

Application No: Y19/0318/FH

Location of Site: Burgoyne Barracks North and Napier Barracks, West Road, Folkestone

Development: Reserved matters application for the erection of 355 dwellings with associated landscaping, infrastructure, earthworks, at phases 2C and 4, Burgoyne Barracks North and Napier Barracks, pursuant to outline planning application Y14/0300/FH

Applicant: Taylor Wimpey

Agent: Lucy Wilford – Barton Willmore

Officer Contact: Robert.davis@folkestone-hythe.gov.uk

SUMMARY

The report considers a reserved matters application for the erection of 355 dwellings with associated infrastructure and landscaping at the Shorncliffe Garrison allocation site. The report considers how the development is consistent with the requirements of the outline permission including its adherence to the Design Specification Document. The report considers that the design and layout of the development is of a high standard and would provide a good quality living environment for future occupants. The provision of affordable housing would be in line with the requirements of the S106 that accompanied the outline approval. As such it is considered that the proposal accords with the existing and emerging policies of the Development Plan and is consistent with the requirements of the National Planning Policy Framework.

RECOMMENDATION:

That permission for the reserved matters be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

1. INTRODUCTION

1.1. The application is reported to Committee because of the strategic importance of the development.

2. SITE AND SURROUNDINGS

2.1. Shorncliffe Garrison occupies a significant area of 76ha to the western edge of Cheriton and to the north of Sandgate. The land has been allocated within policy SS7 of the Core Strategy as a strategic site for residential development of up to 1200 dwellings by 2031 to make an important contribution to housing needs in the district. The main site is on an area of high ground to the north of the coast sloping down to the Seabrook Valley to the west. It is bounded by Church Road to the north, Royal

Military Avenue to the east and Hospital Hill to the south. The site has several existing roads passing through it including North Road, West Road and Pond Hill Road.

- 2.2. The site has been under the ownership of the Ministry of Defence and has become surplus to requirements and is being sold to fund re-provisioning works on the retained part of the garrison and the MoD base at Lydd. The land is to be released to Taylor Wimpey over a number of phases which began in March 2015.
- 2.3. The Napier Barracks occupy a central position within the sit. The north and west boundaries of Napier Barracks are bounded by North Road and West Road. To the east of the barracks is the Tower Theatre (former Garrison Church – Grade II listed) which lies outside the main site boundary. The layout of the barracks is characterised by 2 rows of eight single storey barracks on a symmetrical north-south grid with other military buildings to the east.
- 2.4. The Burgoyne Barracks is immediately to the south of Napier Barracks. The western boundary of the barracks is demarcated by West Road. The area includes the Garrison Sargent's Mess and an area of wooded space to the west. To the east of the barracks is former running track that has been used for explosive devices training and is not publicly accessible.
- 2.5. The application site is measured at 9.114ha. The general topography is flat, with a subtle slope to the south and in an easterly direction.
- 2.6. A site location plan is attached to this report as **Appendix 1**.

3. PROPOSAL

- 3.1 The proposal is a reserved matters application for the approval of details relating to access, layout, scale and appearance of the outline planning permission Y14/0300/SH. Condition 12 of the decision notice Y14/0300/SH states:

The submission of reserved matter applications pursuant to the development hereby approved shall demonstrate compliance with the documents and plans listed below through an accompanying Design Statement:

- Environmental Statement Volumes 1 & 2, dated April 2014;
- Environmental Statement Addendum, dated November 2014;
- Development Specification Document (replacing Design and Access Statement Volume 3) March 2015;
- Land Use Parameter Plan – Dwg. 5391-01-P-002 Rev I
- Maximum Building Heights Parameter Plan – Dwg. 5391-01-P-003 Rev I
- Principal Access and Movement – Dwg. 5391-01-P-004 Rev H; and
- Landscape Strategy – Dwg. CSa/2172/117 Rev D.

- 3.2 The application site forms part of the Shorncliffe Garrison development and is referenced in the Development Specification Document (DSD) as Phase 2C and 4.
- 3.3 The DSD was approved as part of the hybrid planning permission (part outline, part full planning, reference Y14/0300/SH) for 1,200 dwellings green space and community facilities and sets out the parameters for future phases of development for the wider site, which is separated into four character areas (A-D):
 - Character area A: St Martins Plain
 - Character area B: The Northern Area
 - Character area C: The Southern Area

- Character area D: Somerset Barracks

The site is located within the southern part of the allocation within Character Area C.

- 3.4 The overall development is being conducted in phases, as land is released by the MoD with the initial phase implemented to the north east of the site. This application consists of Phases 2C and 4 and Taylor Wimpey wish to develop these phases together given the sharing of the infrastructure across the two sites and for practical reasons.
- 3.5 The proposal is for a total of 355 dwellings comprising a mix of houses and flats. There would be 41 for bedroom houses, 147 three bedroom houses, 98 two bedroom houses, 63 two bedroom flats and 6 one bedroom flats. Two areas of open space would be provided which reflect existing open areas on site. These are Burgoyne Square and the Southern Feature Square. The density of the development would equate to 40 dwellings per hectare.
- 3.6 A total of 51 affordable housing units would be provided to include 6 three bedroom houses, 21 two bedroom houses, 21 two bedroom apartments and 3 one bedroom apartments. These would be located across the site in small clusters. The quantum of units is in line with the requirements of the S106 agreement for affordable housing provision within the wider development.
- 3.7 There would be 14 different styles of housing comprising detached, semi-detached and terraced dwellings. The housing would comprise two storey, 2.5 storey and 3 storey housing. A total of 8 apartment blocks of 3 storey height would also be provided where they would assimilate into surrounding lower development and/or provide gateway features for the remainder of the development.
- 3.8 The following house types are proposed:

Type	Style	Storeys	Bedrooms	Quantity
DR	Townhouse	3	4	7
RA	Townhouse	2.5	4	7
NC40	Townhouse	3	4	9
NT41	Detached	2	4	4
PC30	Townhouse	3	3	23
PA42	Detached	2	4	14
NB31	Townhouse	2.5	3	44
PT36	Detached	2	3	14
PA33	Semi	2	3	18
PA34	Semi/EOT	2	3	42
PT22	Coach house	2	2	15
PT25	Terrace/Semi	2	2	63
AA31	EOT	2	3	6
AA23	Semi	2	2	20

- 3.9 Of the townhouses referred to above some of the types would exist as both detached, semi-detached and terraced dwellings.
- 3.10 The external building materials, subject to condition, would include for some of the character areas buff brick, darker feature brick, vertical panelling options, projecting feature surrounds to windows, and examples of projecting brick features. Dwellings on

the more northern part of the site would have red tonal brick to respect other traditional buildings in the vicinity, darker feature brick, grey roof tiles, projecting window surrounds and brick eaves detailing. The apartments would make use of the same surrounding brick of houses in the vicinity and would including projecting bays to the main windows and projecting gables to define the front entrances.

- 3.11 The layout is based around a series of blocks such that each dwelling would have a street frontage. This based on the traditional grid layout of the MoD buildings and respects the character of the barracks site.
- 3.12 A single vehicle access would be provided off North Road to serve the main Spine Road which passes through the development providing access to lower hierarchy streets. There would be two further access points off West Road including the western end of the Spine Road and a Green Link which passes through the site that links development and green space to the west and potentially would allow access to development permitted at Somerset Barracks to the east.
- 3.13 There would be a total of 746 vehicle parking spaces with allocated and non-allocated spaces, not including garages, comprising both on and off-street parking. This exceeds the minimum 544 spaces required by KCC's Interim Guidance Note (IGN3): residential parking for suburban areas.
- 3.14 The layout has been altered and improved since the application was originally submitted following discussions with officers. Below is the original layout as submitted:



New Site Layout



3.15 The revised layout is considered to better respect the military heritage of the site by enforcing a strong grid layout, as specified within the DSD. The development is, nevertheless a housing development, which is required to produce an amenable development providing a good living environment and quality of life for future residents. It is considered that this revised layout provides this whilst responding to the military heritage of the site.

