

**40 Extra Care apartments for the elderly and supported apartments for people with learning difficulties, with associated communal facilities, car parking and landscaping at Whitegates, Hythe – SH/06/1287**

A report by Head of Planning Applications Unit to Planning Applications Committee on 16 January 2007.

Application by Kent County Council Adult Services and Housing 21 for the demolition of existing buildings and erection of a detached three storey block of 40 extra care apartments for the elderly and a two storey block of 7 supported apartments for people with learning difficulties, with associated communal facilities together with car parking and landscaping at Whitegates, Whitegates Close, Hythe.

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mr. C. Capon

Classification: Unrestricted

**Site**

1. The application site comprises the existing Whitegates care home at the end of Whitegates Close, off Stade Street, Hythe. The site is approximately 0.6 hectares and includes a number of mature trees. It is bordered by residential properties in Napier Gardens to the south and Hanover Court immediately to the west by Oaklands park, a bowling green and pavilion to the north and by South Road Recreation Ground to the east. Ladies Walk, a Public Right of Way, also passes the site to the immediate east. Beyond the bowling green are the Royal Military Canal, a Scheduled Ancient Monument and an area of Archaeological Potential. The application site lies immediately adjacent to the Hythe High Street Conservation Area and to a Historic Park/Garden. A site location plan is attached.

**Background**

2. The application was the subject of a Member's Site Meeting on 10 January 2007. A copy of the notes from the meeting will be distributed to Members separately.
3. The application is one of a number of applications, which have been submitted on behalf of Kent County Council Adult Services and Housing 21. The proposals form part of a Private Finance Initiative (PFI) to redevelop a number of sites in Kent with new extra care accommodation for the elderly and supported flats for people with learning disabilities.
4. Outline planning permission was granted (ref: SH/05/729) by the Planning Application Committee on 11 October 2005 for a similar development. That outline planning permission for the site approved the principle of a part 3-storey building for use as 40 extra care apartments, 6 supported apartments and parking facilities, using a site layout that differs from the current application. The outline permission addressed siting and access details. It excluded consideration of design, landscaping and external appearance. However, the current application has been submitted as a fresh submission and not pursuant to the outline consent.
5. Following the submission of a new full planning application, Housing 21 has held an exhibition for local residents regarding the proposed development of the site, which

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coincided with the submission of the planning application. Responses submitted in response to the exhibition have been conveyed to myself and are incorporated in those received in response to the planning application (see paragraph (25) of this report).

6. As a result of comments received during the public consultation process, the applicant submitted amendments to the proposal. Further amendments were also made following the Member's Site Meeting held on 10 January 2007, these are summarised in the letter from the applicant dated 25 January 2007 attached to this report, and are discussed throughout this report.

Environmental Impact Assessment

7. At the request of the applicants, a screening opinion pursuant to the Environmental Impact Assessment Regulations 1999 was carried out. It concluded that the planning application does not need to be accompanied by an Environmental Impact Assessment, as defined under Regulation 5 and 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

**Proposal**

8. Full planning permission is now sought for the demolition of the existing buildings and the erection of a detached part 2-storey, part 3-storey block of 40 extra care apartments for the elderly and a 2-storey block of 7 supported apartments for people with learning difficulties, with associated communal facilities together with landscaping.
9. The amount of development is an increase over both the existing number of units on the site and the floor space of the existing buildings. A total of 16 car parking spaces, plus 2 disabled spaces, would be provided on the site, some of which are shared with the existing day centre on site.

