and cannot, therefore, be commented upon at this time. However, the quantum of development proposed (up to 26 units) could, theoretically, be supported within the identified site area, but the reserved matters application would be subject to detailed consideration in respect of layout, appearance, scale, access and landscaping, whilst taking into

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account the amenities of surrounding uses, topographical variations, ecological constraints and all other material planning considerations.

- 7.18 Overall, it is considered that there would be no detrimental impact upon residential amenities in accordance with saved policy SD1 of the Shepway District Local Plan Review and emerging policy HB1 of the Places and Policies Local Plan.

d) Ecology and Biodiversity

- 7.19 Due to the nature of the site, which has vacant buildings, established vegetation and is near to a watercourse, it could provide a suitable habitat for protected species including breeding birds and bats. The submitted bat surveys and ecological appraisal have been assessed and found to be acceptable, with the KCC Ecologist agreeing with the conclusion that bats were not roosting within the buildings on-site, although there was activity within the wider site, which would mean that external lighting should be sensitively designed to negate impact, with details of this secured by a condition.

- 7.20 In relation to breeding birds, it is recommended that work to vegetation that may contain suitable nesting habitats is carried out outside of the bird breeding season, although if work is carried out within this time, mitigation in the form of an examination by an ecologist prior to works taking place is recommended. An informative reminding the developer of the requirements of the Wildlife and Countryside Act 1981 is proposed. A condition is not required in this instance, as the protection is afforded by separate legislation.

- 7.21 In accordance with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged within development proposals. Consequently, it is proposed that a condition is imposed, should permission be granted, that secures the enhancements contained within the ecological appraisal of the site, in order to ensure there is net biodiversity gain as a consequence of the development.

- 7.22 Overall, the proposal is considered to comply with the aims of saved policy CO11 of the Shepway District Local Plan Review, emerging policy NE2 of the Places and Policies Local Plan and paragraph 175 of the National Planning Policy Framework 2019.

e) Protected Trees

- 7.23 It is noted that some tree removal has taken place on site, with investigation by the Council's Arboriculture Manager confirming that the affected trees were not protected by the Tree Preservation Order No. 10 of 2008. During this inspection, it was also noted that some removal of protected trees has occurred along the eastern boundary, but it is not known when this took place, or who undertook the works. Inspection suggested that the works had been conducted some time ago and was not connected to recent activity.

- 7.24 As identified in section 2.3, the eastern, northern and western boundaries have trees and groups of trees covered by TPO No.10 of 2008. As they lie within the outline application part of the site, with details of the proposed layout reserved for future consideration, it is considered that the likely impact of the proposed development can

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only be assessed once such details have been submitted for consideration by the Local Planning Authority, in conjunction with the submitted Tree Constraint Plan, which provides guidance on the potential influence above and below ground, elements of trees could have upon any redevelopment proposals as well as future growth potential and shading by trees. It is considered reasonable to impose a condition upon any outline planning permission seeking a tree protection plan prior to commencement of development. Consequently, the proposal is considered to comply with saved policy BE16 of the Shepway District Local Plan Review and emerging policy HB1 of the Places and Policies Local Plan.

f) Contamination

7.25 For contaminated land, the review of the proposal was undertaken by the Council's contaminated land consultant and the imposition of the standard contaminated land condition recommended. The comments of the Environment Agency with regard to the protection of controlled waters through preventing infiltration of surface water to ground are noted, but subsequent conversations have clarified that this could be acceptable subject to the submission of acceptable details of how this would be achieved. As regards the effect upon controlled waters, it is proposed that the use of piling for foundations is controlled by condition also, subject to the submission of a piling risk assessment that demonstrates no unacceptable risk to ground water. Overall the scheme is considered acceptable with regard to contamination issues in accordance with saved policy U4 of the Shepway District Local Plan Review and emerging policy NE7 of the Places and Policies Local Plan.

g) Drainage

7.26 In relation to drainage and flooding, the site is outside of any identified flood zones around the nearby Pent Stream and the Environment Agency, Southern Water and Kent County Council as Lead Local Flood Authority (LLFA) are satisfied that there is capacity within the existing system for foul drainage, and that proposals for dealing with surface water, namely infiltration to ground, will not increase the risk of flooding. Conditions are suggested for both the outline and detailed aspects of the scheme to address details of a sustainable surface water drainage scheme and verification of its installation and function, as well as to protect existing infrastructure. Overall the scheme is considered acceptable with regard to flooding and contamination issues in accordance with saved policy U4 of the Shepway District Local Plan Review and emerging policy CC3 of the Places and Policies Local Plan.

h) Archaeology

7.27 The application site is within an area of archaeological potential surrounding the Pent Stream and KCC Archaeology have raised no objection subject to conditions requiring an archaeological watching brief and a programme of historic building recording.

i) Highway Safety

7.28 For the proposal as a whole, the transport assessment accompanying the application has been assessed by KCC Highways & Transportation and the increased traffic movements associated with the proposal (24 in the AM peak and 21 in the PM peak)

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are considered unlikely to have any negative impact upon the wider transport network, especially given that residents will take different routes in the area.

