



# THE FAVERSHAM SOCIETY

FOUNDED 1962

## FLEUR DE LIS HERITAGE CENTRE

ESTABLISHED 1977

Mr A Spiers  
Swale Borough Council  
Planning Department  
Swale House  
East St  
Sittingbourne  
ME10 H3T

7th August 2023

Dear Mr Spiers,

### **Brogdale Farm – App No. 20/505877/Out**

We write further to our submission dated 11<sup>th</sup> May 2021 which should be referenced with this supplementary representation outlining further grounds for objection. This follows the issue of significantly amended plans by the applicant, Brogdale Farm Ltd, in July 2021.

Our first objection strongly rejected the proposals for development at Brogdale which represents urbanisation South of the M2 within the gateway to the AONB which is 200m away. The town boundary, defined by the A2, was breached by the Perry Court development and the M2 represents the last physical closure of the town envelope to the North of Faversham. It is noted that the SSSI is within 6km and mitigation against human and pet disturbance will be required.

**Policy ST3 states that new development should not be permitted outside the built-up area of the Faversham Town boundary.**

### **The Planning Unit**

We are puzzled that the planning application boundary embraces the existing Brogdale Visitor Attraction to the south. No development is proposed on this part of the site. The only reference to this area in the application is a plan providing refuse vehicle turning at the end of the southern site. If outline planning consent were to be granted, subsequent applications to discharge reserved matters can be submitted and scoped on the land to the south. In practice Swale are being asked to grant outline planning consent for the redevelopment of the Brogdale Visitor attraction. If approved, this would enable the demolition and redevelopment of the southern site and the loss of the much loved ramshackle farmyard character of Brogdale. This is a fundamental USP for attracting visitors. We fear that this loss of character would be the final nail in the coffin for this visitor attraction.

To circumnavigate this issue, we suggest that the planning application boundary plan is amended to capture the Northern site only, as illustrated on the plan below. If not, **the application should be refused on grounds citing that insufficient information has been provided.**

**Proposed Amended Application Plan**



Plans have been submitted detailing the plotting, massing and quantum of development, vehicle circulation and parking. If approved this would establish a precedent to inform subsequent detailed reserved matters applications.

### **Land Ownership & Enabling Development**

We note that the application is submitted by the landowner Brogdale Farm Ltd (Title No K705480). This company was originally registered as Hillreed Land Ltd when they acquired the land from The Brogdale Horticultural Trust in 1999. The company name was changed in 2012 when it was carved out from the sale of the parent company, Hillreed Homes Ltd, to Persimmon for £35m. Brogdale Farm is currently being marketed by George Webb Finn with a price tag of £4.85m.

We are not aware that Brogdale Farm Ltd has a legally binding commercial arrangement with The Brogdale Trust, other than by virtue of a commercial lease. This application should be considered as being submitted at arm's length from the Trust by a speculative development land promoter.

**No consideration should be given to any prospect of enablement for the benefit of the Brogdale Trust.**

### Site not allocated for development.

The site is not allocated for development in the local plan. Planning consent for a better connected and superior employment site at Perry Court (195,000 sq. ft), next to J7 of the M2, was granted in 2017. There is no sign of this development being commenced which indicates a lack of demand. Consent has also just been granted for 12.5 acres of Employment Land at Lady Dane including a Day Nursery. This site is closer to the town and station and has a bus stop adjacent. Brogdale is served by the 660 bus with only 3 services a day, the last one departing to Faversham Station at 15:44hrs. The nearest bus stop is a 15 minute walk away in Painters Forstal. The site is car dependant and set in an unsustainable location. **For this reasons the application should be refused.**

### Design Evolution of the scheme.

The first design was submitted with the application in December 2020. Amended drawings were submitted in July 2021. Class E was introduced to the Use Classes Order in September 2020. If Swale were mindful to grant consent, both the application for flexible workshop/business units and the nursery use would fall into the new Class E. This would enable permitted development rights to change the use of these buildings to residential, without any requirement to submit further planning applications. We suspect that the prospect of residential use has informed the brief issued to the architect for the design evolution of the Workshop buildings.

We have set the entrance perspectives and plotting layouts of the two schemes side by side for a graphic presentation of the design evolution.



Industrial Vernacular



Industrial plotting



Residential Vernacular



Residential plotting

The original design is informed by an industrial ‘estate’ vernacular. Straight terraces of facing, flat roofed buildings surround courtyard parking. The blocks are subdivided into 29 standardised 95 m2 modules. 118 car parking spaces are provided with 35 spaces set around a central communal courtyard. This is a typical form of layout for a small unit workshop estate.