**Layout**

10. The layout of the development on site is constrained by the need to re-use the existing access to Whitegates and by surrounding residential development. The site is an extended rectangle running east/west with the rear gardens of substantial residential plots bounding to the south. The natural entrance to the site is from the west whilst there are some good specimen trees on the southeast boundary. The existing arrangement has led to the decision to place the Learning Difficulties facility at the entrance of the site. In that position, it could have its own discrete entrance and parking and any activity around the building would have little impact on the residents of the proposed care home.
11. The amended site layout indicates that the building would have a linked footprint which follows the northern boundary of the site and at a greater distance than the previous submission, and which would offer an angled elevation to the Ladies Walk boundary.
12. The development has been designed to comply with Secured by Design principles. The applicant has stated that an integrated approach to the development has been taken to ensure that a well designed environment is created with good natural surveillance over

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the car parking areas, a secure and well maintained access through Whitegates Close and private amenity space for the residents which is overlooked from each unit within the building and secure from intruders. It is also proposed to introduce low level lighting to the parking court and pedestrian access route.

**Proposed Building**

13. The site is located in a residential area, adjacent to a Conservation Area and the design of the new buildings (the care home apartments and 7 supported apartments) has been influenced by the need to provide a building which addresses both the character of the Conservation Area whilst complementing domestic properties to the south. The building has long principal elevations with a strong horizontal emphasis. In order to provide interest and activity in the elevations, the front and rear elevations have been broken into modules with projecting bays in contrasting materials in order to provide a vertical rhythm. The amendments, which included the introduction of the 2-storey elements either side of the central 3-storey section, helps to break up the roof line, which reflects the smaller proportions of surrounding buildings at either end of the site.
14. The amendments also include ancillary accommodation in the form of a single storey arm from the southern elevation. The building retains a shallow pitched roof, which was to be clad in red plain clay tiles but has subsequently been amended to accommodate a shallower profile with interlocking slates. The horizontal emphasis would be delineated by differing materials with the third floor set within a tiled mansard style roof and lower floors marked by fair faced brick. The projecting bay windows are a key feature of the design, which provides residents with a safe and secure area for viewing the gardens to the front and rear of the building. The projecting bays are also distinguished by horizontal cedar cladding to provide a softer contrast to the other materials. In order to complement the other materials, windows and doors would be constructed of powder coated metal frames to provide a crisp, understated finish.
15. The main entrance to the extra care building would be easily identified by its location alongside the drop-off point and the car parking spaces.
16. The two storey supported apartments building would be constructed in a similar palette of materials, including light coloured render with fair faced brick work and a matching interlocking slate roof. This building is proposed to also feature a form of tile hanging on the external bays together with steel and glazed balconies.

**Access**

17. Given the site constraints and the layout of the surrounding development, the existing site access is being re-used. The site is well located in relation to the town centre in Hythe and pedestrian access from the rear of the site onto the open space to the north. The town centre location puts the facility within easy reach of other public facilities in the area. Full access for refuse and emergency vehicles would be maintained.
18. The building has been designed with full disabled access to all parts of the site. The entrance to the building would be prominently located and well marked and provided with ambulance drop off points as close as possible to the front doors.

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**Landscaping**

19. The south facing landscaped area adds to the experience of arriving at the building, augmenting the sense of welcome. The garden area allows a range of environments, permanent and temporary, to suit the needs and aspirations of those that would live and work on site. The Learning Difficulties facility has sufficient room to allow for its own garden to the west. This would act as a buffer zone between the proposed building and the houses, which run close to the site boundary to the west.
20. The Care Home lies in a wooded part of the site. A formal sensory garden is also proposed in an area to the south of the building. This would be framed by a new hedge and have an internal path allowing a short but calming walk amongst scented plants. The centre of the garden would be a raised bed allowing wheel chair users' contact with the plants. Around the immediate edge of the Care Home block, low to medium height flowering and scented shrubs would be planted in areas where there is no paving to enhance and frame the view from the windows.
21. The Learning Difficulties unit would be separated from the Care Home and parking area by a series of new hedges. The main garden lies to the west of the unit and would comprise a paved courtyard with seating areas and outdoors eating area. A trellis with arch would lead through to a secret garden. The planting would combine scented and foliage to create a contemplative scheme to enjoy.

