

PLANNING STATEMENT

Custom House redevelopment

Gravesham Borough Council

PLANNING STATEMENT

Conversion of Custom House and outbuildings (including part 1 and 2 storey extensions) and new three storey development to provide 27 self-contained apartments and townhouses.

Custom House, The Terrace Gravesend

Mile Property Group

September 2022

LPA REF: 20210758

OUR REF: M21/0512.02-RPT

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Introduction

Section 1

- 1.1 This planning statement is prepared by Barron Edwards Planning on behalf of Mile Property Group (hereafter referred to as the 'applicant') to accompany the full planning application and listed building consent for the conversion of Custom House and outbuildings to provide twenty-four residential units and the erection of a new three storey building to provide an additional three dwellings.
- 1.2 This statement provides a background to proposals, together with a description of the site and surroundings. The statement demonstrates the planning merits of the proposals, having regard to relevant National and Local Planning Policy and other important material considerations, upon which it is considered this application should be determined.

Scope of Supporting Information

- 1.3 The following information is submitted with this application:
- Application drawing pack including CGIs;
 - Design and Access Statement;
 - Planning Statement;
 - Heritage Assessment;
 - Heritage & Conservation Strategy;
 - Archaeological Desk Based Assessment;
 - Commercial Marketing Report;
 - FRA and Drainage Strategy;
 - Daylight and Sunlight Assessment; and
 - Phase 1 Geo-Environmental Desk Study and Preliminary Risk Assessment.
 - Noise Assessment

- 1.4 This planning statement is set out in 6 sections:

- Section 2 sets out the context of the site and its surroundings as well as the site's planning history;
- Section 3 sets out the details of the proposals;
- Section 4 sets out the planning policy context and explores other material considerations;
- Section 5 sets out the planning justification for the application, cross-referencing the proposals against the planning policy context and other material considerations; and
- Section 6 concludes that the proposals are supported by planning policy and therefore the application should be approved.

Site & Surroundings

Section 2

The Site

- 2.1 The application site is located within the authority area of Gravesham Borough Council. It extends to approximately 0.44 hectares in area. An aerial view of the site is provided below.



- 2.2 The site is bound to the north by the River Thames and to the east by Heritage Quay (a three-storey residential development) with the New Tavern Fort gardens further east. The southern boundary is formed by the Terrace with the Grade II listed Cox House (47 The Terrace) on the southern side. To the west is a car park serving the PLA building with the residential properties on Clarendon Road further west.
- 2.3 The entire site is previously developed in accordance with the Framework definition of 'previously developed land' set out in Annex 2. The site currently comprises the redundant office complex consisting of the large three storey building of Custom House

with ancillary buildings to the north. There is a large parking area to the north serving 36 spaces covering the majority of the land to the rear of the main building. A small landscape area immediately borders the rear (north) elevation of Custom House.

Existing buildings

Custom House

- 2.4 Custom House is a Grade II listed former office building. The building was listed in July 1975. The listed description states: *“3 storeys and 5 windows facing south, 3 windows facing east. Brown stock brick. Stone stringcourse above ground floor. Stone cornice and parapet. Glazing bars intact. Round-headed windows on the 2nd floor of the east front. Doorway on south front with pilasters, projecting cornice with royal Cartouche in stone over and semi-circular fanlight. On the north front facing the river there is a large 5-light bow window on the roof forming a lookout. Facing west there is a 2 bay extension in matching style with blank windows and Tuscan portico. Stone flagged forecourt bounded by spear railings.”*

Custom House outbuilding

- 2.5 The outbuilding is located immediately north of Custom House and forms the eastern boundary of the site. The building is part one-storey up to three-storey with the three-storey element to the south adjacent to Custom House, two-storey at its northern most point and single storey within the centre of the building.

Workshop (and Old Boathouse)

- 2.6 The workshop building is a split-level, single storey building located within the centre of the site. The eastern elevation is devoid of any opening and is screened in part by the existing boundary wall, whilst the western elevation is perforated with a series of windows and a full height entrance doorway.

Boathouse

- 2.7 The boathouse is a two-storey, narrow building located along the western boundary of the site with a series of openings at ground and first floor level other than at ground level on the western elevation against the boundary wall to the adjoining car park area.

Gazebo

- 2.8 The Gazebo is Grade II listed with the listed description noting *“Early C19. A 2 storeyed octagonal weatherboarded gazebo with wooden pilasters, 3 sash windows with glazing bars intact and a simple doorcase. Brick chimney.”*

Redundant site

- 2.9 In 2018 HMRC announced that it would close its offices at Gravesham as part of a wider restructuring campaign moving towards regional offices. The property was therefore vacated from March 2018.
- 2.10 Caxtons have been the commercial agents for the property, marketing it since May 2019 for let or sale. During that period there have been no meaningful interest from parties seeking to use the offices as on-going office space or for alternative commercial or employment uses that would provide to be viable options.

Site Constraints

- 2.11 The site is located within the Riverside conservation area, and immediately north of Milton Place conservation area, as well as including the Grade II Listed Custom House and the Gazebo.
- 2.12 The conservation area appraisal identifies all the buildings on site as being positive built form in the conservation area, however there are no positive views across or from the site.



- 2.13 To the south of the site lies the Grade II listed building of Cox House. To the east is the site of the Grade II* Milton Chantry and the Grade II* New Tavern Fort.
- 2.14 The site is also located within the Gravesend Town Centre Opportunity Area under area 3.4 'East of Town Centre & Riverside.'

Planning History

- 2.15 A review of Gravesham Borough Council's online planning register has been undertaken.

LPA Reference	Description	Decision
20150679	The felling of the Cotoneaster Trees (Item 1) due to size, location and proximity to wall, the felling to ground level and grinding of stump of one Laurel Tree/Bush (Item 2) due to size, location and its roots undermining the drainage system, and the felling and removal of one Holly Tree (Item 3) due to size, location and roots undermining the stonewall, paving and foundations of the building.	Consent for TPO tree works
20120389	Application for Listed Building Consent for the installation of internal collapsible window grilles on first and second floor windows; new security gate and anti-climb rails.	Application Permitted
20090501	Application for Listed Building Consent for external decoration and repair of the building fabric, the gazebo and ancillary buildings including stripping existing slates from Customs House, renewing battens and underfelt, replacing defective slates and re-roofing; replacement of life-expired leadwork to main roof; repointing of stonework to parapets with lime-based mortar; temporary removal of balcony to top floor look-out post for rust removal prior to reinstatement; replacement of rotten joinery; hot lead repairs to railing feet and replacement of missing spear; installation of french drain to part frontage of ancillary building and miscellaneous other works.	Application Permitted
19960533	Application for Listed Building consent for the construction of a surface water pump station and splash block and other associated drainage works.	Application Permitted
19950751	Erection of two storey rear extension to form kitchen with bedroom over incorporating the change of use of premises into a two bedroom dwelling and alterations to the ground floor front elevation.	Application Refused
19940685	Retention of the 1m diameter satellite dish antenna on the roof.	Application Permitted
19940153	Application for Listed Building consent for the retention of the 1m diameter satellite dish antenna and television aerial on the roof.	Application Permitted
19930507	Formation of an opening through the custom house wall for power, water and data enabling supplies to the old sea school site, and	Application Permitted