3.16 The following reports were submitted by the applicant in support of the proposals:

Design Statement

3.17 This document sets out the context for development, constraints and opportunities, as well as the proposals design evolution, development character, landscaping, access and movement, and to sustainability. The document sets out how the proposal conforms to the principal aims of the DSD and justifies any variation to the proposed principles.

3.18 Arboricultural Impact Assessment

This report prepared by Keen Associates (March 2019) provides an assessment of the impact on trees. It provides a schedules of all the trees on the application site. It

identifies that significant trees will be retained and that the majority of trees to be removed are of low quality. There are 3 Sycamore and 1 Yew Tree considered to be of moderate value that would be removed and comments have been made relating to these. It considers that tree retention outweighs the losses and ensures a good distribution of retained tree cover on site. Details of tree protection during construction works has also been provided. New and replacement tree planting is to be provided as part of the proposals and that the new trees would provide a diverse portfolio of tree cover to ensure sustainability of green infrastructure in the future.

Ecological Impact Assessment

- 3.19 This report prepared by CSA Environmental (February 2019) updates the Ecological Impact Assessment originally surveyed during 2013-2016. The habitats within Phase 2C and Phase 4 were found not to have changed significantly. Key areas of mature and semi-mature scattered trees, which form the most valuable habitat resource on site will be retained along the boundary of the site, maintaining habitat connectivity for bats and other wildlife. New opportunities will be provided in the form of bat and bird boxes on trees and bat tubes within buildings to meet the quotas set out per phase in the Environmental Statement. Opportunities for ecological enhancement have been adopted within the scheme with new tree planting, with a significant number of native trees, resulting in an overall increase in the number of trees across the site, and a wildlife box scheme. The assessment considers that the development is not considered to result in any residual significant adverse effects to important ecological features and is considered to accord with all relevant nature conservation legislation, as well as to local planning policy.

Bat Mitigation Strategy

- 3.20 This report prepared by CSA Environmental (March 2019) provides details of proposed mitigation where evidence of roosting bats has been confirmed. It has been prepared following updated bat survey work undertaken in relation to condition 16, and is consistent with the Environmental Statement originally submitted as part of the outline application. Between May and August 2018 surveys were taken of the buildings and the trees to assess the potential to support roosting bats. Roosting bats were confirmed in five buildings and some trees, due to be removed, offered low potential and in one case moderate potential to support roosting bats. The report sets out mitigation measures to avoid direct impact on bats during demolition works through the use of precautionary measures where required. Measures to replace bat roosting opportunities are also provided to ensure opportunities for roosting bats are retained. Key habitat (mature trees) is retained and landscaping designed to ensure foraging and dispersal routes across the site. A sensitive lighting scheme will be developed which will minimise light spill ensuring significant dark areas of the site will remain. Subject to flowing the measures outlined the report considers that there will be no significant impact to the favourable conservation status of local bat populations resulting from the development proposal.

Reptile Monitoring Report

- 3.21 This has been prepared by CSA Environmental (May 2019) and provides details of the translocation exercise carried out between April and September 2017.

4. RELEVANT PLANNING HISTORY

4.1 The main relevant planning approvals for the main site are as follows:

Y14/0330/SH

4.2 Hybrid application for the redevelopment of land at Shorncliffe Garrison. Application for outline permission (with all matters reserved) for demolition of existing buildings (with the exception of the listed buildings, officers' mess within Risborough Barracks and water tower) and erection of up to 906 dwellings including affordable housing, community services and facilities (use Classes A1/A3/B1 a/D1 and D2 uses up to 1,998 sqm), new Primary school and nursery (up to 3,500 sqm), combined new pavilion/cadet hut facility (up to 710 sqm) at The Stadium, retained cricket pitches including mini football pitches, equipped play, associated public open space and toilets, together with, associated accesses/roads, parking, associated services, infrastructure, landscaping, attenuation features and earthworks. Full application comprising demolition of existing buildings and erection of 294 dwellings including affordable housing, open space, improvements to 'The Stadium' sports facilities and new car park, equipped play improvements/works to The Backdoor Training Area, associated accesses/roads, parking, associated services, infrastructure, landscaping, attenuation features and earthworks. Approved

Y16/1266/SH

4.3 Reserved matters application for the construction of 127 dwellings, including affordable housing, a doctor's surgery and commercial floorspace, along with associated landscaping, infrastructure and earthworks at Phase 2b, Somerset Barracks, being details pursuant to outline application Y14/0300/SH (details relating to landscaping, layout, scale, access and appearance). Approved.

Y19/0854/FH

4.4 Reserved matters application for the construction of 44 dwellings, together with associated landscaping, together with associated landscaping, infrastructure and earthworks. Phase 2A officers Mess. Approved.

The above planning approvals contain a mix of housing which includes designs and similar external materials proposed for the application site ensuring elements of design continuity across the overall site whilst providing distinctive character areas.

20/0408/FH

4.5 Reserved matters application relating to access, appearance, layout, scale and landscaping pursuant to outline permission Y14/0300/SH for Hybrid application for the redevelopment of land at Shorncliffe Garrison; and details pursuant to conditions 17, 18, 24, 26, 29/30, 32/33, 35 (in relation to the Officers Mess building only). Pending.

This application is for the conversion of the Officers Mess application into 24 apartments.

5. CONSULTATION RESPONSES

5.1 The consultation responses are summarised below.

Consultees

The site is wholly within the administrative boundaries of Sandgate Parish Council.

Sandgate Parish Council:

No objection

Folkestone Town Council (Neighbouring Town Council):

Object – We reiterate our previous objections on the lack of Horn Street Bridge improvements. The Committee feels that the developments provision of affordable housing must not be reduced from 15% and should be angled toward more social housing for which this is a good site. It feels that the experience of Shorncliffe Heights residents suggest that drainage provision was inadequate in previous plans and wants the drainage double checked here. It feels that the reported problems of Shorncliffe Heights with road widths in the smaller roads should be considered. The turning and movement of vans, fire services, lorries etc. must be adequate and highways officers monitor carefully. The Committee supports the provision of electric charging points and urges consideration of more to be provided. It also suggest that solar panels be installed in advance. The tree avenues should be maintained rather than trees being grouped all the time.

Hythe Town Council (Neighbouring Town Council):

No objection

KCC Highways and Transportation:

Having reviewed the revised details can confirm that the road geometry, visibility splays and vehicle swept path drawings are all satisfactory. With regard to the parking layout, this is greatly improved over the earlier layout. Allocated parking and unallocated visitor parking numbers are adequate. Where the location of allocated parking is not quite in line with good practice guidance, visitor parking spaces have in most cases been located nearby to reduce the likelihood of problem parking occurring. The indicated cycle parking is also appropriate. The intended highways adoption plan is also acceptable. Taking into account the above issues can confirm that no objection on behalf of the local highway authority is raised.

KCC Economic Development:

The County contributions are all covered under the original outline consent, thus we will not be commenting further.

KCC Ecology

We have reviewed the Ecological Impact Assessment and Bat Mitigation Strategy and are satisfied that sufficient information has been provided to satisfy the requirements of condition 16.

KCC Flood and Water Management:

A new planning layout has been submitted which adjusts the highways and house arrangement but which would not be expected to significantly impact the provision of attenuation required for appropriate control of development surface water. Responses dated 11 June 2019 and 21 August 2019 for the earlier layout submission remain unchanged and valid for the amended details.

Previous responses summary: At the detailed design stage we would expect to detailed exceedance plan provided indicating the extent of flooding with reference to actual proposed levels. Conditions recommended.

Natural England:

The advice provided in our previous response dated 5th June 2019 applies equally to this amendment although we made no objection to the previous proposal and the amendments are unlikely to have significantly different impacts on the natural environment than the original proposal.

Previous response summary: No objection. Generic advice given.