**Planning Policy**

22. The Development Plan Policies summarised below are relevant to the consideration of the application:
  - (i) **The Kent & Medway Structure Plan, 2006:**
    - Policy SP1** - Seeks to conserve and enhance Kent's environment and ensuring a sustainable pattern of development.
    - Policy QL1** – All development should be well designed and be of high quality.
    - Policy QL3** – Requires the provision of safe pedestrian and cycle routes.
    - Policy QL5** – Promotes mixed use development.
    - Policy QL6** – Seeks to preserve and enhance the special character of Conservation Areas.
    - Policy QL7** – The archaeological and historic integrity of scheduled ancient monuments and other important archaeological sites, together with their settings, will be protected and, where possible, enhanced.
    - Policy QL11** – Existing community services, will be protected as long as there



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is a demonstrable need for them.

**Policy EN8** – Relates to the protection and enhancement of biodiversity.

**Policy EN9** – Tree cover and the hedgerow network should be maintained and enhanced.

**Policy TP3** – Development sites should be well served by public transport, walking and cycling or will be made so as a result of the development. Requires travel plans to be established for larger developments that generate significant demand for travel. Developments likely to generate a larger number of trips should be located where there is either a good choice of transport already available or where a good choice can be provided in an acceptable manner.

**Policy TP19** – Development proposals must comply with the adopted vehicle parking policies and standards.

**Policy NR5** – The quality of Kent's environment will be conserved and enhanced, this includes visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

**Policy NR10** – Development will be planned to avoid the risk of flooding and will not be permitted if it would be subject to an unacceptable risk of flooding. Where development is necessary it should be designed and controlled to mitigate the impact of flood risk.

(ii) **Shepway District Local Plan, 2001:**

**Policy INT1** – All development proposals should take full account of the need to protect the environment.

**Policy BE1** – A high standard of layout, design and choice of materials will be expected for new development.

**Policy BE3** – The District Council will resist proposals which would affect the character of a Conservation Area, and seek to enhance and preserve the appearance of Conservation Areas

**Policy BE13** – Provision shall be made for landscaping, amenity areas and the need for nature conservation.

**Policy HO10-** Set out criteria for nursing homes, residential homes for the elderly and other industrial uses within Use Class C2 of the Use classes Order 1987.

**Policy HO11** – Proposals for sheltered accommodation will be refused unless the location is considered acceptable in terms of access to

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shops, places of worship, public transport routes, adequate parking and that the development does not adversely affect the character of the area.

**Policy TR3** – Relates to the efficient and safe movement of traffic, and the road network.

**Policy TR4** – Proposals for new development which would attract vehicle traffic will be required to provide operational vehicle parking off street.

**Policy TR8** – Relates to the cycling strategy.

(iii) **Shepway District Local Plan Review Revised Deposit Draft 2002:**

**Policy SD1** – Promotes sustainable development.

**Policy BE1** - Requires high standards of layout, design and materials.

**Policy BE4** – Relates to Conservation Areas.

**Policy BE16** – Requirement for comprehensive landscaping schemes.

**Policy HO13** – Relates to applications for nursing or residential homes.

**Policy SC2** – Criteria for new social and community facilities.

**Policy SC3** – Deals with the loss of community facilities

**Policy TR5** – Cycling strategy.

**Policy TR6** – Needs of pedestrians.

**Policy TR11** – Relates to the efficient and safe movement of traffic, and the road network.

**Policy TR12**- Vehicle Parking Standards.

## **Consultations**

**Shepway District Council:** objects to the proposal.

### The original proposal

On the original proposal the Council advises: “The Council considers that the proposal as submitted fails to respect the character and appearance of the surrounding area and does little to conserve or enhance the character or appearance of the adjacent Conservation Area. The design is uninspiring and elevationally uninteresting. The unbroken roof structure merely emphasises the linear form.

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“The Council shares the view expressed in the original Kent County Council planning Committee report that the building should not be universally three-storeys in height, and should be designed with significant breaks in the form and roof structure.

“Significantly, the Council is concerned that the frontage to the Conservation Area should make a positive design contribution rather than offer an almost blank wall and roof. The current proposal neither preserves nor enhances the Conservation Area.