	installation of a surveillance camera on a chimney stack on the rear elevation.	
19930138	Circular 18/84 consultation. for improvements to the ventilation systems involving enlarging 2 external louvres, one in the internal courtyard adj. to boiler flue & one in semi-circular recessed pit behind railings at front & a new louvre adj. existing louvre behind railings at the side of building.	Application Permitted
19920751	Application for Listed Building consent for the formation of new gate opening through the existing brick boundary wall to link this site to the adjacent Old Sea School site.	Application Permitted
19920537	Circular 18/84 consultation in respect of the stationing of 2 no. portable buildings in the car park at the rear.	Application Refused
19900291	Circular 18/84 Consultation in respect of a listed building for internal alterations and alterations to the front elevation of the former stables in connection with its proposed use as a museum.	Observations Sent
19900171	Circular 18/84 Consultation in respect of a Listed Building for elevational alterations in connection with the erection of a glazed covered way at the rear of the main building.	Objection Raised
19900170	Circular 18/84 Consultation in respect of the erection of a glazed covered way at the rear of the main building.	Objection Raised
19900160	Circular 18/84 Consultation in respect of a Listed Building for elevational and internal alterations to the existing workshop and office building in connection with the proposed erection of a first floor extension and two storey extension.	Observations Sent
19900106	** REVISED APPLICATION ** Circular 18/84 Consultation in respect of the erection of first floor extension and two storey extension to existing workshop and office building to form additional offices.	Observations Sent
19890906	Circular 18/84 Consultation in respect of a Listed Building for internal alteration and installation of new window on the front and side elevations.	Application Permitted

Development Proposals

Section 3

- 3.1 The proposal is for the conversion of Custom House, a single storey extension to the Coash House, part single and two storey extensions to the Outbuilding, the demolition of the workshop and the erection of a new building to provide a total of 27 self-contained residential units, together with associated landscaping and parking.

Built Development

Custom House

- 3.2 It is proposed to convert Custom House and the coach house into 10 self-contained apartments, consisting of 3 x 1beds, 6 x 2beds and 1 x 3bed.
- 3.3 The lower ground floor is proposed to be converted into a 1bed unit and a 2bed unit, along with the kitchen/diner to serve unit 3 whose main habitable accommodation is provided on the upper ground floor.
- 3.4 The upper ground floor is to be converted into 4 units of accommodation consisting of the living room accommodation to unit 3; bedroom to unit 5; and then a 1bed unit and 2 bed unit.
- 3.5 The first floor provides two further 2bed units; the kitchen/diner/living room to unit 5; and the bedroom to unit 3.
- 3.6 The second floor provides the final two 2bed units as well as the second bedroom to unit 5.

Coach House

- 3.7 The existing coach house is to be converted with the addition of a single storey extension to create a self-contained 3-bedroom townhouse.

Custom House Outbuilding

- 3.8 The outbuilding is to be converted and extended to provide 8 self-contained dwellings consisting of 2 x 1bed townhouses; 2 x 2bed townhouses; and 4 x 3bed townhouses.
- 3.9 The existing three-storey element is to be converted into two 3bed townhouses. At first floor level on the southern flank, it is proposed to block up an existing opening that provides an access at present to Custom House via a corridor with 4 steps down. This

corridor is to be demolished and the physical link between the buildings at first floor removed.

- 3.10 The central portion of the building is to be extended with a proposed new part 1 and part 2 storey addition to provide a further two 3bed townhouses plus a 1bed and 2bed townhouse.
- 3.11 The northern part of the outbuilding is converted as original into a further 1bed townhouse with study (the study being below the minimum size for a single bedroom) and a 2bed townhouse.

Workshop (and Old Boathouse)

- 3.12 The existing old boathouse is to be converted to a self-contained 2 bed dwelling split over two floors of accommodation. The southernmost part of the existing workshop is proposed to be demolished and only the northern lower part of the building is to be retained and converted into a two-bed unit with the bedrooms provided within a new mezzanine element with a double height space to the main living/dining area.
- 3.13 The existing arch bays on the northern elevation are proposed to be opened for full height glazing to the living room/diner with new velux windows to serve the two bedrooms, and a new entrance doorway along the eastern flank. In order to ensure privacy to the living room/diner it is proposed to provide a small courtyard garden to unit 20.

Boathouse

- 3.14 The boathouse is to be converted to 4 apartments, consisting of 1 x 1 bed unit and 3 x 2 bed units over two floors.
- 3.15 The new development is created through the addition of 3 new entrance doorways to serve units 21, 23 and 24. In addition a new first floor window is proposed to unit 24 to provide a second window to bedroom 2.
- 3.16 On the northern elevation the original boathouse doors are proposed to be replaced with full height glazing to serve the kitchen/diner/living room to unit 24. To ensure privacy to this unit given this full height glazing it is proposed that a small private courtyard garden is created.

New building

- 3.17 A new three-storey building is proposed along the western boundary of the site, located just south of the existing Boathouse. The new building would provide 3 x 2bed townhouses with a small study room.
- 3.18 The ground floors consist of the combined kitchen/diner/living rooms, with two bedrooms and a study at first floor and the master bedroom with terrace at second floor.

Demolition

- 3.19 The proposed demolition consists of the southern part of the workshop building and the existing corridor link at first floor level between Custom House and the Outbuilding. In addition, various internal subdivisions of the existing buildings are to be removed as part of the proposed conversion.

Landscaping and Amenity

- 3.20 The existing landscape area to the immediate north of Custom House is to be retained and enhanced to provide a communal lawn area for access to all residents.
- 3.21 The proposed new build element will each have a small front garden to define the entrance to the properties, set beyond a hedgerow to provide the delineation between the public and private spaces.
- 3.22 Similar front garden areas are also provided to the units within the Outbuilding and Boathouse and. The exceptions being unit 19 of the Outbuilding and 21 of the Boathouse where larger private garden areas are created due to the full height glazing proposed to each northern elevation.
- 3.23 Similarly, unit 20 in the Workshop is also provided with a more enclosed garden area to provide privacy to the living room/dining area.

