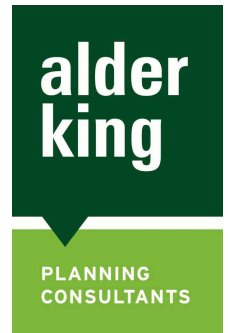


Our Ref: SM/JB/98877

8 December 2023

Planning Services
Dover District Council
White Cliffs Business Park
Dover
CT16 3PJ



Dear Sir/Madam

**NINE POINTS PROPERTY LTD
FORMER KINGDOM HALL, MILL HILL, DEAL, CT14 9EN
EXTERNAL ALTERATIONS INCLUDING MUGA
PLANNING PORTAL REFERENCE PP-12660635**

Alder King Planning Consultants have been instructed by Nine Points Property Ltd to submit an application seeking planning permission for a range of external alterations, including construction of a Multi-Use Games Area (MUGA) at the former Kingdom Hall, Mill Hill, Deal.

Application Documents

The planning application has been submitted via the Planning Portal and comprises the following documents and drawings:

- This covering letter which assesses the proposal
- Completed planning application form
- Site location plan
- Existing and proposed block plan
- Existing floor plan
- Proposed floor plan
- Existing elevations
- Proposed elevations

The application fee of £578 has been paid via the Planning Portal.

Application Site

The former Kingdom Hall is located on the north western side of Mill Hill in Deal. The Hall is a two storey building with single storey additions constructed of red brick and slate. The hall provides a range of rooms across the ground and first floor including the main hall, meeting room/library, kitchen, boiler room, cloakroom and storage. Externally the hall has car parking areas to the front and rear, with a driveway on the north eastern side providing access to the rear parking area. The front parking area is enclosed by a low wall and is currently served by its own vehicular access point.

The surrounding area is predominantly residential in character, although there are a number of commercial properties located in the vicinity on Mill Hill. Residential properties are located to the north, south and west of the Hall

Vehicular and pedestrian access to the site is gained directly from Mill Hill, via the driveways, one of which also serves a dwelling located to the rear of the Kingdom Hall.

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Deal town centre is located approximately 1.5km to the north east of the property. Bus stops on Mill Hill, provide direct public transport links to the town centre where a range of services and facilities can be found. The bus service also links directly to the rail service, with Deal Railway station being located in the town centre.

Planning History

The planning history pertinent to the consideration of this application includes:

- 88/01291 'A single storey rear extension' –approved October 1988
- 01/00124 'Erection of rear canopy and external alterations' approved March 2001
- 11/00912 'Erection of a detached dwelling' –approved December 2011.

No documents are available on the Council website for the earlier applications relating to the site, however, it is clear from the 2011 planning application that the Kingdom Hall was in use as a place of worship at that time. The Kingdom Hall is currently vacant but was last used as a place of worship. This is a Class F1 use.

Application Proposal

The application seeks planning permission for a range of external alterations to the property and grounds of the former Kingdom Hall which will facilitate the use of the building as a school. To be clear, planning permission is not required for the use of the property as a school, it is just the physical works that require planning permission.

Both a place of worship and education uses fall within Class F1 of the Uses Classes Order. Planning permission is not required when moving between different uses which fall within the same use class, unless planning conditions have been imposed to expressly restrict this. There are no such restrictions on the Kingdom Hall and as such the building is free to be used for any purpose within Class F1, including as a school.

It should be noted that the applicant is also in the process of purchasing the small dwelling that is located to the immediate rear of the Hall. That building is also proposed to form part of the school. A separate planning application has been made for the change of use of the dwelling to education use.

The physical works proposed at the former Kingdom Hall are shown on the enclosed drawings and include:

- Creation of a MUGA –formed by erection of 3m high mesh fencing to the boundaries of the area, with a pedestrian gate. The MUGA will also include a lightweight netting over it.
- Erection of 1.8m high fencing on the site to separate the car parking area from the remainder of the school site.
- Erection of an outdoor classroom –formed by a gazebo style aluminium canopy
- Cladding of an existing fire escape.
- Minor alteration to fenestration including replacement of windows and doors and insertion of rooflights
- Reconfiguration of car parking area, including removal of existing walls.