“Of particular importance both to the Conservation Area and the privacy of houses in Napier Gardens are the trees in the southeast corner of the site. The proposed building comes too close to these trees to ensure their continued survival.

“A three-storey building would overlook the Napier Gardens properties. The building should not be universally three storeys, and where it is, there needs to be a clear indication that there is scope for additional boundary tree planting.

“The Council would not want to be seen as being too prescriptive on the design freedom of the architects, but there does seem to be some scope for the western third of the building, where it is further from the southern boundary, being three-storey with supplementary tree planting on the boundary. For the central section being two-storey, and for the eastern end to again being three-storey where the existing trees offer some screening, but of a design that would complement the Conservation Area, and subject to the over-riding concern in respect of proximity to the existing trees, and to there being scope for further landscaping in that area.

“The Council would also wish to see conditions in respect of the method and hours of work imposed on any consent to ensure a minimum of disturbance for local residents during demolition and construction works”.

On the first amendments to the design

Shepway District Council maintains its objections to the *amended* proposal. The Council does not consider that the amended details sufficiently address the concerns raised on the original proposal and the previously expressed concerns still stand. “More specifically it is considered that the amendments do not address the harmful effect the development would have on the adjoining Conservation Area. No elevations were provided as part of the amendments as to how the development would appear when viewed from the east but from the plans the Council considers that the effect would be harmful, not least because the movement of the proposed building closer to the southern boundary would result in the loss of the boundary tree cover, making the proposal even more prominent”.

“The additional loss of trees and the move to the south would also increase the harm to living conditions for the occupiers of the houses at the eastern end of Napier Gardens. It is the Council’s view that in order not to have a harmful effect on the Conservation Area the proposed building has got to step back from the eastern boundary of the site. It is the Council’s view, therefore, that no building works should be permitted any closer to the eastern boundary than 15 metres to ensure the reasonable retention of the boundary trees. However, it is also important that the end

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elevation incorporates the necessary detailing to be seen from within the Conservation Area”.

“The Council also asks that consideration be made to the Hythe Bowling Club’s concerns.

*No comments have been received regarding the latest amendments.*

**Hythe Town Council:** objects to the proposal as originally submitted for the following reasons:

- The proposal represents intensive development by virtue of its mass, size and scale.
- Lies adjacent to Conservation Area and design is not deemed to be appropriate in its location.
- Developers to be requested to resubmit a more appropriate design on this sensitive site.
- No landscaping details provided.

*No comments have been received regarding any of the revised designs.*

**Divisional Transport Manager:** has no objection to the proposals subject to conditions to deal with the following: prevention of mud/debris being carried onto the highway during construction; parking for site personnel involved in construction; provision and retention of approved car parking; provision and retention of a minimum of 4 secure, covered cycle parking spaces; provision and retention of a turning facility for delivery vehicles.

**Jacobs (Landscaping):** make the following comments:

“We do not object to the revised proposals. We support the alterations in design in terms of reducing overall building footprint and creating a varied roof profile. The revised car parking layout, with minimal paved area to the north of Napier Gardens and the retained hedgerow boundary is preferable to the original application. This would be less imposing on housing along Napier Gardens and allow an extension of existing retained vegetation from the east”.

**County Archaeologist:** According to present information, there is no archaeology recorded on the site or close by except for the Royal Military Canal which lies about c.90m to the north. The canal is part of a 19<sup>th</sup> Century defence network and relates closely to the Martello towers and batteries along the coast between Folkestone and Hythe. The canal is a Scheduled Monument.

I do not consider there is much potential for archaeological remains.

**County Conservation Officer:** “In summary the general scale of construction in the area is two storey, with larger and taller buildings fronting the sea. The adjacent conservation area is characterised by the Royal Military Canal, a scheduled ancient monument of national significance, and the adjacent two storey buildings from the 18<sup>th</sup> and 19<sup>th</sup> century within a generally green urban landscape including local sports facilities and attractive public walks along the canal, which is linked to the sea front by Ladies Walk, Lucy’s Avenue, Stade Street, Albert Road and St Leonards Road.