Access and Parking

- 3.24 Vehicular access to the site will remain from The Terrace as per the current arrangements.
- 3.25 The site layout has been revised to reduce parking in order to deliver additional soft landscaping. A total of 15 parking spaces are now provided within the application site. A total of 33 cycle parking spaces are proposed across the site, primarily in the north western part of the site with some private provision where appropriate.

- 3.26 The parking layout has been designed to ensure that there is sufficient turning space within the site for a fire appliance.
- 3.27 Secure cycle parking is provided to the northwest of the site within an enclosed area of the site between the sea defence wall and the boundary with the PLA site.
- 3.28 The refuse store is located towards the front of the site with a resident access set behind the entrance gates with a further set of double doors facing out to the main entrance driveway to provide ease of access for refuse collection from the edge of kerb to ensure that there is no requirement for the refuse vehicle to enter the site.

Planning Policy Framework

Section 4

- 4.1 Statutory guidance and development plan policies have been important considerations in the preparation of the proposal and details of the relevant guidance against which the application falls to be considered are set out below. The implications of these policies and other material considerations are addressed in section 5 of this statement, which sets out our planning case.

Development Plan Policy

- 4.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.3 The Development Plan for the application site consists of the Gravesham Local Plan Core Strategy (2014) and the Local Plan 1st Review (1994)

Gravesham Local Plan Core Strategy (2014)

- 4.4 The Core Strategy (hereafter LPCS) was adopted in 2014 and sets out the Council's strategic policies and proposals for the development and use of land within the Borough up to the period of March 2028.
- 4.5 The following policies are considered to be relevant in the context of this proposal and are considered in further detail in section 5 of this statement:

Policy CS01 Sustainable Development	This policy merely reaffirms the application of the approach to sustainable development as set out in the Framework.
Policy CS02 Scale and Distribution of Development	This policy seeks to ensure that at least 6,170 new dwellings are delivered in the Borough in the period up to 2028. It confirms that new development will be delivered by ensuring effective use of previously developed land and focussing development in the most sustainable locations, whilst preserving the openness and maintaining the local and national purposes of the Green Belt and protecting it from inappropriate development.
Policy CS05 Gravesend Town Centre Opportunity Area)	This policy identifies the opportunity area as a focal area for town centre related economic and social activity, with significant heritage interest in the area. It also confirms that the strategy for employment sites is to protect

	employment floorspace unless it is truly redundant for modern needs
Policy CS07 Economy, Employment and Skills	This policy seeks to ensure the delivery of new office and employment space. In respect of the conversion of existing employment space the policy sets out specific criteria including demonstrating that existing premises are no longer suited for employment purposes or being made suitable at reasonable cost and supported by appropriate marketing.
Policy CS10 Physical and Social Infrastructure	This policy states that the Council will support proposals that protect, retain or enhance existing physical and social infrastructure or that lead to the creation of additional infrastructure that improves the well-being of the community. Where there is threat of loss of existing infrastructure, consideration will be given to the viability and whether sufficient alternative provision is available. Additionally, all new development is expected to make the most efficient use of new and existing infrastructure.
Policy CS11 Transport	This policy refers to the potential impact on highways and the public transport network, caused by new developments and the importance of mitigating that impact using appropriate measures. It recognises the importance of providing sufficient parking in accordance with adopted parking standards. It also explains how the Council will support proposals which improve public transport provision and lead to improvements in walking and cycling facilities.
Policy CS12 Green Infrastructure	This policy states there will be no loss of biodiversity in the Borough, with emphasis being given to designated sites.
Policy CS14 Housing Type and Size	This policy indicates that the Council will protect the mix of housing in the existing housing stock, while new housing is expected to provide a range of dwelling types, taking into account the existing character and local need of an area, in order to secure sustainable and balance communities.
Policy CS15 Housing Density	This policy states that densities should be relevant to the site conditions such as public transport accessibility, site accessibility, size and location of site and the character of the area. Within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare, or 30 dwellings per hectare in the rural area.
Policy CS16 Affordable Housing	This policy requires 30% affordable housing on sites of 15 units or more within the urban area. Of this, the Council will seek an affordable housing mix of 70% affordable rented and social rented accommodation and 30% intermediate housing.
Policy CS18 Climate Change	This policy sets out a number of issues and procedures that developments need to address and confirm in order to reduce the impacts of climate change. The Council will require the use of Sustainable Urban Drainage Systems on all developments where technically and financially feasible

Policy CS19 Development and Design Principles	This states that new development will be visually attractive, fit for purpose and locally distinctive. It also states that development should conserve and enhance the character of the local built, historic and natural environments, integrate well with the surrounding local area and meet anti-crime standards.
Policy CS20 Heritage and the Historic Environment	This sets out that proposals which preserve and/ or enhance the setting of the Borough's heritage assets, thus preserving the distinct identity of the Borough, will be supported.

- 4.6 In accordance with the provisions of the Framework, a strategic review of the CS was undertaken in September 2019.
- 4.7 The review confirmed that policy CS02 would require modification to reflect the objectively assessed development needs noting that to review the development strategy and green belt boundaries requires assessment through the plan making process.
- 4.8 The review considered that although policy CS12 was slightly out of conformity with the Framework in that it now requires net gains in biodiversity there was no requirement to modify the policy as the Framework is a material consideration.

Gravesham Local Plan 1st Review (1994)

- 4.9 The Local Plan 1st Review (LP) was adopted in 1994 and many of its policies were saved until subsequently superseded by the LPCS.
- 4.10 The following policies are considered to be relevant in the context of this proposal and are considered in further detail in section 5 of this statement:

Policy TC3 Development Affecting Conservation Areas	Development within or affecting a conservation area expected to make a positive contribution to conservation area.
Policy LT6 Additional Open Space in New Housing Development	This sets out that proposals for new housing development will be expected to make provision for open space and play space.
Policy T1 Impact of Development on the Highway Network	This seeks to ensure that developments assess the impact on the highway network and that are adequately served by the highway network.
Policy T9 Housing Estate Layout	This policy expects the highway layout of new residential developments to comply with the Kent Design Guide and the Vehicle Parking Standards.
Policy P3 Vehicle Parking Standards	This policy expects new development to provide parking on site in accordance with the Vehicle Parking Standards.

Material Considerations

National Planning Policy Framework

- 4.11 In February 2019, the Government published the revised National Planning Policy Framework (the 'Framework') which sets out its objectives for securing sustainable economic growth. This replaced the previous version published in March 2012, and the subsequent July 2018 version.