- 7.29 For the detailed aspect of the scheme, the access to the application site is an existing one, with suitable sightlines as to ensure highway safety. In relation to parking provision, it is noted that the 18 spaces identified to serve the conversion of the retained building would be acceptable, but that a further 3 spaces are required for visitor parking purposes. These are identified to be provided within the outline phase of the scheme, so could be required to follow at a later date. As on-street parking is available adjacent to the application site, the interim shortfall would not be so significant as to cause significant obstruction on the surrounding road network.
- 7.30 For the outline aspect of the proposed development, KCC Highways & Transportation have raised issues regarding the levels of cycle parking, numbers of vehicular parking spaces and turning areas for refuse vehicles, but acknowledge that these matters would be considered at the reserved matters stage in light of details that would need to be submitted to the Local Planning Authority for consideration at a later date, should planning permission be granted, so cannot be considered at this stage.
- 7.31 In respect of the provision of a bus shelter to be installed at the nearby Radnor Park bus stop, the views of Stagecoach have been sought and are awaited, but the need is considered to persist and the applicant has agreed to fund this via S.106 contribution.
- 7.32 Overall, it is considered that the proposal would not result in any detrimental highway amenity or safety issues in accordance with saved policies TR11 and TR12 of the Shepway District Local Plan Review and emerging policies T2 and T5 of the Places and Policies Local Plan.

j) Planning Obligations

- 7.33 Planning obligations are used to mitigate the impact of unacceptable development to make it acceptable in planning terms. Planning obligations should meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.

Play and Open Space

- 7.33 Within Places and Policies Local Plan (PPLP) policy UA5, it is set out that:

5. Appropriate and proportionate contributions are made towards the upkeep and/or improvement of open space and existing play facilities at Radnor Park

This is reinforced by saved policy LR9 of the Shepway District Local Plan Review which requires that, in areas where open space deficiency exists that sites of 25 dwellings or more should provide open space on the site or a commuted sum payment on a scale related to the development; and saved policy LR10, which

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requires that developments containing 20 or more child bed spaces should provide children's play space or make a commuted sum payment towards off site provision.

7.34 PPLP policies C3 (open space) and C4 (play space) have similar requirements, but the threshold is lowered to 20 dwellings in respect of open space, whilst it is moved to 10 family dwellings for play space.

7.35 The figures were calculated for the emerging policies C3 and C4, given the advanced state of the emerging local plan, and were identified to be:

Detailed

C3	£22,582.20
C4	£13,032.50
Total	£35,614.70

Outline

C3	£32,500.80	
C4	£22,656.50	
Total	£55,157.30	Total contribution £90,772

Affordable Housing

7.36 Policy CSD1 of the Shepway Core Strategy requires that new housing developments of 15 or more units should provide 30% affordable dwellings on-site or through a financial contribution of broadly equivalent value off-site, subject to viability. In this case, 30% would equate to 14 affordable housing units.

Viability

7.37 In light of the above requests for play and open space, affordable housing, the KCC contributions toward education, libraries, community and social care, and the provision of a bus stop, alongside the statutory contribution of the Community Infrastructure Levy (CIL), the applicant has submitted a Financial Viability Assessment that, taking into account the costs associated with the development of the site (section 3.26 above), concludes that the provision of any more than one affordable rent and one shared ownership affordable housing unit on-site would mean that the development would not be viable to commence.

7.38 The Council commissioned consultants to undertake an independent review of the applicant's viability report to determine whether the conclusion reached was acceptable and in accordance with best practice. Following further negotiations the applicant has agreed to a contribution of £200,000, (£195,000 toward off-site affordable housing and £5,000 toward a bus stop). This sum is in accordance with the independent advice received by the Council's consultants and has been agreed on a profit of 17.5% on Gross Development Value.

7.39 The suggested triggers for the payment of the off-site contribution would be £100,000 on the commencement of the new build development and a further £95k on occupation of the 15th built property, or within 18 months of the initial payment, whichever is the sooner, with provision for a viability review if the outline part of the

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development were not implemented within twelve months of the grant of permission, all of which would be secured via a s.106 planning obligation.

7.40 The Housing Strategy Manager has confirmed that this sum is acceptable, given the viability review conclusion reached by the consultants. It is considered that the application therefore complies with policy CSD1 by providing an appropriate off site affordable housing contribution, subject to viability.

k) Other Issues

7.41 Policy CSD5 of the Shepway Core Strategy and paragraph 112 of the NPPF seek the provision of high quality communications infrastructure, to sustain economic growth. Subject to the use of a planning condition to require the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community no objection is raised under policy CSD5 of the Shepway Core Strategy and paragraph 112 of the NPPF.

