

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposal dossier for each case and also as might be additionally indicated.

Item D1

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham.

A report by Head of Planning Applications Group to Planning Applications Committee on 17 January 2006.

Application by Kent County Council for the clearance of site and erection of new building to accommodate 6 supported apartments for those with learning difficulties, and the provision of associated car parking, at land of Sumpter Way, Lower Road, Faversham. (Ref: SW/05/1299)

Recommendation: Recommend that the application be referred to the First Secretary of State as a departure from the Development Plan, and that subject to his decision, planning permission be granted subject to conditions.

Local Member(s): Mr T. Gates

Classification: Unrestricted

Site

1. This site is located off of Sumpter Way, a residential street on the outskirts of north-west Faversham. The parcel of land was once home to a staff house, which was destroyed by fire, the ground slab and some brickwork of which is still evident at the site. The site, which measures approximately 1700 square metres, is located between an area of two storey residential development and open fields. It has been left untended for many years and is now heavily overgrown with self-seeding plants, shrubs, brambles and undergrowth filling the site. Trampled paths run through the site, although only one is worn through use, and the proliferation of litter and abandoned vehicles suggests the site attracts undesirable users.
2. The Adopted Swale Borough Local Plan identifies the main part of the site, which is included within a much larger area, as proposed for employment use, whilst the front part of the site is allocated for housing use. A site plan is attached.

Background

3. Members deferred this application at December 2005 Planning Applications Committee at the request of Swale Borough Council. This was to allow further discussions to be undertaken with Swale Borough Council and the advertisement of the application as a Departure from the Development Plan.

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Proposal

4. This outline application has been submitted by Kent County Council and proposes the clearance of the site and the erection of a two storey building to accommodate 6 supported apartments, and a shared communal space, for use by Kent County Council to accommodate those with learning difficulties. Off-street parking spaces are proposed for use by residents and staff. The outline application is to approve the means of access and siting only. Landscaping, design and external appearance are all to be submitted later as reserved matters. A plan showing the proposed siting and layout is attached.
5. This site is one of a number currently under consideration for a PFI bid to improve Kent County Council's provision of appropriate accommodation for vulnerable people. The applicant has advised that outline planning permission is being sought in order to facilitate the PFI process, and so realise the new sheltered homes urgently required by Kent County Council.
6. As described above, mature scrub now fills most of the site where the new building is proposed to be located, and this would need to be cleared. The area proposed to house the car parking facilities also contains many brambles and a mature walnut tree, which again, would need to be cleared. A tree survey was carried out prior to the submission of the application that found the mature walnut tree to be in a poor state of health, and its removal is recommended. In addition to this, the survey concluded that there are no trees within the site of significant amenity value whose retention would be desirable, but it does identify some trees and boundary planting which could be retained. The applicant has advised that although full landscaping details will be submitted at a later date, it is intended to create planted boundaries and to retain the existing hawthorn hedges.
7. The proposed two-storey building would have a stepped pitched roof to allow daylight into the heart of the building. The building would provide six one-bedroom apartments over the two floors, with shared accommodation on part of the ground floor. The applicant suggests that the south-west of the ground floor could be used for this shared accommodation, providing a communal area containing a lounge, staff area and kitchen. A garden is also proposed to the north west of the proposed building, which would have direct access from the communal area, creating additional communal space externally.
8. The building would house six people with learning difficulties, supported by five part-time members of staff, of which, at least one would be expected to be present on site at any time. One parking bay is proposed for each apartment and two bays for staff, allowing for hand over between shifts.
9. The entrance to the building would be oriented towards the parking and site access creating an obvious point of entry, which would be overlooked by the communal areas. The vehicular access to the site would be via the existing access off of Sumpter Way, which is currently unused and overgrown. The eight proposed car-parking spaces surround a court area, which would allow for easy turning and drop off, and direct access into the main building. The proposed arrangement would also include a pavement for safe pedestrian access.
10. The site around the building would be designed to be accessible to all, allowing the residents, including wheelchair users, access around the site as well as within the building.

Reduced copies of the submitted drawings showing the site layout and access are attached.

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

Planning Policy

11. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) The Adopted 1996 **Kent County Structure Plan**:

Policy S1 - Seeks sustainable patterns and forms of development.

Policy S2 – Seeks to conserve and enhance the quality of Kent’s environment.

Policy S9 – In considering development proposals, local authorities will have regard to the need for community facilities, including health and educational facilities.