Presumption in favour of sustainable development

- 4.12 At the heart of the revised Framework is a presumption in favour of sustainable development, encompassing social, economic, and environmental roles. The approach to sustainable development involves making the necessary decisions now to realise the vision of stimulating economic growth, maximising wellbeing, and protecting our environment, without negatively impacting on the ability of future generations to do the same. Paragraph 8 of the Framework states that under this approach, planning is expected to deliver:
- a strong, flexible, and sustainable economy, by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure (Economic role);
 - protection and enhancement of our natural, built, and historic environment, prudent use of natural resources and actions to mitigate and adapt to climate change, including moving to a low carbon economy (Environmental role);
 - strong, vibrant and healthy communities, by providing an increased supply of housing to meet the needs of present and future generations; and by creating a good quality-built environment, with accessible local services, that reflects community needs and supports well-being (Social role).
- 4.13 Paragraph 11 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. Footnote 6 confirms that designated heritage assets are one of the criteria that may provide a clear reason to refuse a development.
- 4.14 Paragraph 12 further states that developments that accord with an up-to-date local plan should be approved and those that conflict should be refused unless material considerations indicate otherwise.

- 4.15 Paragraph 38 reaffirms that decision makers should seek to approve applications for sustainable development wherever possible.

Conserving and enhancing the historic environment

- 4.16 Paragraph 192 states that in determining applications, local planning authorities should take account of:

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness.*

- 4.17 Paragraph 193 states that, when considering the impact of a proposed development on the significance of a designated heritage asset *“great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)”*.

- 4.18 Paragraph 194 directs that, any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 4.19 Paragraph 196 states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

- 4.20 Paragraph 197 relates to non-designated heritage assets and states that, the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

Achieving well-designed places

- 4.21 Paragraph 124 of the Framework establishes that *“the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.”*

- 4.22 Paragraph 127 sets out that planning decisions should ensure that developments meet a number of design criteria, including that it *“functions well and add to the overall quality*

of the area", and that they are "visually attractive as a result of good architecture, layout and appropriate and effective landscaping."

- 4.23 Paragraph 130 acknowledges that developments failing to take the opportunity to improve the character and quality of an area or taking account of local design standards or styles should be refused. Equally, it recognises that where schemes accord with clear design expectations in policies design should not be used as a valid reason to oppose development.

Promoting sustainable transport

- 4.24 Paragraph 103 recognises that opportunities to maximise sustainable transport will vary between urban and rural areas, confirming that this needs to be reflected within plan-making and decision-taking.
- 4.25 Paragraph 108 acknowledges that in decision making it is necessary to consider whether proposals have sought to deliver appropriate opportunities to promote sustainable transport, provide for safe and suitable access and mitigate any impacts on the transport network.
- 4.26 Paragraph 109 clearly sets out that developments should only be refused on highway grounds where there is an unacceptable impact on highway safety or where the residual cumulative impacts on the road network would be severe.

Housing delivery

- 4.27 Paragraph 23 confirms that development plans should continue to identify broad locations for development and include strategic policies to bring forward sufficient land to address objectively assessed needs.
- 4.28 Paragraph 59 of the revised Framework establishes that *"to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."*
- 4.29 Paragraph 67 sets out the process by which planning policies need to demonstrate a sufficient supply and mix of sites.
- 4.30 Paragraph 73 establishes the requirement for strategic policies to outline trajectories for housing delivery over the plan period with the requirement to maintain a minimum

of five years' worth of housing. This supply is to include the relevant buffer amount depending on the position of the council, varying from 5% through to 20%.

- 4.31 Paragraph 77 sets out the need for planning policies and decisions to be responsive to local circumstances and support developments that reflect local needs within rural areas.
- 4.32 Paragraph 117 reaffirms the aim to *"promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions."*

National Planning Policy Guidance

- 4.33 The Department for Communities and Local Government published new Planning Practice Guidance ("PPG"), which launched on 6th March 2014.
- 4.34 The PPG is a live document and has been updated since its original release; it provides practical (online only) guidance on the implementation of the Framework.
- 4.35 This provides key guidance such as that design is an integral part of sustainable development that creates *"places, buildings or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations"* (Paragraph: 001 Reference ID: 26-001-20140306). Well-designed places should be functional, attractive and encourage ease of movement.
- 4.36 The Guidance notes that development proposals *can "support strong, vibrant and healthy communities and help create healthy living environments"* (Paragraph: 002 Reference ID: 53-002-20140306). A healthy community is a *"good place to grow up and grow old in"* and one in which active healthy lifestyles are made easy through good urban design and access to local services and facilities (Paragraph: 055 Reference ID: 53-005-20140306).
- 4.37 The PPG reinforces the importance of the Framework as representing the most up-to-date Government planning policy, which must be taken into account where it is relevant to a planning decision. This includes the presumption in favour of development found at Paragraph 14 of the Framework.
- 4.38 Importantly, the PPG states that if decision takers choose not to follow the Framework, where it is a material consideration, clear and convincing reasons for doing so are needed (Paragraph: 006 Reference ID: 21b-006-20190315).

- 4.39 The PPG also sets out further guidance in relation to housing land availability assessments and the impact of these on five-year housing land supply matters.
- 4.40 Specifically, that *“Authorities can use evidence such as a Strategic Housing Land Availability Assessment (SHLAA)/ Housing and Economic Land Availability Assessment (HELAA) which will identify sites which may be suitable, available and achievable for housing development and also provide some evidence as to their deliverability. “In order to demonstrate 5 years’ worth of deliverable housing sites, strategic policy-making authorities will need to provide robust, up to date evidence to support plan preparation. Their judgments on deliverability of housing sites, including windfall sites, will need to be clearly and transparently set out.”* (Paragraph: 030 Reference ID: 3-030-20180913).
- 4.41 The PPG requires Councils to provide five years’ worth of housing against their housing requirements at all points during the Plan period, and that housing requirement figures in up-to-date adopted Local Plans should be used as a starting point for calculating five-year supply.
- 4.42 It confirms that considerable weight should be given to the housing requirement figures in adopted Local Plans which have successfully passed through the Examination process unless significant new evidence comes to light.
- 4.43 It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs (Paragraph: 032 Reference ID: 3-032-20180913 and Paragraph: 038 Reference ID: 3-038-20180913).
- 4.44 When a 5-year housing supply plus a relevant buffer cannot be demonstrated by a Local Authority, then the presumption in favour of sustainable development will apply, as set out in footnote 7 on the Framework (Paragraph: 039 Reference ID: 3-039-20180913).
- 4.45 In relation to assessing the deliverability of the site, the PPG states that local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. It accepts that deliverable sites could include those that are allocated for housing in the development plan and sites with planning permission unless there is clear evidence that schemes will not be implemented within five years. Specifically, it states that *“For sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, where clear evidence is*

required to demonstrate that housing completions will begin on site within 5 years, this evidence may include:

- *any progress being made towards the submission of an application;*
- *any progress with site assessment work; and*
- *any relevant information about site viability, ownership constraints or infrastructure provision.” (Paragraph: 036 Reference ID: 3-036-20180913)*

Planning Considerations

Section 5

- 5.1 This section of the statement provides a justification for the proposal having regard to the relevant planning policy background, the character of the local area and the site's planning history.

