

CABINET

29 JUNE 2010

AMHERST HILL DESIGN BRIEF

Portfolio Holder: Councillor Jane Chitty, Strategic Development and Economic Growth

Report from: Robin Cooper, Director of Regeneration, Community and Culture

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Summary

The draft Amherst Hill Design Brief has been produced by Medway Council to satisfy a Local Plan requirement that a detailed design brief must guide the development of the site and to ensure that the site is developed in a manner appropriate to its sensitive setting and prominent location. It is intended that the draft brief be subject to a period of consultation and subsequently adopted as a Supplementary Planning Document (SPD). It will inform developers of the extent of the developable area within the site and its likely maximum capacity, and demand a development of high quality, low impact design.

A draft of the Design Brief/Supplementary Planning Document is attached.

1. Budget and Policy Framework

1.1 The decision is within the Council's policy and budget framework. The costs of preparing the design brief and the consultation can be met from existing budgets. Policy H1: GL150 of the Medway Local Plan requires that a detailed design brief be drawn up to guide the development of the site. This is therefore a matter for Cabinet.

1.2 The Design Brief contributes to achieving the targets set for two Local Area Agreement indicators - the target for new homes, supported by appropriate infrastructure and the delivery of affordable homes.

2. Background

2.1 The Amherst Hill site is currently unused by the landowner, Defence Estates, and has been allocated for residential use in the Local Plan. The site occupies an elevated position within the prospective World Heritage Site, immediately adjacent to Fort Amherst. The Local Plan allocation requires that a detailed design brief be prepared and this will ensure that the site is developed in a manner appropriate to its sensitive setting and prominent location.

3. Options

- 3.1 The Local Plan allocation of the site for housing means that the principle of development is established. Should a proposal of adequate design quality and sensitivity to the historic environment be refused planning permission, the decision would be likely to be successfully challenged at appeal. There is therefore no option to resist the principle of residential development of this site.
- 3.2 The Local Plan states that a detailed design brief be drawn up to guide the development, with a view to minimising the visual impact on Fort Amherst and the local area. Adoption of the Design Brief as an SPD will provide the council with a clear policy framework to guide the development of the site and to provide guidance to developers on the site capacity and development quality expected.
- 3.3 Adoption will also help to 'de-risk' the site by providing landowner and developer with greater certainty as to what is expected by the Local Planning Authority (LPA). Developers bidding for the site will make more informed estimates of development costs. This, in turn, mitigates the risk of pressure on the Council as LPA to accept sub-standard proposals because design quality was not built-in to the project finances from inception or because site capacity was over-estimated.

4. Advice and analysis

- 4.1 The draft Design Brief provides a framework for development that:
- minimises the impact on the setting of Fort Amherst;
 - ensures the protection and enhancement of Brompton Lines Conservation Area;
 - conforms to policies in the Great Lines Heritage Park Masterplan (GLHP);
 - serves to underline that the site's context and character is a considerable asset, providing a unique development opportunity for housing of the highest design quality.
- 4.2 It achieves this through setting clear limits to the extent of the developable area of the site, including parameters that control the height of development. The retention of existing trees and reinstatement of 19th century landscapes guide the extent of tolerable encroachment by new development on Fort Amherst.
- 4.3 The site to be disposed of has an area of 1.66 hectares of which Policy H1:GL150 allocates approximately 1.3 hectares for residential development and proposes a capacity of 34 dwellings. The Design Brief further refines this assessment, allocating a smaller proportion of the site for residential development. Nonetheless, the capacity of 34 units remains appropriate. This produces a relatively low gross density figure of approximately 20 dwellings per hectare.
- 4.4 The proposals will include provision for improvements to cycling and walking routes between Chatham town centre and Brompton, encouraging the uptake of public transport. The Design Brief takes into account ecological constraints to development. The emphasis on design and place-making aims to ensure that this is a development of

enduring quality, and is therefore inherently sustainable. It also increases the likelihood that investment in innovative design and construction to reduce environmental impact will be a feature of the scheme.