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There are a range of internal works proposed, as indicated on the submitted plans. These internal works including, room reconfiguration and insertion of a mezzanine floor and staircase, do not require planning permission.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan so far as it relates to the site and the proposals currently comprises:

- Core Strategy (2010);
- Land Allocations Local Plan (2015); and,
- Dover District Local Plan (2002) saved policies.

The application site is not subject to any designations or allocation in the Core Strategy, Land Allocations Local Plan and Dover District Local Plan. The site is located within the defined settlement boundary of Deal. There are no listed buildings on or adjoining the site nor is the site in a conservation area. The site is located within flood zone 1.

Policies of particular note in the development plan include:

- CP1 –which confirms Deal as ‘District Centre’ in terms of the settlement hierarchy.
- DM1 –which seeks to focus development within settlement boundaries.
- DM13 –parking provision

In terms of the emerging local plan, the Council is in the latter stages of adopting a new local plan for the district. The new Dover District Local Plan was submitted to the Secretary of State for public examination in March 2023 and hearing sessions held earlier in the year. The plan is scheduled for adoption in 2024. It is noted that the site is not proposed as a development allocation in the merging local plan.

Planning Assessment

Introduction

The key matters of relevance to considering the proposed development are the impacts of the proposal on firstly the amenity of the adjacent residential properties, and secondly the impact of the proposals on the character and appearance of the existing building.

The school to be provided will be operated by Horizon Schools, whose schools provide specialist independent schools that are highly effective in supporting children with Specialist Education Needs (SEN). The schools focus on communication and interaction, cognition, learning, physical and/or sensory difficulties and social, emotional, and mental health difficulties. The aim being to provide appropriate learning opportunities so that all students can be the best they can be.

Horizon Schools are seeking to provide a new standalone education facility and has identified the former Kingdom Hall as an appropriate building to accommodate the school. As noted above, the hall will can already, and will be, lawfully occupied for education use.

Residential Amenity

The principle of introducing an education use at the property is not in question. The use of the building as a school is permitted. In terms of residential amenity, the impact of the proposed physical development has been carefully considered by the applicant to minimise potential impacts on adjacent residential occupiers in terms of key amenity aspects such as overlooking, loss of privacy, overshadowing, overbearing impact etc.

The nearest dwellings to the site are immediately adjacent to the north western, south western and south eastern boundaries on Trinity Place, St James Close and Mill Hill respectively.

Taking the individual elements of proposed development in turn.

The creation of a MUGA, formed by erection of 3m high mesh fencing is proposed in the northern part of the site. The enclosure will be constructed of light weight mesh fencing which will not result in any overshadowing to neighbouring properties. Nor, given its design, will it result in any overbearing impact on neighbours. The location of the MUGA has been placed away from residential properties as far as is possible whilst still allowing for the vehicular access and car park in the north eastern part of the site. It should be noted that the MUGA has been deliberately stepped away from the site boundary to minimise impacts. The MUGA will also include a lightweight netting, designed to ensure balls etc remain within the site and do not create a nuisance. The proposed MUGA will provide a focused area of formal play for children at the school in an area of the site which could be used for recreation purposes in any case. The proposed MUGA will not result in any adverse effect on the amenity of neighbours.

Erection of 1.8m high fencing on the site to separate the car parking area from the remainder of the school site, will have no effect on neighbours. The fencing would be lower than existing boundary treatments on the site and is provided only to functionally separate the recreation area of the school from the car park for safety reasons. No impact on amenity of neighbours is expected from this aspect of the development.

An outdoor classroom, formed by a gazebo style aluminium canopy is proposed to the rear of the main Hall and the adjacent residential property. This structure, by its nature, will be lightweight and open and at approximately 2.3m in height will not be significantly higher than the existing boundary fence. This small structure will be sited approximately 16m from the adjacent property and to the north of it. Therefore, it will not result in any overshadowing or overbearing impact on the adjacent residential occupier.

Cladding of the existing fire escape which is located on the rear elevation of the building will have no effect on adjacent or nearby residential occupiers.