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“This has been a difficult proposal to resolve due the general scale and bulk of the proposals that were originally given outline planning permission and the sensitive context. The proposals have improved through further negotiation and further enhancements are unlikely without a reduction in accommodation. The applicant has revised the proposals in order to reduce the bulk of the building. This has been achieved by omitting a floor of flats on the east and west end of the main block. Landscaping and important trees to the eastern end have further been retained by shifting the main block westwards. The large and bulky roofline has also now been broken up and reduced, which should improve the roofline when viewed from a distance. This aspect of the design would have been more successful if the elevation was symmetrical around the central bay and this could be achieved by giving further attention to the plan layout and the number of single and double bed roomed accommodation. A symmetrical plan would have allowed three separate pyramidal roofs instead of the two with a section of pitched roof connecting them. However the overall appearance will result in the breaking up of the roofline, which is appropriate and acceptable in this location. The applicant has agreed to build a brick boundary wall to the north, which will be an improvement on the close boarded fence. The height and brick type will need to be agreed and it will be important to ensure that foundation design takes into account any trees that are close to the boundary wall. Subject to detail conditions on materials and external fenestration, landscaping and boundary treatments I raise no further objections”.

**English Heritage:** “The proposal is bland, bulky and lacks interest; moreover unfortunately, it does nothing to visually lift the surrounding area and the Conservation Area. However, despite this, we are content that the Conservation and design team of the County Authority seek to negotiate changes with the owners and their advisors to the design of this proposal without further reference to English Heritage”.

**Environment Agency:** objects to the proposal and states that “although set back some distance from the shoreline, the application site is located within a low lying area, and is at risk to tidal flooding should the sea defences which protect the area become breached or severely overtopped during very extreme tidal conditions.

“This site must be considered at high risk for the true lifetime of the development. The development is also for the elderly and people with learning difficulties and these groups of people would be particularly vulnerable in a flood situation.

“We note that the proposed sleeping accommodation is at a particularly low level of 3.65 metres above Ordnance Datum Newlyn (preferred at 5.37 metres). This would not meet the Agency’s recommendations and guidance, as there would be a significant risk for residents. Ideally all the main habitable areas should be at a significantly higher level to reduce the risk to life and damage to property. The site is also relatively close to the Royal Military Canal, a source of possible ‘main river’ fluvial flooding when prolonged periods of very intense rainfall coincides with extreme high tide conditions.

**Local Member**

23. The local County Member, Mr C. Capon was notified of the application on the 12 October 2006.

**Publicity**

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24. The application was publicised by advertisement in a local paper, the posting of two site notices and the notification of 59 neighbouring properties.

**Representations**

25. 17 letters of representation have been received (including those from Hythe Bowling Club) to the original design. The main planning concerns and objections are as follows:

- The development would create overlooking and privacy issues with neighbouring properties.
- Landscaping is inadequate. A detailed landscaping scheme is required.
- Number of trees to be removed is worrying.
- Confirmation that trees would be protected during construction is needed.
- The building would disturb the quietness of the residential area.
- 3-storeys is too big for the area. Concern that the Mansard roof is really disguising a 4-storey building and is not 3-storey at all.
- Building design is not in keeping with others in the area.
- Increased height of the building will damage people's views of the Conservation Area. It will be one solid block of unvarying height.
- Building will do nothing to preserve the area's character and recent developments in the area seem to be 'making a mockery of the vicinity's Conservation status'.
- Not clear if there will be an increase in traffic as a result of the proposed development. Lack of parking facilities.
- People's special care needs are unlikely to be met in the new style development.
- Original building is only 30 years old, why is there a need to re-build? Existing care home has only recently been refurbished.
- A similar, more sympathetic building would be much more suitable on site.
- Level of noise pollution caused by the development will be unbearable.
- Dust pollution will have an affect on people's health.
- Negative impact on property values.