Environment Agency:

We have no comments to make on the new information and reiterate our previous comments on the outline application. The drainage strategy shows that both surface water and foul water for phases 2C and 4 will discharge to mains sewer. No discharge to ground is proposed, therefore we have no concerns from a groundwater protection point of view.

Southern Water:

Comments in response dated on 11 June 2019 remain unchanged.

Previous response summary: Our initial investigations indicate that Southern Water can provide foul sewage disposal to serve the proposed development.

Contamination Consultant:

There are no new land contamination documents to review. We have previously reviewed an earlier site investigation report covering these development phases as part of the outline application. We recommended in June 2014 that more detailed intrusive investigations were appropriate and these should be secured by the imposition of the Council's standard land contamination planning condition

Historic England:

Do not wish to offer any comments

FHDC Housing:

Of the 53 affordable housing units we would expect mix of 60% affordable rent/40% shared ownership delivered onsite with the location, mix and housing provider to be agreed with the council

Arboricultural Manager:

No formal comments as there are no amendments to the Arboricultural aspects of the site

Sport England:

The proposal does not fall within either our statutory or non-statutory remit and therefore has not provided a detailed response.

Shorncliffe Trust:

Object most strongly as appears to be a relaxation to form a more contemporary housing development instead of respecting the strong military history of the site.

Stagecoach:

North Road and West Road are currently served by bus route 10 and there are currently no bus stops in the vicinity. To ensure the best possible accessibility to public transport we would wish to see the provision of two pairs of bus stops (one pair in North Road and one pair in West Road) as a condition of any planning consent

NHS South Coast CCG

The CCG secured provision of a shell and core health facility as part of the outline application.

Local Residents Comments

5.2 The application was advertised by site and press notices. 35 neighbours directly consulted. One letter of objection has been received.

5.3 I have read the letter received. The key issues are summarised below:

Objection

- The racquets court and its ancillary building should be treated as a listed building. Before demolition is considered alternative uses should be explored for the whole group of buildings

5.5 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
BE1: Standards expected for new developments
BE16: Requirement for comprehensive landscaping schemes
LR8: Provision of new and protection of existing rights of way
LR9: Public Open Space
LR10: Provision of children's play space in developments
TR2: Provision for buses in major developments
TR5: Provision of facilities for cycling
TR6: Pedestrians
TR11: Accesses onto highway network
TR12: Vehicle parking standards
CO1: Protection of protected species and their habitat
U10a: Requirements for Development on Contaminated Lane

Shepway Local Plan Core Strategy (2013)

DSD: Delivering Sustainable Development
SS1: District Spatial Strategy
SS2: Housing and the Economic Growth Strategy
SS3: Place Shaping and Sustainable Settlements Strategy
CSD1: Balanced Neighbourhoods for Shepway
CSD2: District Residential Needs
CSD5: Water Efficiency
SS7: Spatial Strategy for Shorncliffe Garrison

Places and Policies Local Plan Submission Draft (2019)

The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. An examination-in-public was held in 2019, with hearing sessions taking place from 15-17 May 2019. The Inspector recommended a limited number of Main Modifications to the Plan which were consulted on from 13 January to 24 February 2020. The Inspectors

report has found the plan 'sound' subject to making a few modifications and as such substantial weight can now be given to the policies. The Plan will now go through the Council's internal processes to be formally adopted. Full weight should be given to the policies in the plan once it is adopted.

Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which states that the more advanced the stage that an emerging plan has reached, the greater the weight that may be given to it (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018), as proposed to be modified by the published Main Modifications (2020), may be afforded significant weight. The following draft policies apply:

HB1: Quality Places through Design
HB3: Internal and External Space Standards
E8: Provision of Fibre
C1: Creating a Sense of Place
C3: Provision of Open Space
CC3: Sustainable Drainage Systems (SuDS)
T1: Street hierarchy and site layout
T2: Parking Standards
T5: Cycle parking
NE2: Biodiversity
NE7: Contaminated Land
CC2: Sustainable Design and Construction

Core Strategy Review Submission draft (2019)

The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Following changes to national policy, a further consultation was undertaken from 20 December 2019 to 20 January 2020 on proposed changes to policies and text related to housing supply. The Core Strategy Review was then submitted to the Secretary of State for independent examination on 10 March 2020.

Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which states that the more advanced the stage that an emerging plan has reached, the greater the weight that may be given to it (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection. The following draft policies apply:

SS1: District Spatial Strategy
SS2: Housing and the Economy Growth Strategy
SS3 – Place Shaping and Sustainable Settlements Strategy
SS11 – Spatial Strategy for Shorncliffe Garrison
CSD1 – Balanced Neighbourhoods
CSD2 – District Residential Needs
CSD4 – Green Infrastructure of Natural Networks, Open Spaces and Recreation

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

Supplementary Planning Guidance/Documents

Affordable Housing SPD

Government Advice

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:-

Para. 8 sets out the three main strands of sustainable development: economic, social, and environmental. Para. 11 then sets out that to achieve these aims development proposals that accord with an up-to-date development plan should be approved “without delay.” Para. 12 clearly sets out that the starting point for decision-making is the development plan.

Para. 20 requires Councils to have strategic policies that make sufficient provision for housing, infrastructure, and community facilities in appropriate locations, while ensuring conservation of natural and historic environments. Para. 22 then sets out that such strategic policies should look ahead over a minimum of 15 years (hence the lengthy span of the adopted and emerging Local Plans). Paragraph 47 - Applications for planning permission be determined in accordance with the development plan.

Section 5 of the NPPF requires Councils to deliver a sufficient supply of homes, of varying types and tenures, to meet an identifiable need. Para. 67 requires Councils to have an identifiable supply of specific and deliverable housing sites to meet demand for at least 5yrs hence, and para. 72 advises Councils to identify and allocate sites to meet this need.

Para. 109 states that *“development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Para.117 encourages best, most productive use of land to meet the need for homes, while safeguarding the environment and ensuring safe and healthy living conditions. Para. 122 encourages development at appropriate densities, taking into account the character of the site and the need for different types of housing.

Section 12 aims to achieve well-designed developments and places.

Para. 170 requires planning decisions to protect and enhance the natural environment; minimise impact upon and provide net gain for biodiversity; and mitigate and remediate despoiled land and pollution. Para. 175 deals with biodiversity in particular, and sets out that developments which give rise to significant harm in this regard should be refused.

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/layout/visual amenity
- c) Residential amenity
- d) Parking and access
- e) Ecology and biodiversity
- f) Flood risk and drainage
- g) Affordable housing
- h) Other matters

a) Principle of development

7.2 As the application is a reserved matters application, the principle of the development is not for consideration, as it has already been established and granted planning permission at the outline stage.

7.3 The DSD sets out the development framework for the entire Shorncliffe Garrison site, and is informed by the parameter plans approved under the outline consent. The parameters provide a series of design rules with regard to development extent, use and height.