Policy ENV2 – Kent’s wildlife (flora and fauna) habitats will be conserved and enhanced.

Policy ENV14 –Provision will be made for the improvement and reclamation of derelict land, or the redevelopment or re-use of such land, having regard to amenity, landscape and nature conservation considerations.

Policy ENV15 – New development should be well designed and respect its setting.

Policy T17 - Development will normally be required to provide for vehicle parking on site in accordance with Kent County Council’s Vehicle Parking Standards.

(ii) The Deposit 2003 **Kent & Medway Structure Plan**

Policy SP1 - Seeks to conserve and enhance Kent’s environment and ensure a sustainable pattern of development.

Policy QL1 – Seeks to conserve and enhance the environment through the quality of development and design.

Policy QL13 -New Community Services, including social services and health, will be provided as long as there is a demonstrable need for them.

Policy E3 - Kent’s landscape and wildlife habitats will be conserved and enhanced.

Policy E8 - Important wildlife habitats and species will be protected, maintained and enhanced.

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

Policy TP19 - Development proposals must comply with the respective vehicle parking policies and standards adopted by Kent County Council.

(iii) The Adopted 2000 **Swale Borough Local Plan**:

Policy G1 - Outlines general considerations for all development proposals.

Policy E1 - Applications for new development on land suspected to be contaminated shall include a detailed site investigation of all likely contaminants, taking into account the intended use of the land.

Policy E21 - The Borough Council will seek tree planting in suitable locations.

Policy E48 - Requires development to be of a high standard, appropriate to its surroundings and to reflect local distinctiveness.

Policy E49 - The Borough Council will, where appropriate, require the submission of landscaping proposals in connection with development proposals involving new building.

Policy IN7 - New development will not be permitted unless adequate vehicle parking is available.

Policy C1 - Subject to compliance with other policies of the Plan, planning permission will be granted for appropriately located social and community facilities.

Policy B1 - Permission for new employment development has been or will be granted for sites shown as such on the proposals map.

Policy B15 - In conjunction with Policy B1, the following sites, as shown on the Proposals Map, are identified for employment use:
[...]
3) Land to the east of the Western Link, Faversham.
[...]

Policy B16 - The development of 4.2ha of land east of the western link, for employment use, will be permitted provided specified criteria are met.

Policy H1 - Permission for new residential development will be granted for sites shown as such on the Proposals Map.

Policy H17 - In conjunction with policy H1, the following sites, as shown on the Proposals Map, are identified for residential development...
[...]
4) Land off Lower Road, Faversham

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

Policy H22 - New housing development on two small parcels of land adjacent to Benstead Hospital site and Kiln Court will be permitted provided specified criteria are met.

(iv) The Deposit Draft (First Review) March 2004 - **Swale Borough Local Plan**

Strategic Policy 1 - Proposals should accord with the principles of sustainable development.

Policy E1 - Outlines criteria that development proposals are to accord with.

Policy E3 - On sites suspected to be contaminated, planning permission will only be granted if the developer agrees to undertake effective investigation and remediation work.

Policy E10 - Important trees, hedgerows and woodland (including scrub) will be protected. Where removal takes place appropriate replacements may be required.

Policy E11 - The Borough's biodiversity and geological conservation interests will be maintained or enhanced.

Policy E18 - Requires development to be of high quality design and to accord with specified criteria.

Policy E21 - The Borough Council expects development proposals to include provision in their design to meet special needs, whilst, additionally, housing proposals should provide homes that can be easily adapted to meet the needs of changing demographics.

Policy C1 - The Borough Council will grant planning permission for new or improved community services and facilities subject to specified criteria.

Policy T3 - New development will only be permitted if appropriate vehicle parking is provided.

Policy H2 - Permission for new residential development will be granted for sites shown as such on the Proposals Map.

Policy H5 - The Borough Council will grant planning permission for residential development of the site shown on the proposal map, subject to Policy H6 and, where appropriate, policies relating to Area Action Plans.

Policy H6 - The Borough Council initially will only grant planning permission for approximately 20% of the dwellings allocated under [Policy H5](#) on land adjoining the Western Link,

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

Faversham, which is that considered necessary to facilitate an initial phase of the employment development proposed under [Policy AAP4](#). The Borough Council will only grant planning permission for the remaining approximately 80% of the dwellings allocated to this site under [Policy H5](#) if:

1. the annual build rate in the Faversham and Rest of Swale Planning Area falls below 60 dwellings a year after completion of the initial approximately 20%; and
2. the initial phase of the employment development is completed and there is a firm proposal to complete the employment part of the development.