- 4.5 Housing need assessment, market considerations, and the relative remoteness of the site support a development model based on fewer, larger units. The development will be subject to the standard range of developer contributions applicable, including affordable housing.

5. Risk Management

- 5.1 The following table provides a summary of the significant risks that may arise from the Amherst Hill Design Brief.

Risk	Description	Action to avoid or mitigate risk
Chatham World Heritage bid.	<p>The site lies within the core area of the Chatham World Heritage bid and its development has the potential to harm the setting of the Fort Amherst scheduled monument and listed St Barnabas church.</p> <p>The UNESCO World Heritage Committee would not look favourably upon a bid where permission has been granted for development that may damage the Outstanding Universal Value of the potential World Heritage site.</p> <p>This risk will be triggered by publication of a Design Brief deemed to pay insufficient regard to the possible impact of development. A possible consequence is weakening of the bid.</p> <p>This risk is rated D-2.</p>	<p>The Design Brief has been developed in collaboration with English Heritage and the Fort Amherst Heritage Trust. The Chatham World Heritage Steering Group was consulted on the draft brief and has endorsed the approach.</p> <p>The development framework makes provision for reinstatement of the 19th century landscape and sets an expectation that a sizeable open space is provided to allow a buffer between the development and the Fort. This space will be endowed to a Trust and is considered part of the GLHP. The S106 Agreement will require the payment of an endowment to cover the costs of ongoing management and maintenance.</p>

<p>Opposition from local residents.</p>	<p>The principle of development on this site was established through the Local Plan allocation. Nonetheless, the loss of a green open space is likely to prove controversial and may be resisted by local residents.</p> <p>This risk will be triggered by public consultation. A possible consequence is political pressure on the Council to resist any development of the site.</p> <p>This risk is rated B-2.</p>	<p>The Design Brief allocates a large proportion of the site as accessible public open space. It also encourages a low impact design approach which is sensitive to its setting. This approach and the contribution to local amenity that development of the site can enable will be communicated to local residents via the consultation process.</p>
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6. Consultation

- 6.1 Collaborative work and involvement with key stakeholders, including Defence Estates, English Heritage and the Fort Amherst Heritage Trust, has informed the development of the Design Brief. At a meeting of the Chatham World Heritage Steering Group on 31 March, the draft Design Brief was presented and gained the Group's endorsement.
- 6.2 In preparing development planning documents to be adopted, the Council is required to meet (at the very least) a minimum level of public involvement under the *Town and Country Planning (Local Development) (England) Regulations 2004*.
- 6.3 The proposed public consultation will last for 6 weeks, exceeding the minimum level of public involvement required in order to ensure a level of engagement that is adequate to fully address the concerns of local residents. It will include a leaflet drop in the local area and a public exhibition.
- 6.4 Following assessment of feedback the outcomes of the consultation, it is intended that these will be reported to Regeneration, Community and Culture and Overview Scrutiny Committee on 29 September 2010, followed by Cabinet on 19 October 2010.

7. Financial and legal implications

- 7.1 The costs of preparing the design brief and conducting the programme of public engagement have been met from existing revenue budgets.
- 7.2 The design brief will be only be given full weight in planning decisions if it forms part of the local development framework or is an adopted supplementary planning document. It is proposed that the design brief is adopted as a Supplementary Planning Document. Government advice in PPS12 stresses the importance of proportionate public consultation during the preparation stage of supplementary planning documents.
- 7.3 A supplementary planning document must relate to policies in development plan documents (or in saved policies in the Development

Plan). The relevant saved policies are Policy H1: GL150 of the Medway Local Plan. Supplementary planning documents must be prepared and consulted upon in accordance with the Town & Country Planning (Local Development) (England) Regulations 2004 (as amended).

8. Recommendation

- 8.1 The Cabinet is asked to approve statutory consultation on the draft Design Brief commencing in mid-July 2010 for 6 weeks.

9. Suggested reasons for decision(s)

- 9.1 To allow progress towards adoption of the brief as an SPD and to ensure that the site is developed in a manner that minimises the visual impact on Fort Amherst and the local area.

Background Papers:

Local Development Framework Statement of Community Involvement

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