7.4 The DSD requires the Spine Road to form the background of the development with formal blocks to provide the new edges. Although the road would be the principle route for vehicles, it has been designed to slow traffic speeds through highway design and connect the northern gateway via a number of key spaces. The Spine Road has been designed to provide a formal avenue with consistent public realm treatment and create

a consistent building line with regular rhythm and spacing of building. The development has been planned to support a mix of housing including terraces, semi-detached and detached housing. Streets and housing are proposed to be laid out on the consistent north south dominant grid. The proposed development utilises the Spine Road as a focus for the development providing a formal avenue with a consistent building line and spacing of dwellings together with consistent public realm treatment. A wide mix of housing types are provided across the development contained within formal blocks within a grid layout. As such, the approach taken is considered to accord with the approach as set out within the requirements of the DSD

b) Design/layout visual amenity

- 7.5 Policy BE1 of the adopted Local Plan requires that a high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Development should accord with existing materials in the locality where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height and elevational details.
- 7.6 Policy HB1 of the emerging PPLP requires, amongst other criteria, for development to make a positive contribution to its location and surroundings whilst also respecting existing buildings and land uses, particularly with regard to layout, scale, proportions, massing, form, density materiality and mix of uses so as to ensure all proposals create places of character.
- 7.7 The layout of the site has been informed by the grid like appearance of the existing built form and as required by the DSD. It is based around a central Spine Road that runs from north to south through the centre of the development before turning west to link up with West Road within the south western corner of the site. A secondary access, the Green Link, would be provided linking the Spine Road onto West Road and north of the main open space.
- 7.8 The layout of the site responds to the existing block forms of the Napier area with predominantly north to south building lines contrasting with the east west axis of the Burgoyne area and follows the patterns envisaged in the masterplan contained within the Environmental Statement.
- 7.9 Building heights for the development are in general accordance with the approved parameters providing variation in scale across the development as intended. There are some instances, particularly Spine Road, where heights have been increased to ensure legibility. 3 storey development has been accommodated along the north eastern boundary of the site. These 3 storey developments are considered to provide definition to the northern corner of the site, the primary status of the Spine Road and to emphasis street corners. There are no objections to these elements.
- 7.10 There would be a total of 14 different housing designs providing 2, 3 and 4 bedrooms with building heights of 2, 2.5 and 3 storeys. The apartment blocks would contain flats with either 1 or 2 bedrooms and a total of 7 different floor plans. It is considered that this provides a suitable mix of development to satisfy local housing demand and there are therefore no objections on these grounds.

- 7.11 The dwellings have been laid out to provide back to back separation distances of 20m to ensure adequate rear privacy is achieved. Where side elevations are presented to the backs of housing there would be no first floor habitable rooms within the side elevations in order to avoid potential overlooking and ensure privacy is maintained. Furthermore the outline planning permission has a condition removing permitted development rights for Classes A, B, C, D and E of the GDPO thus requiring applications for extensions, roof alterations and the erection of outbuildings to be controlled by the local planning authority through submission of a planning application.
- 7.12 The layout has been divided into a series of character areas with a legible hierarchy of streets emanating from the principle Spine Road down to private drives and parking courts.
- 7.13 The proposed styles of dwellings and their palette of external materials are designed to provide continuity across the development whilst providing specific identifiable areas of character. This is to be achieved by simple design and material changes within the dwellings and a combination of hard and soft landscaping throughout the road hierarchy.
- 7.14 The principle Spine Road character area features a 6m wide roadway flanked by footpaths and a cycle route down one side. On either side street trees would be planted within grass verges to provide a defining avenue. Dwelling frontages would also be planted with ornamental shrubs using a predominantly silver and green palette of plants. Parking would be mostly off street with some provision for on street vehicle parking.
- 7.15 Along the Spine Road building heights would be 2.5 or 3 storeys and those with 3 storeys would be used to define vistas and junctions. Whilst this is a change to the building height parameters set out in the DSD it is considered this provides a positive impact to respond to its principle purpose as the main street with other development leading off it at a smaller scale. Materials, although subject to condition, are proposed to consist of a mix of buff brick, darker feature brick areas, decorative eaves, projecting feature brick surround to the windows and front facing dormers within the 2.5 storey dwellings.



- 7.16 The dwellings along the Spine Road would feature a mix of both gabled and front facing roofs ensuring some contrast whilst emphasising the more formal arrangement of

dwellings along the road. The rhythmic roof line will provide a consistency of height along the streetscene with frontages parallel to the street. It is a requirement of paragraph 6.29 of the DSD that such consistency is achieved with strong, simple buildings with special consideration at street corners, emphasised by the 3 storey gabled frontages of the dwelling, and variation as the blocks step along the new street, and such requirements are achieved providing a street frontage of quality design.

7.17 Within the central section of the Spine Road at the junction with the Green Road would be the Central Feature Node which would use a contrast of hard and soft landscaping to define this area as a keypoint within the overall layout and designed as a raised table to assist in traffic calming and with a shared space. Trees would be planted in grilles to reinforce this differentiation.



7.18 The Green Edge character area would have dwellings overlooking the main outdoor space of Burgoyne Square. Materials would include buff brick, darker feature brick, vertical panelling options, projecting feature surrounds to windows, and examples of projecting brick features that are found on the Nursery building on the other side of West Road. The dwellings would be 2.5 and 3 storey in nature with both detached and semi-detached houses with gabled frontages to provide a strong frontage along the Green Link. A streetscene image has been produced of the proposed properties overlooking the square indicating how they have been designed to maximise the sense of proximity, integration and overlooking of the public open space. This is a requirement of paragraph 6.66 of the DSD to ensure that the public realm provides a safe, attractive and usable facility of benefit for residents.



7.19 The Burgoyne Area within the south eastern section of the development would provide a lower order of streets compared to the connecting Spine Road. This would be responded to with reduced building heights and simpler features. Whilst the architectural components remain consistent with the remainder of the development, use of hard and soft landscaping would be utilised to respond to the street hierarchy. Housing would consist of a mix of two storey detached, semi-detached and small terraces. External materials would include buff brick, darker feature brick, grey roof tiles, projecting feature brick areas and projecting surround features to the windows.



7.20 The Tower Theatre character area located within the north-eastern corner of the site has been designed to respond to the listed building and the mixed use development of Somerset Barracks. Use would be made of red tonal brick, darker feature brick, projecting brick detail, projecting surrounds to the windows and reconstituted stone. 3 storey apartment blocks would be provided adjacent to the eastern boundary reflecting the height of the adjacent theatre building. The apartments would make use of projecting bays to the main windows and projecting gables to define the front entrances. End of groups of four terraced dwellings would make use of gabled frontages to define the edge of terraces.



- 7.21 A northern feature node would be created at the termination of the green link next to the apartment blocks with use of hard and soft landscaping to define it as a transitional link with the parking courts of the apartments. This would also provide for future linkage to any development occurring to the east of the site.
- 7.22 The Napier Core character area located within the northern part of the site behind the dwellings fronting either side of the Spine Road. Dwellings here would feature the red tonal brick, darker feature brick, grey roof tiles, projecting window surrounds and brick eaves detailing. Detached housing fronting West Road would have gabled frontages to reflect the rigidity and design arrangements of the former barrack buildings.



- 7.23 Fronting the North Road would be semi-detached dwellings of two storey height with apartment blocks at either end of the frontage and on the corners of Spine Road to help frame the development and provide a degree of legibility. The provision of the character areas, as detailed above, would provide a degree of visual differentiation across the development and assist in the promotion of neighbourhood identity. It is considered that the designs of these particular areas are of a high quality and acceptable in terms of the requirements of the DSD and to local plan design policy requirements.
- 7.24 The landscaping for the development incorporates two areas of communal open space. The provision and location of these spaces are a requirement of the DSD. The larger two areas would be located on the western fringe of the development and known as Burgoyne Square. It would feature areas of grassland, curved pathways and additional tree planting contained within cleft chestnut timber knee rail with timber posts at entry points. It would have an informal nature to provide a degree of contrast and relief to the formality of the housing layout. Within the southern section would be a play area, targeted at younger children, incorporating a variety of play area equipment including a snake play sculpture and grasshopper play sculpture framed within earth mounds. Wildlife boxes would be installed on retained trees to encourage biodiversity in accordance with paragraph 175 of the NPPF. It is considered that the more natural

features of this open space would add significant character to the development and be designed to encourage its active use for recreational purposes.

7.25 At the south west corner of the Spine Road would be the Southern Feature Square containing a paved square centred around a circular ornamental bed and with timber seating provided. This would have a more formal appearance than the Burgoyne Square. To the south of this would be a lawned area with a linking footpath connecting the main paved area with the southwest corner of the amenity area. New tree planting and hedging would be provided around the edges of this area. Dwellings on the western side of the would be in close proximity with direct access from their front entrances providing significant overlooking of the square and ensuring the usability of and vibrancy of this space.