The precise number of dwellings that will be permitted initially (approximately 20%), and not the subject of a phasing restraint, will be determined through the preparation of the development brief required under [Policy AAP4](#).

Policy AAP4 - The Area Action Plan is designated for land and premises along the Western Link, Faversham. The land within the Area Action Plan is allocated for a mixed-use development, comprising commercial and housing development and public open space. Development proposals shall accord with a development brief to be submitted to, and approved by, the Borough Council which shall address specified criteria.

(v) The Re-deposit Draft (First Review) July 2005 - **Swale Borough Local Plan**

Strategic Policy 1 - Proposals should accord with the principles of sustainable development.

Policy E1 - Outlines criteria that development proposals are to accord with.

Policy E3 - On sites suspected to be contaminated, planning permission will only be granted if the developer agrees to undertake effective investigation and remediation work.

Policy E10 - Important trees, hedgerows and woodland (including scrub) will be protected. Where removal takes place appropriate replacements may be required.

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Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

- Policy T3 -** New development will only be permitted if appropriate vehicle parking is provided.
- Policy B2 -** Permission for new employment development has been, or will be, granted for sites shown on the Proposals Map.
- Policy B16 -** The following sites, as shown on the Proposals Map, are allocated for employment development:
[....]
3) Land to the east of the Western Link, Faversham.
[....]
- Policy B18 -** The development of 4.2ha of land east of the western link, for employment use, will be permitted provided specified criteria are met.

Consultations

12. **Swale Borough Council:** Raises very strong objection to this application and considers the principle of the erection of 6 supported apartments to be directly and seriously contrary to the employment-led strategy for Faversham. The proposal for residential development of this site represents a departure from the employment-led strategy, diminishing and dividing a potential and allocated employment development site in the town. Concern is expressed over a lack of pre-application discussion and lack of supporting argument in terms of the policy conflict that accompanies this application.

Faversham has an unusual and necessary employment-led strategy which has been consistently supported by Local Plan Inspectors and Appeal Inspectors. The loss of land at Abbey Park to the east of Faversham justifies a need to jealously guard and husband the existing and potential employment land. This is not the situation where excess employment land is suitable for conversion to residential use. At this time, when the Draft Local Plan is just about to go to Public Inquiry, the loss of part of one of the principal employment sites at Faversham can only seriously damage the emerging strategy for the town. Indeed, it can only assist those seeking to resurrect the sort of damaging large-scale, greenfield employment/housing proposals at Faversham that the Borough Council is trying to plan against.

Notwithstanding the above, it is clear that the proposal amounts to a departure from the adopted and emerging Local Plan.

Faversham Town Council: agreed to 'refuse' this application as the proposed siting of the new building is contrary to the Local Plan policies.

The Divisional Transportation Manager: raises no objection to the application but would like to see a condition placed on any decision relating to the parking and turning areas being kept clear for that purpose only. In addition to this, it is requested that informatives are added to advise the applicant that the pedestrian footpath should be moved to lead behind the parking spaces, and that the turning area is not large enough for a refuse vehicle to manoeuvre.

The Biodiversity Officer: recommends that prior to commencement of any development, the applicant employs an ecological consultant with extensive experience

Item D1

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

in reptile survey and assessment, to complete a reptile survey of the site, and develop an appropriate mitigation strategy should reptiles be found to be present. It is also recommended that an assessment of the walnut tree, and any other mature trees that are to be felled, is undertaken to verify if the tree/s have features that could easily be used by roosting bats. If such features are present then an ecological consultant, with extensive experience in bat survey and assessment, should be employed to assess the value of the tree/s as bat roosts, and develop appropriate mitigation as necessary. In addition to this, all vegetation clearance should be undertaken outside of the bird-breeding season (mid March-August inclusive), or be supervised by an ecologist during the breeding period, to ensure that nesting birds are not unduly disturbed or killed.

The Environment Agency: raises no objection but makes a number of detailed comments regarding land contamination. The Agency has requested that a condition be placed on any decision requiring a desktop study, which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses, and other relevant information, to be approved by the County Planning Authority prior to commencement of any development.