(a) Decision making framework

Relevant policies

- 5.2 Policy CS01 is a relevant policy insofar as it reflects the presumption in favour of sustainable development as enshrined within the Framework.
- 5.3 Policy CS02 established the spatial strategy the location of future development up to 2028 to meet the identified needs of the Borough. This planning statement therefore assesses whether the proposed development is in accordance with the policy.
- 5.4 Policy CS07 sets out the approach to protecting existing employment space provision unless specific criteria are met. This planning statement therefore determines whether the exceptions are met as a means of complying with the policy.
- 5.5 Policies CS12 and CS13 set out the approach to protecting biodiversity and ensuring provision of sufficient open space within new developments. This planning statement therefore assesses the proposed development against the policy requirements to consider whether it is an acceptable form.
- 5.6 Policy CS14 relates to ensuring that a range of housing types and sizes are delivered to meet identified needs. This planning statement therefore assesses whether the proposed development complies with the requirements of the policy to deliver a range of accommodation size, type, and tenure to meet the identified needs of the population as a whole.
- 5.7 Policy CS16 relates to the need for specific developments to provide for affordable housing as part of proposals. This planning statement therefore assesses what the correct level of affordable housing should be and whether the lack of any provision as demonstrated through the supporting evidence meets the identified exceptions within the policy and supporting text.

- 5.8 Policy CS18 relates to climate change. This planning statement therefore assesses whether the proposed development is consistent with the aims of tackling climate change through more efficient use of natural resources and the use of renewable technologies.
- 5.9 Policy CS19 established the design principles ensuring that all new residential developments secure high quality, adaptable accommodation. This planning statement appraises the proposed development against the policy requirements to determine whether national space standards are met with and if the scheme is capable of achieving high quality design.
- 5.10 Policy CS20 seeks to conserve and enhance the historic environment, requiring that all new development maintains and protects the character of valued townscapes. The application site is within a designated Conservation Area and includes designated heritage assets, in addition to bordering another Conservation Area and further designated heritage assets in nearby proximity to the site. The planning application is therefore accompanied by an assessment of the impacts of the proposals on heritage assets and this planning statement appraised the proposals against policy CS20 in that light.

The weight to be attributed to policies

- 5.11 The council published its latest 5-year housing land supply statement for 2020-2025 in January 2021. This confirmed that the 5-year supply figure was 3,275 dwellings or 655 dwellings per annum. Given the recent performance of delivery as measured by the Housing Delivery Test it is acknowledged that a 20% buffer is required, increasing the overall level of need to 3,930 dwellings over the 5-year period.
- 5.12 The supply assessment outlined in section 4 of the statement confirms that the supply is only equivalent to 2,574 dwellings, resulting in a supply position of only 3.27 years (as outlined in table 7 of the statement). This therefore confirms that paragraph 11(d) of the Framework applies in respect of the presumption in favour of sustainable development so long as the criteria under footnote 6 are met.

(b) Principle of development

- 5.13 Located within a defined settlement boundary and containing existing built form, there is no doubt that the application site meets the definition of previously developed (brownfield) land as set out within Annex 2 of the Framework, by way of the existing buildings on site.

5.14 It is considered that the proposal would make best use of previously developed land. This is in accordance with Development Plan Policy CS02. Additionally, the borough's spatial vision for the protection of the Green Belt is supported, by way of brownfield-led, urban regeneration.

5.15 The PPG provides guidance on the effective use of land and states that *"When considering whether there is a realistic prospect of an allocated site being developed for its intended use, it may be relevant to take into account factors such as:*

- *the length of time since the site was allocated in the development plan;*
- *the planning history of the site including any planning applications or pre-application enquiries;*
- *whether there is evidence that the site has been actively marketed for its intended use for a reasonable period, and at a realistic price; and*
- *whether there are any changes of circumstance that mean that take-up of the site for its intended use is now unlikely.*

Where an alternative use for the allocated site is proposed, it will also be relevant to consider the extent to which evidence suggests the alternative use would address an unmet need, as well as the implications for the wider planning strategy for the area and other development plan policies."

5.16 At the time of this submission, Custom House has been vacant for more than 2 years. The building closed in March 2018 with surveyors appointed in May 2019 to let the premises. A re-appointment was then made in December 2019 to market the property for sale as B1 office accommodation. The marketing continued until January 2021 thereby representing a total of 20 months marketing, of which 7 months were for letting and the subsequent 13 months for sale.

5.17 The proposals would represent the loss of class B1 office space as a result of a residential conversion to class C3 use. The requirements of policy CS07 therefore need to be met to support the proposals. It is stated for the applicant that the marketing report prepared by Caxtons demonstrates that the requirements of policy CS07 in respect of the appropriate level of marketing for existing and alternative uses has been met and that there are no viable suitable alternative employment or commercial uses that can be accommodated within the building to ensure the long-term viability of the site. Furthermore, the report demonstrates that the loss of the existing commercial floorspace will not hinder the overall provision of commercial floorspace within the

Borough such that there is an unacceptable impact to meeting current and future demands.

(c) Heritage considerations

Conversion of Custom House and ancillary buildings

- 5.18 Custom House and the associated ancillary buildings within the grounds are surplus to requirements as an office and were vacated by HMRC in March 2018. An extensive marketing exercise has been undertaken (please refer to the marketing report prepared by Caxtons in support of this application) and there has been no viable interest in the site's reuse for office use, nor for any other employment use. As such, the property currently lies vacant and is redundant for its original intended use.
- 5.19 Custom House is a Grade II Listed building. If left 'as-is', unoccupied and un-managed, the condition of the property, and the fabric of the buildings and associated grounds will deteriorate. As such, an important nationally designated heritage asset would be susceptible to a decline in condition, with no potential viable future use other than that proposed by this planning application.
- 5.20 It is proposed to convert and refurbish Custom house and its associated ancillary buildings into new residential apartments and self-contained dwellings. Any proposed conversion of Custom House would need to be undertaken to a very high standard in terms of construction methods and materials required to satisfy Historic England (hereafter referred to as HE).