7 letters of representation have been received following the first amendments to the proposal. The main concerns are as follows:

- Object to the 2-storey element of the building as would be closer to properties in Napier Gardens.
- The three-storey element would have detrimental effects of the playing surface of the bowling green.
- The size of the proposed building would significantly overshadow and overlook properties in Napier Gardens, and prevent views into the Hythe Conservation Area.
- Proposed bin storage is too near to residential properties and would cause a nuisance.
- It is not acceptable to be expected to wait until replacement trees are fully-grown.
- The site is not big enough for 40 care apartments and re-arranging buildings on site have not solved the problem.
- Concern over the removal of trees, including evergreens, along the eastern boundary. This would expose the boundary and remove screening.
- The 2-storey element should be in the centre of the building to break up the hard roofline.
- Concern regarding the adequacy of parking spaces and whether this would have an impact on Stade Street, particularly with regards to the potential for on street parking.

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- Considerable amount of light pollution will be experienced at night.

**Discussion**

26. This application needs to be determined with regard to the relevant Development Plan Policies and in the light of other material planning considerations, including relevant planning objections raised by the consultees, set against the need for the proposed development.

**Policy**

27. The key policies for consideration regarding the proposed development are SP1 (environment), QL1 (design), QL6 (Conservation Areas), QL11 (community) and EN9 (trees). The principle of the development accords with Policy SP1 and QL11, although there are design and layout issues and Conservation Area issues that need to be addressed.

28. The overall layout proposed in this application is similar to that agreed at outline application stage. The proposed development would also be erected broadly over the existing footprint of the existing care home facilities. The use of the site is not proposed to change as a result of this application and is in fact used currently as a care home and sheltered accommodation facility.

29. Overall, therefore, I consider that the proposed development is in general accordance with the relevant Development Plan Policies and I see no overriding objection on planning policy grounds. In particular the proposed use of the site is currently taking place on site and the development would be erected broadly over the existing footprint of the buildings, which has previously been agreed in principle at outline application stage.

**Conservation Area**

30. Shepway District Council and the County Conservation Officer raised concern with regard to the proposed development's potential impact on the adjacent Conservation Area. The original design of the care home building was considered too uninspiring and too imposing on the surrounding landscape compared with other buildings in the area. The applicant has submitted further amendments following discussions with the Conservation Officer. These amendments include changes to the disposition of the buildings on site and the form of the roof.

31. The changes would allow for more trees to be retained at the eastern end of the site, providing natural screening for the proposed building(s) from the Conservation Area and wider landscape. The amended roof design would aid in reducing visual impact on the area and changing the colour of the roof tiles from red to grey would also reduce the overall visual impact as grey is a more neutral colour.

32. Although the building would still be 3-storeys in height, which is considered by some objectors as too imposing, I consider that the roof design has been altered enough to satisfactorily address the concerns of the Conservation Officer and the District Council. However, further suggestions have been made regarding the symmetry of the proposed elevations and further drawings addressing this would need to be submitted prior to issuing any planning decision.

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**Design and Layout**

33. In order to address the concerns raised regarding the overall design and layout of the proposed development, particularly with regard to the potential impact on the Bowling Club, trees and visual amenity, the applicant submitted a second amendment. The proposed Learning Difficulties accommodation has now been rotated 180°, which allows the care home building to be moved at least 4m westwards, away from the east boundary. This allows all significant trees to be retained and pulls the building further away from the properties at the end of Napier Gardens. The closest window to window relationship now exceeds 21m.
34. As discussed above, the roofing design has been addressed and has reduced the perceived bulk of the building, creating a more fitting design for the site adjacent to a Conservation Area.
35. The siting of the building in this revised position is almost exactly in line with the location of the building approved at outline stage and therefore I consider the amended location and design of the care home building to have a degree of sensitivity to its surroundings and adjacent Conservation Area. I do not consider it to have a detrimental impact on the area. I consider that given the efforts made by the applicant to maintain trees on site and the proposition of planting further trees and providing boundary treatment (which can be conditioned to any planning consent), the visual impact experienced from Ladies Walk, Napier Gardens and the Bowling Club would be softened further.
36. The details of external materials would be submitted via a condition to the planning permission, should Members be minded to permit, and would be required for consideration prior to the commencement of operations on site. This would allow influence to be made on the materials used in order to further mitigate any potential impacts on the visual amenity. The change from red roof tiles to grey is a positive amendment to the design of the buildings.
37. As to whether the development would result in an intensification of the use (residential home for the elderly) and thereby give rise to a change in the character of the neighbourhood, I would advise that the surrounding area is predominantly residential, and although the capacity of the site for social care uses would increase, this should not in itself alter the character of the neighbourhood. The existing site is presently used for residential care.