Local Member

13. The local County Member, Mr T. Gates, was notified of the application on the 3 October 2005.

Publicity

14. The application was initially publicised by the posting of two site notices and the individual notification of 24 nearby properties. In addition, the application was re-advertised as a departure from the Local Development Plan and advertised by the posting of a site notice and advertisement in a local newspaper.

Representations

15. 1 letter of representation has been received. The main comments/points of concern and objection can be summarised as follows:
 - Osbourne Court, which helps and supports people with learning difficulties, is only around the corner. The day centre there is closing, would it not be more beneficial and cost effective to put these apartments there?
 - The local area is 'troublesome' with a high level of drug use and vandalism. If these plans go ahead there will be more 'trouble' in the area.
 - The land could be put to better use by building something that would help solve problems, not add more.
 - Please don't make people more vulnerable by making a bad decision.

Discussion

16. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (11) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include possible effects on

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

residential and local amenity, as well as the issue of whether or not the proposal is contrary to Local Development Plan policies overall.

Development Plan Policies

17. Policies S1, S2, ENV2, ENV14 and ENV15 of the Adopted Kent Structure Plan, SP1, QL1, E3 and E8 of the Deposit Kent and Medway Structure Plan, G1, E48 and E49 of the adopted Swale Borough Local Plan and Strategic Policy 1, E1, E10, E11 and E19 of the Deposit Draft Swale Borough Local Plan, seek to conserve and enhance the environment and require development to be well designed and respect its setting. This is particularly important in this case as the site is bounded by open fields and residential properties.
18. As previously mentioned, the site is included within an area designated for employment and housing use in the Adopted Swale Borough Local Plan, and for employment use only in the 2005 Re-deposit Swale Borough Local Plan. The application has been advertised as a departure from the Development Plan and the matter would need to be referred to the Secretary of State, should members be minded to permit the application. The housing site designated in the Adopted Local Plan only covers the area designated for parking and access in this proposal, and due to its size could have housed only a limited number of dwellings. The proposed building and its garden are included within a larger area now designated for employment use in both the Adopted, and Re-deposit Swale Borough Local Plan.
19. On the basis of the strict Local Plan allocations alone, the proposed development is actually contrary to both the Adopted Local Plan (partly), and the latest 2005 Re-deposit Draft Local Plan. It should be noted though that the 2004 Deposit Draft First Review allocated the larger area of the land within which the application site sits for mixed commercial and housing use, subject to certain criteria including the future of the adjacent brickworks. In the context of the 2004 land allocations the County Council and the neighbouring landowner (Lamb's brickworks) have been negotiating a mixed use of the wider area of land here (including commercial, residential and a replacement school site) as explained by the Chief Property Manager:-

"The application site includes land formerly part of the Benstead Hospital site. This land was identified for mixed uses including housing (referred to as AAP4), in the Local Plan Deposit Draft First Review March 2004. Swale BC has changed the land designation from mixed-use to employment use only in their Revised Deposit Draft First Review Local Plan July 2005 and KCC as an affected landowner has objected to this. The Inquiry is due in March 2006.

The latest Draft Local Plan appears to require the redevelopment of this Bysing Wood brownfield land in a more restrictive way than was intended originally and we believe a holistic approach here is more appropriate for meeting the identified needs of this community. The Director of Social Services has discussed the potential opportunities for their services locally from such a holistic plan for the area.

There are two major landowners in the AAP4 area: KCC and Lamb's brickworks. Despite Lamb's advertising the land in their ownership for employment, it has proved to be impossible to achieve such a development. KCC does not consider the land it owns adjacent to Kiln Court or the location around Bysing Wood Primary School to be appropriate for employment use alone.

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

In the meantime, the KCC Social Services policy has moved steadily towards opportunities enabling people to lead as independent a life as possible in the community. To further this aim they are seeking, in partnership with District Councils, to develop suitable sites for independent housing for vulnerable people, including this site.

We consider that a vulnerable persons' housing development here is justified as:

- Using this site for housing follows the Policy AAP4 approach of creating a mixed-use community development integrated with the rest of the Bysing Wood residential area. The currently proposed development designation for employment alone is more restrictive than the 2004 Deposit Draft Local Plan, and is we believe inappropriate for this particular location
- Swale BC has been a full partner in this PFI housing initiative across the whole of Kent and the Swale BC housing officers involved have not raised objections to this location.
- The site was identified as suitable in planning terms for housing in the mix of uses when the 2004 Deposit Draft Local Plan was produced, however the evidence base used to justify the recent change in policy has not been produced, and there is no reason given for a change
- This location was originally a housing site, being the Matron's house in the former hospital on this site."