Long-term viable use

- 5.21 The marketing exercise undertaken has been carried out with the requirements of HE in mind and demonstrates that there is no viable demand for continued office use, or any other commercial use, either to a single occupier or multiple occupiers (freehold or leasehold). Other potential uses including education/institutional use and hotel use have also been explored, and marketing evidence is provided to demonstrate that there has been no interest.
- 5.22 The PPG includes guidance on finding a new use for listed buildings stating *"If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes."*

- 5.23 If the use for which the building was originally designed is no longer viable, the next best use must be one that conserves the key elements of the asset's significance. In this case, that comprises a residential conversion enabling the reuse of the buildings existing accommodation and restoration of key features.

Heritage impacts of the conversion of Custom House

- 5.24 Policy CS20 states that *"Securing viable, sustainable and appropriate futures for such assets at risk will need to be reconciled with the sensitivity to change that many present."* The proposed conversion and refurbishment of has been designed to minimise harm to significance and maximise opportunities for enhancement to appreciation.
- 5.25 The Heritage Statement prepared by Charles Wagner Heritage & Planning sets out in detail how the re-use of Custom House has been carefully considered and designed to conclude that the restoration works, and repairs proposed, combined with the beneficial use secured, result in an overall net benefit to the listed building. Inevitably, a degree of harm arises from the change in character to the building resulting from the C3 residential use and the internal partitioning. However, this change arises in the context of no alternative viable use that would allow the interior spaces to remain open. When this harm is set against the substantial benefits secured through the conversion of the building, they are decisively outweighed.

New build development

- 5.26 The Framework states that in determining planning applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets, *"and putting them to viable uses consistent with their conservation"* (paragraph 192).
- 5.27 The Design and Access Statement and the supporting Heritage Assessment explain the design rationale for the additions and alterations to the site demonstrating that they are appropriate to the setting and ensure a long term viable use for the building and site.

Relationship of new build development with heritage assets

- 5.28 The siting, scale and layout of the new build development has been designed such that it responds appropriately to Custom House. The proposed extensions to the various buildings are also designed sympathetically in scale and appearance so as not to dominate when viewed against the backdrop of the designated heritage asset.

- 5.29 Overall, the result is a sympathetic form of new build development.

Heritage interpretation

- 5.30 Following consultation comments details of the location and type of heritage display to include precedent scheme images are also now provided as part of the revised submission.

(d) Housing Need

- 5.31 Paragraph 60 of the Framework sets out that strategic policies should be informed by a local housing need assessment to determine the minimum number of homes needed in an area. Paragraph 73 reaffirms the requirement for Councils to demonstrate five years supply of housing against their housing requirements plus an additional buffer of 5% to ensure choice and competition in the market for land, or 10% where the Council wishes to demonstrate the supply through an annual position statement of a recently adopted plan or finally 20%, where there has been significant under-delivery of housing over the previous three years.
- 5.32 The Housing Delivery Test (January 2021) confirms that for the 3-year period from April 2017 to March 2020 only 731 new homes were delivered against a requirement of 1043. This represents 70% of the requirement and as such a 20% buffer is to be applied in accordance with paragraph 73 of the Framework and the presumption in favour of sustainable development is applicable.
- 5.33 The LPCS was adopted in 2014 and therefore does not meet the definition of a 'recently adopted local plan, as set out in footnote 38 of the Framework. Although the LPCS was reviewed in 2019 this does not constitute a recent adoption.
- 5.34 Given the existing shortfall of some 312 dwellings over the measured 3-year period of the HDT it is argued that the additional 27 residential units will assist the Council towards achieving the adopted housing requirement to deliver the required number of homes in this plan period. Whilst only a modest scale the provision nevertheless is capable of being afforded weight in favour of the proposals.
- 5.35 The proposals offer a suitable housing mix across the site providing 6 x 1 bed (22%); 15 x 2 bed (55%) and 6 x 3 bed (22%) meeting the needs of the housing market as identified in the SHMA.

(e) Affordable Housing

- 5.36 Paragraph 5.10.3 confirms that for affordable housing as set out within the SHMA update *“the greatest need is for one bedroom properties (37%) but it also shows significant needs for two bedroom (32%) and three bedroom (28%) properties.”*
- 5.37 Affordable housing is defined within the Core Strategy at paragraph 5.12.1 as *“housing with sale prices or rent levels which are set substantially lower than the prevailing market price or rent, so that it will be accessible to local people in priority housing need, whose incomes are insufficient to enable them to afford housing on the open market.”* The definition relating to house types obviously pre-dates the revised Framework 2019 and therefore does not recognise starter homes or shared ownership as examples.
- 5.38 The method to calculate affordable housing needs is set out at Paragraph: 021 Reference ID: 2a-021-20190220, whilst calculating the existing supply is set out at Paragraph: 022 Reference ID: 2a-022-20190220.
- 5.39 When considering the implications of vacant building credit, you need to refer to the ‘Planning Obligations’ section of the PPG. This states at Paragraph: 026 Reference ID: 23b-026-20190315 that *“Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.”*
- 5.40 The NPPG provides detail on how to apply the credit to development proposals. At Paragraph: 027 Reference ID: 23b-027-20190315 it states *“Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local P plan. A ‘credit’ should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.”*
- 5.41 When considering how the credit should be applied to vacant buildings it states at Paragraph: 028 Reference ID: 23b-028-20190315 that *“The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to*

a particular development, local planning authorities should have regard to the intention of national policy.

In doing so, it may be appropriate for authorities to consider:

- whether the building has been made vacant for the sole purposes of re-development*
- whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.”*

5.42 Affordable housing includes a range of intermediate and social rented tenures inclusive of affordable rent, as defined by the revised Framework. It is essential to ensure that this is provided as part of a mixed and balanced community which includes market housing. A broad mix of tenures is especially important in this location to assist in the delivery of a mixed and balanced community.

5.43 It is accepted that the starting point for delivery is policy CS16 requiring 30% provision. However, as set out within the Framework at paragraph 63 the site is previously developed with vacant buildings on site. Whilst the buildings are vacant, they have not been abandoned since the use ceased and therefore the vacant building credit applies in accordance with footnote 28.

5.44 Under the terms of the affordable housing policy it would ordinarily be expected that the scheme would provide 8 units, however if applying the vacant building credit approach this would be reduced. Paragraph: 027 Reference ID: 23b-027-20190315 provides an example of how the contribution should be calculated.

5.45 The issue of affordable housing and application of vacant building credit is however immaterial in this case as the applicant has commissioned a viability assessment for the site to determine the maximum viable contribution that can be secured for affordable housing provision.