**Residential Amenity**

38. A number of residents living in Napier Gardens have raised concerns about the possible loss of privacy, overlooking and loss of light as a result of the proposed development. Following the amendment to move the building further away from the eastern boundary, a higher degree of screening would be provided by existing trees, creating a shield between residential properties and the proposed care home building. In terms of loss of light, I note that the proposed building would be to the north of the existing housing, so although the building would be more dominant than at present in private views from these properties, I do not consider that any significant loss of light (nor of privacy) would result.



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39. I note that the proposed 3-storey building would be around 8 metres from the boundary with the bowling green to the north. Here there may be some loss of light as a result of the building, which would only be apparent during winter months. Although the new building would be higher than the existing the closest point of the existing building would be 2 metres away from the bowling green, the closest point of the proposed building would be 8 metres. Whilst this would no doubt alter the local environment for the bowling club, it does not itself affect residential amenity, and I would advise that such an impact would have to be accepted should Members resolve to permit the application. A condition requesting further landscaping and planting, especially along the northern boundary, in order to soften the appearance of the development and mitigate potential impact onto the bowling club can be included on the planning permission should Members be minded to permit.

**Parking and Access**

40. The site would be accessed via the existing site access at the end of Whitegates Close and the parking spaces would be provided off the access road, adjacent to the main entrance to the new care home building.

41. There are a number of concerns have been raised relating to traffic, access and parking from neighbours of the site. These are reflected in the letters of representation summarised in paragraph (25) above and include concerns about additional traffic and the potential for increased on road parking along Stade Street as a result of providing insufficient parking facilities on site. However, the proposed car parking provision of 16 spaces plus two disabled spaces is considered by the Divisional Transport Manager to be sufficient to accommodate the demand from the proposed level of staffing, as well as meeting the requirements of 8 spaces for visitors. I do not consider that this would cause additional on-street parking. It is not expected that parking problems would occur as a direct result of the development. It should be borne in mind that car ownership levels of residents is usually very low.

42. The Divisional Transport Manager requests that number of conditions be attached to the planning permission, should Members be minded to permit. These should include, amongst others, the prevention of mud and debris being carried onto the highway, parking for site personnel involved in construction, provision of approved parking, and the inclusion of cycle parking on site. I therefore see no objection to the application on parking and access grounds.

**Landscaping**

43. There are a number of existing trees on site, a small number of which would be lost, but most of which could be retained as part of the proposal. A further Tree Protection Plan has been requested and I await its submission following the recent amendments to the proposal, however, I expect it to address those concerns raised by consultees and residents regarding the protection of trees on site. Given that the applicant has shown willing to pull the proposed building away from the eastern boundary, the location of many trees which would require retention, I am satisfied that all efforts have been made to retain as many trees on site as possible. I consider that detailed and thorough landscaping on site would help mitigate any visual amenity and overlooking issues, which have been of particular concern for neighbouring residents of the site. I also

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consider that detailed landscaping would add character and attractiveness to the site and proposed buildings.