7.26 The two areas of public open space satisfy the requirements of the DSD in relation to their design, layout and provision of retained and new planting. It is considered that the establishment of these two areas of open space would make a positive contribution to the development providing attractive features for the benefit of all residents.



Public open space



7.27 The application submission includes six landscaping plans to indicate the soft landscaping across the site and ensures that soft landscaping would make an important contribution to the visual appearance of the development and soften the built form. The proposed landscaping details, mix of planting varieties, and the positive

contribution that the soft landscaping proposals make to enhancing the streetscene are considered acceptable and in accordance with requirements of the DSD

- 7.28 The scheme uses mature trees as a basis for a landscape framework for the development. This is a requirement of the general landscaping principles of the DSD to ensure an attractive setting for the proposed dwellings. Along the West Road frontage the retained trees would be supplemented by new native tree planting (species such as *Quercus robur* and *Prunus avium*) that will help to preserve the existing tree character. New *Tilia cordata* 'Green spire' trees from semi-mature stock are proposed within the verges of the Spine road to help define it as major route through the development. Other tree planting would be used along the secondary streets to enhance the street scene, using such ornamental species as *Corylus columa* and *Pyrus calleryana*. Smaller ornamental species would be used in more incidental locations across the development with contrasts between the various species to help define character areas. The apartment blocks would be defined by hedging.
- 7.29 The DSD set out indicative numbers of housing with 156 envisaged for phase 4 and 255 for phase 2C, a total of 411 dwellings. The proposal would result in the provision of a total of 365 dwellings and thus less than envisaged resulting in a density of 40 dwellings per hectare. This is considered to be a reasonable number for the site and would allow for a degree of spaciousness thus avoiding any perceived overdevelopment of the site.
- 7.30 It is considered that the design and layout of the development would provide a degree of acknowledgement to the military layout of the site that is balanced to the use of more contemporary design and materials that would provide interest to the site. The establishment of the specific character areas would provide a degree of interest to the different areas of the development whilst maintaining a consistent design focus throughout the development through the use of the housing types and palette of materials. Furthermore it is considered that the design and layout is consistent with the objectives of the DSD.
- 7.31 It is considered that the access to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access is considered to be acceptable.
- 7.32 It is considered that the quantum of development, mix of housing types, and how these have been incorporated into the proposed layout are considered to be acceptable.
- 7.33 It is considered that the design and appearance of the dwellings are acceptable with regard to the requirements of the outline permission, respecting the character of the wider barracks site, whilst establishing an identity for these phases of the development.
- 7.34 The scheme provides for the provision of two well designed open spaces and a comprehensive scheme of landscaping for the overall site and that, as such, the landscaping to be provided would be acceptable.
- 7.35 Overall it is considered that the development has been designed to a high standard and is consistent with the policy requirements of the Core Strategy, SS7 and its replacement SS11, and that it makes a positive contribution to its location in accordance with policies BE1 of the Local Plan and HB1 of the PPLP

c) Residential amenity

- 7.36 Residential Amenity SD1 of the Local Plan Review and paragraph 127 of the NPPF require that consideration should be given to the residential amenities of both neighbouring properties and to future occupiers of a development. Emerging policy HB1 of the Places and Policies Local Plan (PPLP) states that development should not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. There are no existing neighbouring properties that would be adversely affected by the proposed development.
- 7.37 Policy HB3 of the PPLP requires adherence to the nationally described technical housing space standard for internal living space and the provision of private garden space for the exclusive use of an individual dwelling of at least 10m in depth and the width of the dwelling.
- 7.38 The majority of dwellings types comply with the national space standards under policy HB3 for the building heights and number of bed spaces (bsp) available for each property type. Nevertheless there would be shortfalls as shown on the following table:

Type	Quantity	Bedrooms	M ² Req.	M ² Actual	M ² Shortfall
PT22	15	2 (3bsp)	70	67	3
PA25	63	2 (3bsp)	70	64	6
AA23	20	2 (4bsp)	79	75	4
Flat 493	3	1 (2bsp)	50	46	4
Flat 505	3	1 (2bsp)	50	47	3

- 7.39 It is considered that the above shortfalls are minor and not significant enough to justify and defend a refusal in terms of the spatial standards and it is noted that shortfalls of up to 6m² have been permitted on other phases of the Shorncliffe development.
- 7.40 The majority of the 286 houses would be provided with a garden of 10m in depth as required by policy HB3 and where shortfalls exist the houses would still have achieved depths greater than 9m. Nevertheless 15 of the dwellings would have garden depths of between 6 and 8m. These dwellings are smaller properties located either at the edges of the development and are either marginally confined by the site boundary or are end of terrace dwellings and provided with enclosed side gardens with boundary fencing to safeguard private amenity. These dwellings would also have ready access to the two areas of public open space a short distance from their doorsteps. As such, on balance, it is considered that the provision of private garden space for all dwellings would be acceptable.
- 7.41 The layout, orientation and design of the dwellings would ensure adequate space would ensure adequate space exists about the dwellings such that there are no concerns raised about overshadowing. The window arrangements and back to back separation distance would ensure that the potential for overlooking or interlooking would be insignificant ensuring privacy for residents. It is considered that the design and layout of the dwellings is such that each future occupier would be provided with

appropriate levels of residential amenity in accordance with policies HB1 and HB3 and that of the requirements of paragraph 127 of the NPPF.

d) Parking and access

7.42 Following consultation with KCC Highways the access and parking arrangements has been subject to review and improved. The Spine Road, the main road running through the site, has been increased to 6m in width and additional traffic calming measures have been introduced in the form of raised tables where straight road lengths exceed the guidance in the Kent Design Guide. A highways adoption plan also accompanies the submission. The other minor roads throughout the development they have been designed to cope with refuse vehicles and with turning heads provided at dead ends.

7.43 The parking strategy plan identifies the parking arrangements across the site

Type of parking space	Numbers
Allocated space	544
Allocated car ports	27
Visitor and unallocated spaces	175
Total	746
Garages	133 (not included in above total)

On average this delivers approximately 2.1 spaces per dwelling increasing to 2.4, when including the garages

7.44 KCC's Interim Guidance Note (IGN3): Residential parking for suburban residential locations requires 1 space per dwelling for one and two bedroom houses/flats, 1.5 spaces for three bedroom properties and 2 spaces for four bedroom properties together with additional parking at the rate of 0.2 spaces per unit. For the 167 one and two bedroom properties this equates to 167 spaces, for the 147 three bedroom properties this equates to 221 spaces and for the 41 four bedroom properties this equates to 82 spaces to give a total residents requirement of 471 spaces, whereas not including garages and car ports there are 544 allocated spaces across the development. Visitor parking at the rate of 0.2 spaces per unit equates to 73 spaces and 175 visitor/unallocated parking spaces are to be provided. The total minimum parking requirement is 544 spaces and, not including the use of garages, 746 spaces would be provided equating to a surplus of 202 vehicle parking spaces thus the residential parking requirements are amply satisfied. Given that there is no maximum parking requirement for suburban locations and that many 2 or 3 bedroom households may have access to 2 (or more cars) it is considered that the level of parking provision is proportionate to the mix of housing to be provided on site.

7.45 Cycle parking is to be provided to all units through the provision of garages and/or garden sheds with communal cycle parking available for the apartments.

7.46 All dwellings with on plot parking would be provided with an external waterproof plug facilitating vehicle charging.

7.47 The provision and location of bus stops within the development has been agreed within the S106 agreement accompanying the outline planning permission.

7.48 Refuse storage is to be located within residents back gardens or communal refuse areas with bins located within acceptable carry distance to roadside collection points.