20. The future use of the rest of the land adjacent to the Western Link Road remains uncertain pending the outcome of the forthcoming Local Plan Inquiry, and also a planning application currently submitted for mixed uses by Lamb's Brickworks. Clearly there is marked difference of opinion between the County Council and the Borough Council as to how best to meet the needs of the local community. The Borough Council is keen to safeguard employment land allocations in Faversham in the interests of diversifying the local economy, which has suffered from decline in its traditional employment opportunities. That situation has been exacerbated by the continuing loss of the town's employment land to new housing developments, particularly along the attractive waterfront area.
21. The County Council's position is one of promoting more mixed use development, which would support provision of an improved range of community facilities for the town. A move away from the more customary strict zoning of different land uses is supported by current Government Policy, and Planning Policy Guidance 3 (Housing) advocates the re-consideration of any difficult employment sites for residential or mixed uses. The land allocation in question has been available for some time but has not attracted any great interest so far, and it is considered that a mix of residential, commercial and institutional uses might be a more realistic proposition. However, it is a matter for the Local Plan Review to decide on such a change.
22. My own view is that some flexibility is called for in interpretation of development policies to achieve a balance of new employment opportunities and improved community facilities for the town. I accept that there is a confirmed need for both the proposed accommodation and also for retaining potential employment land in Faversham. Given that the residential use proposed is a specialised (institutional) rather than a normal one, I do not consider that the loss of a small corner of the Local Plan allocation to such a use would set any significant precedent prejudicing the use of the rest of the land allocation.
23. Nevertheless, I have explored alternative sites for the proposed development at the request of the Borough Council, including nearby KCC owned sites allocated for

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

residential use in the Local Plan. The Chief Property Manager has advised me as follows:-

“There are three Social Services sites in this locality: Osbourne Court respite care, Osbourne Court Day Centre, and Kiln Court, a home for older people. The Osbourne Court facilities lie outside the original AAP4 area.

There are long term requirements to reprovide the Osbourne Court Learning Disability Respite Centre for adults, currently for 13 places. The current units do not meet modern standards. The decision on whether to reprovide in this location is partly dependent on assessment of the vitality of the local community. The new mixed use development was seen as an essential part of renewing this community, and would influence the decision to retain services here. Whilst this decision is still to be made, there is no scope to provide the PFI housing on this site.

The Kiln Court provision is to remain, and the additional land behind it will be retained for potential expansion or re-provision in the future, so again would not be available for the PFI housing.”

The Director of Social Services has also stated:-

“The Social Services Property Manager worked with Kent Property Services looking at several KCC sites across the Swale Borough. The Sumpter Way site was selected because it was not currently used, was part of an urban community and was on a site of sufficient size. In addition, there are local learning disability services nearby and there was discussions about developing workshops targeted at people with a learning disability.

The site at the back of Kiln Court was considered but was eliminated because it has been identified for an extension for respite services at Kiln Court. These would be supported by Kiln Court Staff.”

Under the circumstances, I do not consider that alternative sites are available, unless the accommodation was to be provided elsewhere in the Borough to the detriment of this particular community. Whilst there are long term aspirations to replace unsatisfactory accommodation, that will need to take place whilst the existing provision continues, meaning that all land at Osbourne Court will be needed for future use.

24. The proposed use of the application site could be argued to provide both housing and employment, as it would be home to six residential tenants and employ 5 part time members of staff. Although that is not the scale of employment that would be envisaged by the Local Plan Policy, it is part employment use nevertheless and not wholly dissimilar from the levels of employment generated by some forms of commercial development (e.g. Class B8 uses). This part of the employment allocation is adjacent to a number of residential properties so its use for supported apartments is arguably a more compatible land use for these properties than employment uses could be.
25. The site is only a small corner of a larger site designated under policy and, therefore, its proposed use as supported apartments would not significantly prejudice the Local Development Plan Policies. I therefore consider that this proposal would not give rise to any material harm, and although not in accordance with some Local Plan Policies which designate the site for employment, it is in accordance with the general principles of other relevant Development Plan Policies.