**Flooding and Water Resources**

44. Structure Plan Policy NR10 requires that development is planned to avoid the risk of flooding, that proposals involving unacceptable flood risk to be refused, and for developments in areas of flood risk to be designed and controlled to mitigate the impact of flood risk.
45. The Environment Agency (EA) has objected to the proposal on the grounds that the proposed development would be in a high risk area and that it includes accommodation at a low level of 3.65m above Ordnance Datum Newlyn. Following discussions with the EA, it is apparent that they were not aware of the planning history on site. The outline permission clearly establishes the principle of redeveloping the site with extra care accommodation. At outline stage the EA made a number of comments about the presence of ground floor sleeping accommodation in the new proposals, and stated that they would wish to see floor levels in the new development raised as high as possible.
46. In preparing the design for the proposals, the applicant has been aware of the Environment Agency's concerns and has sought to address these issues. It should be noted that the EA previously noted that there would be no increase in the amount of sleeping accommodation at ground floor level, and that where living accommodation is located at ground floor, a permanent and unobstructed route to higher ground is provided, and this can still be conditioned on this current application should Members be minded to permit. The amount of sleeping accommodation on the ground floor is proposed to be less than it is at present in the existing building. A total of 16 bedrooms are located at ground floor level in the existing building and the current proposal shows a total of 15 bedrooms. The finished floor level of the building in the most recent amendments has been raised by 0.5m to accord with the requirements of the Environment Agency. A copy of a detailed Emergency Planning Flood Procedure has also been prepared and submitted with this application. In practice the residents of the care home would enjoy better protection and attention in the event of flooding than surrounding residents in private housing because of Kent County Council's own emergency planning provisions for its own properties.
47. My view is that, whilst the applicant has addressed the concerns of the EA, given the fact that the site has already been developed as a care centre, I do not consider that the issue of flooding would be a reason to refuse this application, and feel that the changes made to address these are enough to satisfactorily mitigate any potential problems.

**Archaeology**

48. The application site lies close to the Royal Military Canal, which is a scheduled monument and lies about 90m to the north. The County Archaeologist has stated that this Canal is part of a 19<sup>th</sup> Century defence network and relates closely to the Martello towers and batteries along the coast. However, there have been no objections raised to the proposal on archaeological grounds and I do not consider there to be much potential for archaeological remains within the application site. The County Archaeologist advised that consultations be carried out with English Heritage. English Heritage has raised objections to the proposal on conservation grounds and has not raised any concerns in

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terms of archaeology in the area. I therefore do not consider there to be any planning objections in archaeological terms.

**Demolition and Construction**

49. It is proposed to demolish the existing care home building on site, which has the potential to have an impact on local amenity, particularly on the nearest residential properties. In order to minimise the impact of the development on local residents during demolition and construction, especially in terms of noise and dust, I would seek to limit construction hours to 0800 to 1800 Mondays to Fridays and 0900 to 1300 Saturdays. Conditions should also require best practice measures to be taken to minimise dust emissions and to ensure that mud and other construction debris is not deposited on the public highway.

**Conclusion**

50. The application has to be considered in the context of the Development Plan and in relation to the location of the proposed development set against the impact of the proposal and the need for the proposal. Whilst issues have been raised relating to the potential loss of amenity and impact on the adjacent Conservation Area due to the proposed removal of trees on site, and the general size of the proposed building, I consider that the location and design of the development, especially following receipt of the recent amendments, to be acceptable and that any impacts on vegetation, landscaping and flooding can be suitably mitigated with the implementation of an approved landscaping scheme and screening plan. I do not therefore consider there to be any overriding planning objections to the proposal and recommend accordingly.

**Recommendation**

51. I RECOMMEND that SUBJECT TO the submission of an acceptable Tree Protection Plan, PERMISSION BE GRANTED, SUBJECT to conditions including:

- the standard time condition,
- submission of details of materials,
- submission of a detailed landscaping scheme, including fencing details, and boundary treatment;
- provision of cycle parking,
- hours of use for construction.
- measures to minimise dust disturbance
- measure to ensure mud is not deposited on the highway
- programme of archaeological work needed.
- a permanent unobstructed route from the ground floor to the second floor shall be provided for residents to be used should flooding occur;
- development to be constructed strictly in accordance with approved plans.

Case officer – Helena Woodcock	01622 221063
Background documents - See section heading	