(f) Design and Layout

Layout

5.46 The supporting Design & Access Statement outlines the approach to the layout of the site to deliver new build footprint alongside the conversion of the existing buildings, whilst also seeking to incorporate sufficient on-site car and cycle parking and the required amenity space to support the scale of development proposed.

Appearance

- 5.47 The approach to the treatment of the new built form (whether that be extensions or new buildings) is to respect and complement the existing buildings on site to ensure that they can be read as later additions.
- 5.48 When making alterations to the existing retained buildings the works are sympathetic and have been designed to ensure that materials match the original appearance so as to blend in. These works are set out in more detail within the accompanying Heritage and Conservation Strategy document.

Scale

- 5.49 Whilst the proposals are centred around the concept of conversion, there are new build elements either as extensions to the original buildings (in the form of the Coach House and Outbuilding) or entirely new built form.
- 5.50 In terms of extensions, there is a section of two-storey additional form to the Outbuilding but otherwise all extensions have been kept to single storey. The overall scale has been designed to ensure that the resultant buildings are subservient in scale to the original heritage assets and also follow the overall proportions and topography of the site so step down towards the north. The scale of the extensions over outbuildings has been further reduced following the feedback from the planning and conservation officer (reduced ridge height and slightly reduced scale as per the amended drawings).
- 5.51 The approach to the scale and massing are explained in more detail in the supporting Design & Access Statement and also justified within the accompanying Heritage Statement.

Residential accommodation

- 5.52 The council have an adopted SPD on residential layout, however this dates from 1996 and is therefore considered extremely dated with regards to minimum space standards. The more recently adopted Technical Housing Standards is therefore considered a more appropriate guide.
- 5.53 Through sensitive revisions to the proposals all of the rooms have been designed to meet the national space standards, resulting in the change of some units (units 7 and 11) to 2 bed 3 person as opposed to 2 bed 4 person.

Amenity provision

- 5.54 There is an existing area of landscape immediately north of custom house (the walled garden) that is to be retained and enhanced as communal amenity space.
- 5.55 A new central green space is created in the void left by the demolished workshop building.
- 5.56 The principal amenity space is located to the north of the site between the parking area and the river. This amenity area is an existing hard paved area, and it is proposed to resurface this and create a more formal seating area for residents.
- 5.57 In total, over 500m² of amenity space is provided across the walled garden, the new central green space and the communal space with the Gazebo to the north of the site. The revised proposals demonstrate the removal of 6 parking spaces from the courtyard area to increase the external amenity space.

Neighbouring amenity

- 5.58 The scheme has been designed to ensure that there are no unacceptable impacts with regards to overlooking or loss of privacy from the neighbouring properties in accordance with the adopted development plan policy.

(g) Landscape

Landscape

- 5.59 The existing landscape area to the immediate north of Custom House is to be retained and enhanced to provide a communal lawn area for access to all residents. This amenity area incorporates the Grade II listed Gazebo and proposes formal seating on paved area with access to three private beach areas between the jetties. Mixed low shrub and herbaceous planting in beds is proposed around the perimeter of this area with native coastal plants proposed on the way to the beach areas.
- 5.60 The proposed new build element will each have a small front garden to define the entrance to the properties, set beyond a hedgerow to provide the delineation between the public and private spaces.
- 5.61 Similar front garden areas are also provided to the units within the Outbuilding and Boathouse and. The exceptions being unit 19 of the Outbuilding and 21 of the Boathouse where larger private garden areas of created due to the full height glazing proposed to each northern elevation.
- 5.62 Similarly, unit 20 in the Workshop is also provided with a more enclosed garden area to provide privacy to the living room/dining area.

(h) Transportation and Parking

Vehicular access

- 5.63 Vehicular access to the site will remain from The Terrace as per the current arrangements. The existing access is to be improved in regard visibility with the removal of a small section of boundary wall fronting The Terrace.
- 5.64 A new vehicular access gate to the main parking within the site is proposed, this is set back well into the site so as to ensure that there are no issues with regards preventing the free flow of traffic along The Terrace.

Parking

- 5.65 The site layout includes provision for a total of 15 parking spaces to serve the development. Given that the site is in a sustainable location and the adopted parking standards are expressed as maximums this is considered to be an acceptable approach to the provision of parking on site.
- 5.66 The maximum requirement would be based on a mixed development of 1, 2 and 3 bedroom units would be 41 spaces however this needs to be balanced against the requirement for on-site open space in the form of amenity provision, impacts to the setting of the listed building and the sustainable location of the site. It is therefore considered that in this case the provision on site meets the most suitable compromise between all of these elements.
- 5.67 Secure cycle parking for 33 bikes is provided to the north west of the site within an enclosed area of the site between the sea defence wall and the boundary with the PLA site as well as some private storage spaces for those units with private defined curtilage spaces.

(i) Flood risk and drainage

- 5.68 An updated Flood Risk and Drainage strategy has been prepared by Herrington in support of this application. This confirms that the site falls within Flood Zones 1 and 3 but benefits from existing flood defences. The report also addresses the objections made by the EA.
- 5.69 Following receipt of comments from the EA relating to proposed alterations to the flood wall discussions are ongoing as to the final details for that element of the scheme. The

current proposals are to remove the flood gate and replace this with a permanent section of reinforced concrete that is tied into the existing flood wall, with the stairs over the flood wall to be removed and remedial works to the existing flood defence wall including increasing the height of the wall as well as replacing the northern part with a new wall to meet the 100 year requirement.

- 5.70 Due to partial location within Flood Zone 3 regard has been had to the council's Strategic Flood Risk Assessment (SFRA).
- 5.71 The proposed development confirms that, with the exception of the basement accommodation, every unit has sleeping accommodation at least 600mm above the 1 in 200 year plus climate change breach flood level. The basement accommodation is below this, however it has been agreed in discussions with the Environment Agency that *"there are no points where floodwater can ingress the building to cause the lower ground floor to flood"* such that the accommodation is acceptable.
- 5.72 The assessment confirms that the options for surface water SUDs include rainwater harvesting, bioretention/rain gardens, and underground storage. The preferred strategy is the use of underground storage in the form of a storage tank.
- 5.73 In respect of foul water, the assessment confirms that there is an existing public sewer to the south of the application site within The Terrace. The proposal is to make a connection to the existing foul sewerage network with a peak flow rate of 1.3l/s.
- 5.74 The assessment concludes that *"the risk of flooding to the development site is low, with only the northern half of the site being shown to flood in the extremely unlikely event that the tidal defences along the River Thames were to fail. However, it has been demonstrated that with appropriate mitigation, the development will be safe."*
- 5.75 Furthermore, the assessment concludes that the development will not increase the risk of flooding elsewhere beyond the site boundaries.