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

Impact

26. As the application is in outline, the design and appearance of the building is to be reserved for later consideration, but some details are given about the height of the proposed building, in storeys, that helps in the assessment of this proposal. The building is proposed to be two storeys in height, with the scope for a stepped pitched roof, and is separated from the road frontage by the access and car parking area. The impact of the development from Sumpter Way would not be detrimental to the streetscape as the building would be set back from the road, with only access and the 'court yard' car parking area being visible.
27. The building would, however, be visible from the rear of a small number of properties. However, the proposed height of the building is in keeping with surrounding residential properties, which are also two storeys in height, and therefore its overall visual impact would be minimal. In addition to this, the southern boundary of the site is not immediately adjacent to the boundaries of residential properties, but separated by a strip of land that would remain as existing. The applicant has advised that it is intended to create planted boundaries, in addition to retaining existing hawthorn hedges to the east of the site. That would aid in screening the proposed building, creating a barrier between the existing residential dwellings and the proposed development.
28. Although the loss of trees and scrub undergrowth is regrettable, vegetation on the site has self-seeded as a result of dereliction, and is therefore not of a mature nature. The appearance of the site does not enhance the local area in its current state, and none of the trees have been identified within the tree survey as having a significant amenity value. In fact, the survey recommends the removal of the mature Common Walnut Tree, the most prominent tree on site, due to its poor state of health. As a full landscaping scheme would be conditioned, should this application be permitted, to include details of hard and soft landscaping works and the replacement of lost trees and vegetation, I consider that the loss of the planting and trees detailed above, although regrettable, is deemed acceptable in this case.
29. Overall, I consider that the proposed building, at a maximum of two storeys, is appropriate to the context of the site, and would not adversely affect the visual appearance or landscape quality of the area. A high quality of external appearance, design and detailing of the buildings, along with appropriate materials, would be expected which could achieve a degree a visual enhancement over the existing overgrown and derelict site.

Amenity Issues

30. In addition to the visual aspects of the proposal, it is noted that concern is raised over the possible implications the proposed use of the site may have on local residential amenity. A neighbouring resident describes the local area as 'troublesome' and is concerned that this would increase, and suggests that the land be put to better use. Osborne Court is suggested as an alternative location.
31. In response, the applicant has advised that the provision of apartments for people with learning difficulties is completely in line with KCC and Social Services' priorities. The apartments would be staffed and supported so that should 24hour support be required this would be provided. The tenants with learning difficulties would be carefully assessed to ascertain that they could live independently in the community. The applicant does not expect that this development would cause any detrimental problems

Item D1

Outline application for new building to accommodate 6 supported apartments for those with learning difficulties, at land off Sumpter Way, Faversham – SW/05/1299

for the locality, and that the provision of care and support would ensure the tenants contribute positively to the local community.

32. The applicant has also advised that there are no plans in the short term to close the day care provided at Osborne Court, although such facilities are being considered for modernisation over the coming 5-10 years. Moreover, the facilities at Osborne Court do not meet modern housing and care standards and would therefore not be suitable to house the proposed tenants. In addition to this, it should be noted that the site is currently derelict and attracts undesirable users, demonstrated by the finding of derelict cars and hypodermic needles on the site. By clearing and developing the site the misuse of this area would cease, which may lower the level of antisocial behaviour in the area, helping to reduce the vulnerability currently felt by local residents. Having a 24 hour presence on the site, in the form of both residents and staff, would actually increase security of the surrounding residential properties. Therefore, I do not consider that this proposal would have a detrimental effect on the amenity of local residents.

Conclusion

33. In summary, the application does constitute a departure from the Development Plan in so far as it proposes a different use than the land allocation currently envisages. I do however consider that there is scope to review that situation in this particular case, because of the specialised nature of the use, the identified case of need in this locality and the general accordance with other relevant Development Plan Policies. Subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm, and does not otherwise prejudice the general principles of the relevant Development Plan Policies. On balance, I recommend that the application be referred to the Secretary of State to afford him the opportunity to decide the case himself in the light of the conflicts with the Local Plan.

Recommendation

34. I RECOMMEND that SUBJECT to no direction to the contrary by the First Secretary of State, OUTLINE PLANNING PERMISSION BE GRANTED SUBJECT TO conditions covering:
- the standard time limit for outline permissions,
 - the submission of details relating to the reserved matters of design and external appearance of the proposed building, and landscaping and boundary treatment of the site,
 - hours of working during construction and demolition,
 - a desktop study to identify potential contaminants,
 - an ecological survey assessing the potential of the site to house protected species,
 - tree protection and clearance of the site outside of bird breeding seasons,

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| Case officer – Mary Green | 01622 221066 |
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| Background documents - See section heading |
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