Gate entrances would be provided to back gardens, or where this is not possible, access will be available through the garages

- 7.49 KCC Highways have confirmed that the road geometry, visibility splays and vehicle swept path analysis are all satisfactory and that the parking layout has been greatly improved over previous submissions and that allocated and non-allocated parking are all adequate. The indicated cycle parking provision is also adequate. Drawing 'CB_80_026_900_904 Adoptable Areas Plan' showing the extent of adoptable areas is also considered acceptable. Detailed highway design along with street lighting and landscaping elements within the public highway will all be subject to formal assessment as part of the Section 38 Agreement for adoptable roads as and when the submission comes forward. Taking account of the above issues KCC Highways have raised no objection to the proposed development. It is considered that the proposed access arrangements are therefore acceptable and there are no objection to their approval as part of the reserved matters application.
- 7.50 The overall level of parking provision is consistent with the requirements of emerging policy T2 and T5 of the PPLP, saved local plan policies and KCC's Interim Guidance Note (IGN3): Residential parking. The DSD requires that parking provision on site is in accordance with the suburban area parking standards and that garage parking is not counted towards the overall level of provision. As such the parking provision would meet the requirements of the DSD and be policy compliant.

e) Ecology and biodiversity

- 7.51 Condition 16 of the outline planning permission requires that each application for the approval of reserved matters for any phase or sub-phase of the development shall be accompanied by a detailed and up to date survey information of the protected species identified in the approved Environmental Statement as relevant to that phase or sub phase, together with a mitigation strategy where relevant. The detailed design of each phase or sub-phase of the development shall reflect the findings of the survey work and mitigation strategy. The mitigation measures shall be carried out as approved by the Local Planning Authority to an agreed timetable.
- 7.52 The Ecological Impact Assessment prepared by CSA Environmental (February 2019) updates the Ecological Impact Assessment originally surveyed during 2013-2016. The habitats within Phase 2C and Phase 4 were found not to have changed significantly. Key areas of mature and semi-mature scattered trees, which form the most valuable habitat resource on site will be retained along the boundary of the site, maintaining habitat connectivity for bats and other wildlife. New opportunities will be provided in the form of bat and bird boxes on trees and bat tubes within buildings to meet the quotas set out per phase in the Environmental Statement. Opportunities for ecological enhancement have been adopted within the scheme with new tree planting, with a significant number of native trees, resulting in an overall increase in the number of trees across the site, and a wildlife box scheme. This would ensure that net biodiversity improvements are provided in line with the requirements of paragraph 175 of the NPPF. The assessment considers that the development is not considered to result in any residual significant adverse effects to important ecological features and considered to accord with all relevant nature conservation legislation, as well as local planning policy. It is considered that the assessment is comprehensive, meets the requirements of the outline planning permission, and provides an acceptable review of the site's ecology.

- 7.53 The Bat Mitigation Strategy prepared by CSA Environmental (March 2019) provides details of proposed mitigation where evidence of roosting bats has been confirmed. It has been prepared following updated bat survey work undertaken in relation to condition 16, and is consistent with the Environmental Statement originally submitted as part of the outline application. It is considered that the mitigation strategy is acceptable and that the methodology would ensure the protection of the species.
- 7.54 The translocation of reptiles has already occurred and therefore there are no objections on these grounds.
- 7.55 KCC Ecology have been consulted on the submitted reports and are satisfied that the requirements of condition 16 of the outline application have been adequately addressed by the submission of the Ecological Impact Assessment and Bat Mitigation Strategy.
- 7.56 Policy NE2 of the PPLP requires that all new development will be required to conserve and enhance the natural environment and it is considered that the ecological elements of the scheme would satisfy the policy requirements and that the provision of wildlife boxes and a comprehensive landscaping scheme would provide ecological enhancements to the site
- 7.57 Natural England is satisfied with the contents of the submitted reports and have no objection to the proposed development.
- 7.58 An Arboricultural Impact Assessment by Keen Consultants (March 2019) has been submitted which identifies that although some trees would be lost those considered to be of significance will be retained. The Council's Arboricultural Manager has no objections to the loss of the trees identified in the report and to the tree protection measures for retained trees that are proposed. There are therefore no objections on these grounds.
- 7.59 The proposal also includes comprehensive landscaping proposals that include details of planting for new native species that would contribute to a net increase in tree cover across the site. The two open spaces would be provided with enhanced tree cover and the existing tree cover along the West Road frontage would be enhanced. A comprehensive scheme for the provision of native and ornamental trees along each street frontage has also been provided. The net result would be a development characterised by extensive tree planting ensuring an attractive development offering future visual amenity for residents.

i) Flood risk and drainage

- 7.60 The site is shown in the Environment Agency mapping to lie in Flood Zone 1 (low risk). Flood Zone 1 is the area described as having a less than 0.1% annual probability of fluvial or tidal flooding. All land uses are appropriate in this flood zone. The site is not at risk from off-site surface water.
- 7.61 Existing MoD drainage show that there are existing conventional drainage systems at the site although their exact location and condition are unknown. Consequently it is proposed to provide new surface water and foul water drainage to be offered to Southern Water for adoption. The drainage systems for the Burgoyne site will

discharge into West Road where new surface and foul water sewers would be installed running to the north and then east. The Napier drainage systems would discharge northwards from the development into the proposed sewers on North Road. The sewers will then connect into the existing Southern Water network. This is consistent with the drainage requirements of the Environment Statement.

- 7.62 Conditions 32 to 35 of the outline consent requires detail of surface water drainage schemes, the maintenance of the same and detail of sewage disposal to be submitted, prior to the commencement of development on any phase or sub-phase.
- 7.63 An indicative drainage scheme has been submitted which provides for a network of foul and surface water sewers across the development. Use would also be made of a network of cellular storm water tanks to provide storage during periods of heavier rainfall in order to control runoff. The submitted drainage information indicates that surface water discharge rates would not exceed 17.7 litres per second for Napier Barracks and 25.6 litres per second for Burgoyne Barracks as required by KCC. Details of the final drainage strategy can be secured by condition.
- 7.64 KCC, as the Lead Local Flood Authority, Southern Water and the Environment Agency have no objections to the development. There are therefore no objection to the proposal on these grounds.

j) Affordable Housing

- 7.65 The outline planning permission was approved with a commitment to provide 18% affordable housing across the development as a whole based on a maximum total of 216 units. Appendix 6 of the S106 agreement sets out the indicative phasing and mix of affordable housing with 11% expected at Phase 2C and 14% at Phase 4 which combined need to deliver circa 13% affordable housing. A total of 51 (14%) are proposed which aligns with the indicative breakdown.
- 7.66 The affordable housing provision would include 8 three bedroom houses, 21 two bedroom houses, 21 two bedroom apartments and 3 one bedroom apartments.
- 7.67 The dwellings would be provided in accordance with the terms of the S106 with 40% of the proposed units as shared ownership and 60% social rent. The submitted plans indicate that these dwellings would be reasonably spread across the development to avoid any clustering.

k) Other matters

- 7.68 Aside from conditions requiring details at the reserved matters stage the outline planning permission contained conditions relating to street lighting, a works strategy, updated ecological surveys at each phase, specification of external materials, details of management of open space, provision of vehicle and cycle parking prior to occupation of each dwelling, details of highway surfacing, provision of vehicle turning areas, a construction management plan, programme of archaeological work, historic building record prior to demolition, assessment of contamination and remediation if required, details of a surface and foul water drainage strategy, tree protection measures, details of soft landscaping works, details of any earthworks, water efficiency, noise mitigation measures for properties specified in the Environmental

Statement, highway improvement works, Class A, B, C, D and E permitted development restrictions. These conditions do not need to be reapplied here.

Environmental Impact Assessment

7.69 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.

Local Finance Considerations

7.70 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. There is no CIL requirement for this development.

Human Rights

7.71 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.

Public Sector Equality Duty

7.72 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.

Working with the applicant

7.73 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 It is considered the proposal is in general accordance with the DSD and would reflect the military heritage of the Garrison whilst providing a contemporary design touch. There has been a minor increase in building heights, over the parameters of the DSD, with a greater number of 2.5 and 3 storey dwellings but this is considered positive in design terms.