(j) Ground conditions

- 5.76 A Phase 1 Geo-Environmental Desk Study and Preliminary Risk Assessment has been prepared by R Carr Geotechnical Services in support of the planning application.
- 5.77 The assessment confirms that a site visit was undertaken as part of the assessment confirming no significant contamination was observed at the time of the visit.
- 5.78 The assessment concludes that based on the available information the site has a low to moderate risk to human health and proposes subsequent intrusive investigations to

determine the below ground conditions. These investigations are recommended within the soft landscaped areas proposed for the site.

- 5.79 Due to the age of the building an asbestos survey is also recommended, which can be controlled by means of an appropriate planning condition.

(k) Daylight & sunlight

- 5.80 A Daylight and Sunlight Assessment has been prepared by Herrington in support of the planning application. The assessment confirms that the potential impacts to properties within Heritage Quay have been fully considered in terms of the Vertical Sky Component (VSC) and Average Daylight Factor (ADF).
- 5.81 The assessment confirms that following development all of the properties assessed in Heritage Quay will meet the BRE guidelines for VSC measurements such that the impact will be negligible. The assessment concludes that *“any changes to the daylight received by the habitable rooms of the neighbouring building will not be significant and is unlikely to be noticeable by the occupants.”*
- 5.82 The assessment also undertook an assessment on Annual Probably Sunlight Hours (APSH) and concluded that all of the windows tested pass at least two of the three tests such that *“the proposed scheme will have a negligible impact on [the] neighbouring building.”*

(l) Archaeology

- 5.83 A desk-based archaeology assessment of the site has been undertaken by Kent Archaeological Projects, which has been submitted in support of the planning application.
- 5.84 The report asserts that the site has a very low prospect for finding prehistoric remains, very low potential for roman remains and moderate prospects for mediaeval remains. There is a moderate to high potential for post-mediaeval remains though due to the building dating from 1815.
- 5.85 The report recommends a watching brief assessment in relation to the proposed new development and demolition works, which is considered commensurate with the potential for archaeological remains within the site.

Conclusion

Section 6

- 6.1 This Planning Statement, and supporting planning application documentation, demonstrates that the development proposals accord with the Development Plan when read as a whole and should therefore be approved.
- 6.2 The proposals involve the conversion and refurbishment of Custom House to create new residential accommodation, together with new build development on the existing car parking areas to create new residential units.
- 6.3 The main planning considerations are:
- The impact of the proposed development on the special interest and cultural significance of the built heritage on site: and
 - The impact of the proposed development on the off-site built heritage in terms of the neighbouring listed buildings and conservation area.

Heritage considerations

- 6.4 Custom House has been vacant since March 2018. The marketing exercise undertaken to support this application demonstrates that there is no viable demand for continued office use, or any other commercial use, either to a single occupier or multiple occupiers. Other potential uses including education/institutional use and hotel use have also been explored, and marketing evidence is provided to demonstrate that conversion to these uses is also not feasible.
- 6.5 If the use for which the building was originally designed is not viable, the next best use must be one that conserves the key elements of the asset's significance. In this case, that comprises a residential conversion which will facilitate a single management regime across the site, enable the meaningful reuse of the building's common parts, and support the restoration of the building fabric.
- 6.6 The proposed residential use therefore represents a viable use to secure the long-term future of the heritage asset. Detailed heritage analysis undertaken Charles Wagner Heritage & Planning has produced a finding of an overall net enhancement to the appreciation of the principal heritage asset on the site, Custom House. The benefit is calibrated against the redundancy of the site, as demonstrated by marketing, which

represents a major threat to the conservation of the building. This is on the basis that the building has already stood vacant now since HMRC left the premises in March 2018.

Planning Balance

- 6.7 Section 38(6) of the Planning and Compulsory Act 2004 requires the proposals to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.
- 6.8 The development plan currently includes the Core Strategy (2014) and saved policies of the Local Plan (1994). The Framework is another important material consideration.
- 6.9 It is accepted that the council cannot demonstrate a deliverable 5-year housing land supply, therefore in accordance with footnote 7 of the Framework the relevant policies for the supply of housing are deemed out-of-date. Therefore paragraph 11(d) of the Framework is engaged.
- 6.10 The proposals will bring Custom House back into beneficial use and secure its long-term future. As a currently redundant Grade II Listed building with no reasonable prospect of reuse for its current use, this represents a significant scheme benefit. The fact that plans for the reuse of the building and wider site redevelopment have been achieved at the same time as achieving a net enhancement to the overall appreciation of the principal heritage assets on site further enhances this scheme benefit. In this regard, the proposals accord with Core Strategy and Framework paragraph 192. Footnote 7 is therefore not triggered in the context of revoking the presumption in favour of sustainable development. The application site is therefore somewhat unique in that it includes two Grade II listed buildings along the river front providing direct access to the waterfront as a communal amenity space with some unique flats within the original buildings.
- 6.11 The proposals will also result in the creation of 27 dwellings in a sustainable location, making a contribution towards the acknowledged shortfall in housing land supply. The proposal would also bring about temporary economic benefits during the construction process and the longer-term economic benefits from the boost in spending in local services from residents. These factors weigh in favour of the proposals.
- 6.12 The proposal would ordinarily be required to provide 8 affordable units in accordance with policy CS16. However, in this case there is the matter of vacant building credit to be considered as well as the viability evidence that demonstrates the scheme would be unviable if a policy compliant affordable housing provision would be sought.

Therefore, whilst the proposal makes no provision for affordable housing this does not weigh against the proposal as the policy allows for this. The social impacts are therefore considered neutral in this case.

- 6.13 There are no environmental harms as a result of the proposed development given the limited landscape and biodiversity value of the site prior to the development proposals, and the minor enhancements as a result of the development. The scheme will also make the appropriate financial contributions in respect of the SAMM payments. The environmental factors weigh in favour of the proposal but are only limited.
- 6.14 Weighed against this is the less than substantial harm to the listed building arising from the proposed conversion and new build elements of the scheme. This is only in the context of the listed building itself as the proposals are not considered to have any detrimental impact to the character and appearance of the Riverside conservation area. The scale of harm is also considered to be at the lowest level possible.
- 6.15 The public benefits of the proposed development in regard to providing additional housing, as well as securing the long-term viable use of the heritage asset, outweigh the less than substantial harm defined.
- 6.16 In summary, this Planning Statement, and the other supporting planning application documentation, set out the reasons why the development proposals accord with the Development Plan when read as a whole and should therefore be approved without delay in accordance with Framework paragraph 11.