Minor alterations to fenestration including replacement of windows and doors and insertion of rooflights is proposed on the front elevation and north eastern elevation. The change to the design of the front door will have no effect on neighbours. The changes to the north western elevations do not introduce any additional windows at ground floor level, the existing windows are simply reconfigured

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to reflect the internal changes within the building. These changes will result in no change to amenity levels enjoyed by the adjacent residential occupier. The introduction of six rooflights will provide a greater level of natural light into the first floor of the building to create a better learning environment. The introduction of the rooflights will not result in any overlooking or loss of privacy to the adjacent residential occupier to the east, given their location and the physical relationship between the properties.

The proposal includes removal of low internal walls within the front of the site as shown on the submitted drawings. This is to facilitate better vehicle manoeuvring and access space within the site. It also allows greater flexibility for cars accessing the existing car park to the rear of the hall. The existing car park is reduced in size, to allow for the creation of recreational areas and the MUGA. Seven spaces (including two disabled spaces) are retained to the rear of the building as well as informal parking retained to the front of the building. The removal of the walls will have no effect on residential amenity.

In summary, it can be readily concluded that the limited physical changes within the site and to the building will have no material effects on the amenity enjoyed by adjacent residential occupiers.

Character and Appearance of the building

The existing building is not listed, nor is it located in a conservation area. The building therefore has no statutory heritage value. None-the-less, the building is assessed to positively contribute towards the general character of the area and streetscene. The changes within the curtilage are in general to the rear of the building and will not be readily visible from public vantage points. These will have no effect on the character of the building or the wider appearance of the area. The removal of some of the low level walls to the front of the property is a change that will be visible. However, a means of enclosure to the street is retained along part of the site frontage, notably adjacent to the bus shelter. The wider vehicular access resulting from the works will not be uncharacteristic of the area, noting that a number of commercial and residential properties on Mill Hill have wide open frontages facilitating car parking and vehicular accesses. The proposed works in this regard are in keeping with the character of the area.

The changes to the fenestration are predominantly occurring on the side elevation of the building and are not readily visible from the public realm. Notwithstanding this, the existing window openings are all to be retained in terms of size and location, the windows will simply be reduced in size and infill panels provided above within the window reveal. This is a reversible change and retains the existing character and fabric of the building as far as is possible whilst reflecting the internal changes.

The final external change is the introduction of rooflights in one side elevation of the building. The six rooflights will be fitted in line with the existing pitch of the roof and so will not be readily noticeable or visible, noting the protruding gable on the front of the building which screens the roof behind. The windows in terms of siting are located above the existing ground floor windows and regularly spaced, respecting the character of the building. This change will not fundamentally affect the character of the building or its roofline.

Highways, Parking & Access

The application proposal is for limited external changes to the property and building. There is sufficient parking retained to serve the education use.

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Social and Community Benefits

Horizon Schools support children with various packages of education, therapy and care as required. The school will meet the needs of children for whom dedicated specialist provision is required to meet their specific education needs. The use of the building as a school does not require planning permission. However, the external changes to the building and property do require planning permission. The proposed works will facilitate the functioning of the school and in this regard the NPPF highlights the importance of a sufficient choice of school places being available to meet the needs of existing and new communities. Further it states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education, giving 'great weight' to this in determining planning applications.

The application will facilitate bringing the building back into a long-term viable use delivering significant social and community.

Conclusion

The application seeks planning permission for a range of external alterations to the property and within the grounds of the former Kingdom Hall which will facilitate the use of the building as a school. To be clear, planning permission is not required for the use of the property as a school, it is just the physical works that require planning permission.

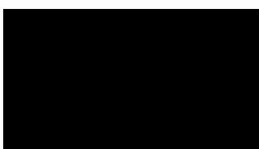
The application site is located within the settlement boundary where development plan policy is supportive of the development of the nature proposed.

The proposals will have no detrimental impact on the amenity of adjacent residential occupiers and will facilitate the provision of much needed specialist education facilities for the local area, which is encouraged by national planning policy, where 'great weight' must be given by local planning authorities in the decision making process.

When assessed against relevant planning policy provisions, it is clear that the application proposals are acceptable.

In light of the above, we trust that planning permission will be granted in due course. In the meantime, we look forward to receiving confirmation of registration of the application.

Yours faithfully



SIMON METCALF
Associate

e-mail:
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