7.42 In terms of water sustainability, policy CSD5 of the Shepway Core Strategy in part requires that all developments should incorporate water efficiency measures. The policy states development for new dwellings should include specific design features and demonstrate a maximum level of usage should be 105 litres per person per day or less. This usage level figure is adjusted to 110 litres per person per day under the guidance of Building Regulations Approved Document G (which came into effect in October 2015). This can be controlled by planning condition.

7.43 Places and Policies Local Plan policy HB4 requires all sites within the Folkestone and Hythe Urban Area delivering more than 40 dwellings to supply no less than 5 per cent of dwelling plots for sale to self-build or custom housebuilders on the Council's register. It is considered that this can be secured via condition, with the units located within the outline element of the scheme.

l) Environmental Impact Assessment

7.44 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

l) Local Finance Considerations

7.45 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

7.46 In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the

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application area is charged at £55.58 per square metre for new residential floor space.

n) Human Rights

7.47 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

o) Public Sector Equality Duty

7.48 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

p) Working with the applicant

7.49 In accordance with paragraphs 38 of the NPPF, Folkestone and Hythe District Council (F&HDC) takes a positive and creative approach to development proposals focused on solutions. F&HDC works with applicants/agents in a positive and creative manner.

8. CONCLUSION

8.1 The proposal is a hybrid planning application (part detailed, part outline with all matters reserved for future consideration) for a residential use on a brownfield site in a sustainable location, with the detailed aspect of the scheme (the conversion of the existing former hospital building) considered acceptable with regard to the principle of development, residential amenity, ecology and biodiversity, drainage, contamination, design / layout and parking concerns.

8.2 The outline element of the scheme is also considered acceptable with regard to the principle of development at this location, drainage, contamination, and ecology and biodiversity, with final consideration of matters relating to residential amenity, protected

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trees, parking and archaeology able to be addressed via condition and upon receipt of the applications for approval of reserved matters.

- 8.3 For the scheme as a whole, due to viability issues, the applicant has claimed it is not possible to meet policy requirements for a full suite of contributions toward affordable housing, play and open space, and KCC contributions toward education, libraries, community and social care. In support of this stance, the applicant has submitted a Financial Viability Assessment, which has been independently assessed for the LPA and found to be acceptable, with a reduced contribution of £195,000 toward off-site affordable housing proposed, as well as £5,000 toward a shelter for the Radnor Park bus stop.
- 8.4 On balance, it is considered that while not meeting the full requirements for financial contributions set out within policy, the proposal complies with the overall aims of the Councils development plan and National policy and is considered acceptable subject to securing the recommended conditions.

9. BACKGROUND DOCUMENTS

- 9.1 The consultation responses set out at Section 5.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

10. RECOMMENDATIONS

That planning permission be granted subject to the conditions set out below and the applicant entering into a S106 legal agreement securing £195,000 as a commuted sum toward off-site affordable housing and £5,000 toward the provision of a shelter at the Radnor Park bus stop and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and the legal agreement and add any other conditions that he considers necessary:

Conditions:

1. 3 year permission for submission of Reserved Matters
2. Development to commence within 2 years of Reserved Matters approval
3. Standard Reserved Matters conditions (details of appearance, layout, scale and landscaping)
4. 3 year permission for detailed element
5. Approved plans
6. Reserved Matters to provide up to 26 dwellings
7. Samples of materials
8. Water efficiency
9. Installation of fibre optic broadband

Ecology

10. Lighting design strategy
11. Ecological enhancement plan
12. Bat method statement

Highways

13. Provision of construction vehicle loading/unloading and turning facilities
14. Parking facilities for site personnel and visitors
15. Wheel washing facilities
16. Provision and retention of vehicle parking spaces (detailed and outline)
17. Provision and retention of secure, covered cycle parking (detailed and outline)
18. Installation of a bus shelter at the Radnor Park bus stop
19. Completion of footways and carriageways between a dwelling and the adopted highway prior to occupation

Trees

20. Tree protection fencing
21. Retained trees

Contamination

22. Parts 2 to 5 of standard land contamination condition

Foul and Surface Water

23. Detailed sustainable surface water drainage scheme to be submitted
24. Verification Report of surface water system to be submitted
25. Details of foul water drainage

Landscaping

26. Planting plans
27. Implementation and Maintenance Schedule
28. Hard landscaping details

Other

29. Secure self-build units
30. Programme of archaeological work
31. Building recording

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Informatives

Ecology – breeding birds

Southern Water

Street naming and numbering

S106