8.2 The general layout of the development is in accordance with the indicative masterplan of the approved Environmental Statement.

8.3 In terms of the internal and external space standards of emerging policy HB3 of the PPLP there is a shortfall of internal space and garden sizes in some instances but these are not considered to adversely affect future resident's amenity or those of neighbouring residents.

8.4 The proposal is considered to be of high quality delivering a total of 365 dwelling, including 51 affordable housing units, making a positive contribution to the districts housing supply.

8.5 A comprehensive scheme of landscaping would be provided across the site to provide a sense of place and ensure that the development provides a high quality living environment for future residents.

8.6 The development adheres to the requirements of policy SS7 of the Core Strategy 2013, as replicated in policy SS11 of the Core Strategy Review 2019, and the requirements of the DSD and Environmental Statement of the outline planning permission.

8.7 As a whole it is considered that the proposed development is in accordance with local and national planning policy.

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 following conditions and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

Conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

CB_80_026_900_N_CO_SS_02, CB_80_026_900_004 Affordable Housing,
CSA/2170/213 Rev B, CSA/2172/209 Rev C, CSA/2172/215 Rev B, CSA/2172/216
Rev B, CSA/2172/217 Rev B, CSA/2172/214 Rev B, CSA/2172/212 Rev B,
18_137_NAP-202 Rev B, 18-137-BU-300 Rev A, CB_80_026_900_007,
CB_80_026_900, CB_80_026_900_012, CB_80_026_900_001,
CB_80_026_900_BN_CO_SS_02, CB_80_026_900_BN_GE_SS_01,
CB_80_026_900_000, CB_80_026_900_N_GAR_01, CB_80_026_900_N_GAR_02,
CB_80_026_900_N_GAR_03, CB_80_026_900_N_BIN_01, CB_80_026_900_008,
CB_80_026_900_009, CB_80_026_900_005, CB_80_026_900_010, 18-137-NAP-204
Rev A, CB_80_026_900_BN_CO_NT41_E01, CB_80_026_900_BN_CO_NT41_P01,
CB_80_026_900_BN_CO_PA42_E01, CB_80_026_900_BN_CO_PA42_P01,
CB_80_026_900_BN_CO_NB31_E01, CB_80_026_900_BN_CO_NB31_P01,
CB_80_026_900_BN_CO_PT36_E01, CB_80_026_900_BN_CO_PT36_P01,
CB_80_026_900_BN_CO_PA33_E01, CB_80_026_900_BN_CO_PA33_E02,
CB_80_026_900_BN_CO_PA33_P01, CB_80_026_900_BN_CO_PA33_E03,
CB_80_026_900_BN_CO_PA33_P02, CB_80_026_900_BN_CO_PA33_E04,
CB_80_026_900_BN_CO_PA33_P03, CB_80_026_900_BN_CO_PA33_E05,
CB_80_026_900_BN_CO_PA33_P04, CB_80_026_900_BN_CO_PA34_E01,
CB_80_026_900_BN_CO_PA34_P01, CB_80_026_900_BN_CO_PA34_E02,
CB_80_026_900_BN_CO_PA34_E03, CB_80_026_900_BN_CO_PA34_P02,
CB_80_026_900_BN_CO_PA34_E04, CB_80_026_900_BN_CO_PA34_P03,
CB_80_026_900_BN_CO_PA25_E01, CB_80_026_900_BN_CO_PA25_P01,
CB_80_026_900_BN_CO_PA25_E02, CB_80_026_900_BN_CO_PA25_P02,
CB_80_026_900_BN_CO_PA25_E03, CB_80_026_900_BN_CO_PA25_P03,
CB_80_026_900_BN_CO_PA25_E04, CB_80_026_900_BN_CO_PA25_P04,
CB_80_026_900_BN_CO_PA25_E05, CB_80_026_900_BN_CO_PA25_E06,
CB_80_026_900_BN_CO_PA25_P05, CB_80_026_900_BN_CO_PA25_E07,
CB_80_026_900_BN_CO_PA25_P06, CB_80_026_900_BN_CO_PT22_E01,
CB_80_026_900_BN_CO_PT22_P01, CB_80_026_900_BN_CO_PT22_E02,
CB_80_026_900_BN_CO_PT22_P02, CB_80_026_900_BN_CO_PT22_E03,
CB_80_026_900_BN_CO_PT22_P03, CB_80_026_900_BN_CO_PT22_E04,
CB_80_026_900_BN_CO_PT22_P04, CB_80_026_900_BN_CO_AA31_E01,
CB_80_026_900_BN_CO_AA31_P01, CB_80_026_900_BN_CO_AA31_E02,
CB_80_026_900_BN_CO_AA31_P02, CB_80_026_900_BN_CO_AA23_E01,
CB_80_026_900_BN_CO_AA23_P01, CB_80_026_900_BN_CO_AA31_E02,
CB_80_026_900_BN_CO_AA31_P02, CB_80_026_900_BN_CO_AA23_E03,
CB_80_026_900_BN_CO_AA23_P03, CB_80_026_900_BN_CO_D_E01,
CB_80_026_900_BN_CO_D_P01, CB_80_026_900_002, CB_80_026_900_003,
CB_80_026_900_006, CB_80_026_900_N_GE_SS_01,
CB_80_026_900_BN_CO_SS_01, CB_80_026_900_N_CO_SS_01, 18-137-BUR-303
Rev C, 18-137-NAP-203 Rev B, 18-137-NAP-201 Rev B, CB-80-026-900-04, 18-137-
BUR-302B, CB_80_126_900_010, CB_80_026_900_008,
CB_80_026_900_BN_GE_DR+RA_E01, CB_80_026_900_BN_GE_DR+RA_E02,
CB_80_026_900_BN_GE_DR+RA_P01, CB_80_026_900_BN_GE_NC40_E01,
CB_80_026_900_BN_GE_NC40_P01, CB_80_026_900_BN_GE_PA42_E01,
CB_80_026_900_BN_GE_PA42_P01, CB_80_026_900_BN_GE_PA34_E01,
CB_80_026_900_BN_GE_PA34_P01, CB_80_026_900_BN_GE_PA25_E01,
CB_80_026_900_BN_GE_PA25_P01, CB_80_026_900_BN_GE_PT22_E01,
CB_80_026_900_BN_GE_PT22_P01, CB_80_026_900_BN_SP_NC40_E01,
CB_80_026_900_BN_SP_NC40_P01, CB_80_026_900_BN_SP_PA42_E01,
CB_80_026_900_BN_SP_PA42_P01, CB_80_026_900_BN_SP_PC30_E01,
CB_80_026_900_BN_SP_PC30_E02, CB_80_026_900_BN_SP_PC30_P01,
CB_80_026_900_BN_SP_PC30_E03, CB_80_026_900_BN_SP_PC30_E04,

CB_80_026_900_BN_SP_PC30_E05, CB_80_026_900_BN_SP_PC30_E06,
CB_80_026_900_BN_SP_PC30_P03, CB_80_026_900_BN_SP_PC30_E07,
CB_80_026_900_BN_SP_PC30_E08, CB_80_026_900_BN_SP_PC30_P04,
CB_80_026_900_BN_SP_NB31_E01, CB_80_026_900_BN_SP_NB31_P01,
CB_80_026_900_BN_SP_NB31_E02, CB_80_026_900_BN_SP_NB31_P02,
CB_80_026_900_BN_SP_NB31_E03, CB_80_026_900_BN_SP_NB31_P03,
CB_80_026_900_BN_SP_PA34_E01, CB_80_026_900_BN_SP_PA34_P01,
CB_80_026_900_BN_SP_PA25_E01, CB_80_026_900_BN_SP_PA25_P01,
CB_80_026_900_BN_SP_PT22_E01, CB_80_026_900_BN_SP_PT22_P01,
CB_80_026_900_BN_SP_PT22_E02, CB_80_026_900_BN_SP_PT22_P02,
CB_80_026_900_BN_SP_PT22_E03, CB_80_026_900_BN_SP_PT22_P03,
CB_80_026_900_BN_SP_PT22_E04, CB_80_026_900_BN_SP_PT22_P04,
CB_80_026_900_BN_SP_PT22_E05, CB_80_026_900_BN_SP_PT22_P05,
CB_80_026_900_BN_SP_E_E01, CB_80_026_900_BN_SP_E_E02,
CB_80_026_900_BN_SP_E_E03, CB_80_026_900_BN_SP_E_E04,
CB_80_026_900_BN_SP_E_P01, CB_80_026_900_BN_SP_E_P02,
CB_80_026_900_BN_SP_E_P03, CB_80_026_900_BN_SP_N_TT_PA42_E01,
B_80_026_900_BN_SP_N_TT_PA42_E02,
CB_80_026_900_BN_SP_N_TT_PA42_P01,
CB_80_026_900_BN_SP_N_TT_NB31_E01,
CB_80_026_900_BN_SP_N_TT_NB31_P01,
CB_80_026_900_BN_SP_N_TT_NB31_E01,
CB_80_026_900_BN_SP_N_TT_PT36_P01,
CB_80_026_900_BN_SP_N_TT_PT36_E01,
CB_80_026_900_BN_SP_N_TT_PT36_P02,
CB_80_026_900_BN_SP_N_TT_PT36_E02,
CB_80_026_900_BN_SP_N_TT_PT36_E03,
CB_80_026_900_BN_SP_N_TT_PT36_P03,
CB_80_026_900_BN_SP_N_TT_PA34_E01,
CB_80_026_900_BN_SP_N_TT_PA34_P01,
CB_80_026_900_BN_SP_N_TT_PA34_E02,
CB_80_026_900_BN_SP_N_TT_PA34_P02,
CB_80_026_900_BN_SP_N_TT_PA25_E01,
CB_80_026_900_BN_SP_N_TT_PA25_P01,
CB_80_026_900_BN_SP_N_TT_PA25_E02,
CB_80_026_900_BN_SP_N_TT_PA25_P02,
CB_80_026_900_BN_SP_N_TT_PA25_E03,
CB_80_026_900_BN_SP_N_TT_PA25_P03,
CB_80_026_900_BN_SP_N_TT_B/D_E01 Rev C,
CB_80_026_900_BN_SP_N_TT_B/D_E02 Rev C,
CB_80_026_900_BN_SP_N_TT_B/D_P01 Rev C,
CB_80_026_900_BN_SP_N_TT_B/D_P02 Rev C,
CB_80_026_900_BN_SP_N_TT_B/D_P03 Rev C,
CB_80_026_900_BN_SP_N_TT_B_E01 Rev C,
CB_80_026_900_BN_SP_N_TT_B_E02 Rev C,
CB_80_026_900_BN_SP_N_TT_B_P01 Rev C,
CB_80_026_900_BN_SP_N_TT_B_P02 Rev C,
CB_80_026_900_BN_SP_N_TT_D_E01 Rev C,
CB_80_026_900_BN_SP_N_TT_D_E02 Rev C,
CB_80_026_900_BN_SP_N_TT_D_P01 Rev C,
CB_80_026_900_N_CO_PA42_E01, CB_80_026_900_N_CO_PA42_P01,
CB_80_026_900_N_CO_PT36_E01, CB_80_026_900_N_CO_PT36_P01,
CB_80_026_900_N_CO_PT36_E02, CB_80_026_900_N_CO_PT36_P02,
CB_80_026_900_N_CO_PA33_E01, CB_80_026_900_N_CO_PA33_E02,

CB_80_026_900_N_CO_PA33_P01, CB_80_026_900_N_CO_PA33_E03,
CB_80_026_900_N_CO_PA33_P02, CB_80_026_900_N_CO_PA34_E01,
CB_80_026_900_N_CO_PA34_E02, CB_80_026_900_N_CO_PA34_P01,
CB_80_026_900_N_CO_PA34_E03, CB_80_026_900_N_CO_PA34_P02,
CB_80_026_900_N_CO_PA34_E04, CB_80_026_900_N_CO_PA34_P03,
CB_80_026_900_N_CO_PA34_E05, CB_80_026_900_N_CO_PA34_P04,
CB_80_026_900_N_CO_PA34_E06, CB_80_026_900_N_CO_PA34_P05,
CB_80_026_900_N_CO_PT22_E01, CB_80_026_900_N_CO_PT22_P01,
CB_80_026_900_N_CO_PT22_E02, CB_80_026_900_N_CO_PT22_P02,
CB_80_026_900_N_CO_PT22_E03, CB_80_026_900_N_CO_PT22_P03,
CB_80_026_900_N_CO_PT22_E04, CB_80_026_900_N_CO_PT22_P04,
CB_80_026_900_N_CO_PA25_E01, CB_80_026_900_N_CO_PA25_P01,
CB_80_026_900_N_CO_PA25_E02, CB_80_026_900_N_CO_PA25_P02,
CB_80_026_900_N_CO_PA25_E03, CB_80_026_900_N_CO_PA25_P03,
CB_80_026_900_N_CO_PA25_E04, CB_80_026_900_N_CO_PA25_P04,
CB_80_026_900_N_CO_C_E01, CB_80_026_900_N_CO_C_P01,
CB_80_026_900_N_CO_PA33_E01, CB_80_026_900_N_CO_PA33_P01,
CB_80_026_900_N_CO_AA23_E01, CB_80_026_900_N_CO_AA23_P01,
CB_80_026_900_N_CO_AA23_E02, CB_80_026_900_N_CO_AA23_P02,
CB_80_026_900_N_CO_AA23_E03, CB_80_026_900_N_CO_AA23_P03,
CB_80_026_900_916, CB_80_026_900_N_SP_NC40_E01,
CB_80_026_900_N_SP_NC40_P01, CB_80_026_900_N_SP_PA42_E01,
CB_80_026_900_N_SP_PA42_P01, CB_80_026_900_N_SP_PC30_E01,
CB_80_026_900_N_SP_PC30_E02, CB_80_026_900_N_SP_PC30_P01,
CB_80_026_900_N_SP_PC30_E03, CB_80_026_900_N_SP_PC30_P02,
CB_80_026_900_N_SP_NB31_E01, CB_80_026_900_N_SP_NB31_P01,
CB_80_026_900_N_SP_PT22_E01, CB_80_026_900_N_SP_PT22_P01,
CB_80_026_900_N_SP_A_E01, CB_80_026_900_N_SP_A_E02,
CB_80_026_900_N_SP_A_E03, CB_80_026_900_N_SP_A_E04,
CB_80_026_900_N_SP_A_P01, CB_80_026_900_N_SP_A_P02,
CB_80_026_900_N_SP_A_P03, CB_80_026_900_N_SP_AA_E01,
CB_80_026_900_N_SP_AA_E02, CB_80_026_900_N_SP_AA_E03,
CB_80_026_900_N_SP_AA_E04, CB_80_026_900_N_SP_AA_P01,
CB_80_026_900_N_SP_AA_P02 and CB_80_026_900_N_SP_AA_P03.

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of saved policy SD1 of the Shepway District Local Plan Review.

2. No development (except for demolition) and site clearance shall begin in any phase until a detailed surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water drainage generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. Surface water discharge rates shall not exceed 17.7 litres per second for Napier Barracks and 25.6 litres per second for Burgoyne Barracks phases, within the development catchment wide allowable discharge rate of 64 litres per second.

The drainage scheme shall also demonstrate (with reference to published guidance)

- That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

3. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied or brought into use until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the local planning authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage system incorporated.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 155 of the National Planning Policy Framework.

Informatives:

1. This decision is also conditional upon the terms of the Planning Agreement which has been entered into by the developer and the Local Planning Authority under Section 106 of the Town and Country Planning Act 1990. The Agreement runs with the land and not with any particular person having an interest therein.

Appendix 1 – Site Location Plan