The amended design is informed by a residential vernacular with distinct blocks, multiple façade orientation and articulated elevations with a domestic fenestration style. The roofs are now pitched with gables. The subdivision is varied in a range between 85 m2 (3 bed 5 person house) to 123 m2 (5 bed 8 person house) with 9 variants (See mix summary schedule below). The parking has been reduced to 66 spaces and these have been relocated within the curtilage of the blocks.

These characteristics are typical of new estate housing layouts. Permitted development rights would enable a minimum of 18 houses in place of the Workshops, 5 apartments in the Nursery block plus the 5 holiday lets. In effect a residential development of 28 dwellings.

### **Brogdale Farm – Comparative Accommodation & Mix Schedule**

SCHEME	Industrial Vernacular					Residential Vernacular					
	Units	Sq m	Av Unit	Sq Ft	Av Unit	Units	BEDS	Sq m	Av Unit	Sq Ft	Av Unit
Class E Workshops	25	2,375	95	25,565	1,023	3	5	356	118.7	3,832	1,277
						10	4	954	95.4	10,269	1,027
						5	3	429	85.8	4,618	924
Workshops Subtotal	25	2,375	95	25,565	1,023	18		1,739	96.6	18,719	1,040
Classe E Nursery	1	360	60	3,875		5	2	360	60	3875	646
Holiday Lets	0	0	0	0		5	2	340	68	3657	731
<b>TOTAL</b>	<b>26</b>	<b>2,735</b>	<b>105.2</b>	<b>29,440</b>	<b>1,132</b>	<b>28</b>		<b>2,439</b>	<b>87.1</b>	<b>26,251</b>	<b>938</b>

The revised scheme appears to have been configured to support a permitted change of use from workshop to residential use. It should be noted that the floor to ceiling height of the workshop units is 6.5m (21.5ft). There is sufficient headroom for conversion to 2 storey buildings for residential use. This offers potential to plan alternative subdivisions to increase the footprint of the net area and increase dwelling numbers.

**Should the council be minded to grant consent we suggest that permitted development rights should be excluded by condition, or by the inclusion of restrictions in the S106 Agreement restricting use for the workshop/business units.**

### **Nursery**

Lorendon school have confirmed that they no longer wish to locate their Nursery at Brogdale.

The nursery has been designed to a bespoke brief to meet the requirements of Lorendon with capacity for 24 pupils under 3 or 40 pupils over 3. This is smaller facility than a standard commercial operation. The building size does not offer the economies of scale necessary to

meet optimum staffing numbers for a viable commercial operation. The location, whilst suitable for the proximity of the prep school, is too far off the beaten track for a viable new build nursery operation. Nursery use falls within Class E of the Use Classes order and permitted development rights enable conversion to 5 two bed apartments.

**Should the council be minded to grant consent we suggest that permitted development rights should be excluded by condition, or by the inclusion of restrictions in the S106 Agreement for the Nursery building.**

## Parking

The amended workshop scheme provides 11% less floorspace than the initial scheme with a disproportionate reduction in the allocated parking of 39%. The applicants have not produced a parking schedule justifying that the provision complies with the parking guidance prescribed in the Swale Car Parking Supplementary Planning Document (SPD). In the light of this anomaly, we have calculated and scheduled the allocations below for comparison. We have also set them against a compliant allocation calculated in accordance with the Swale SPD.

We have selected the residential standard to calculate the amended scheme allocation.

### **BROGDALE FARM - COMPARATIVE PARKING ALLOCATIONS - Set against Swale SDP Standards**

Scheme	Industrial Vernacular						Residential Vernacular					
	Sq M	Proposed	per m2	SPD/m2	Compliant	Variance	Units	Proposed	per unit	SPD/unit	Compliant	Variance
Workshops	2,375	100	24	20	119	-19	18	53	2.4	3.2	57	-4
Nursery	360	8	-	see below	13	-5	5	8	1.6	1.2	6	2
Holiday lets	NONE						5	5	1	1.2	6	-1
<b>Total</b>		<b>108</b>			<b>132</b>	<b>-24</b>	<b>28</b>	<b>66</b>			<b>69</b>	<b>-3</b>

### **NURSERY ASSESSMENT - Assume 50% Over 3 years old and 50% under 3**

Type	Pupils	1 per 4	Staff	1 per 2	Total
Under 3	24	6	13	6.5	12.5
Over 3	40	10	10	5	15
<b>Total</b>	<b>50%</b>				<b>13</b>

The residential provision is 66 spaces against an SPD requirement for 69 spaces. This is close to parity with the guidance and reinforces our view that the parking allocation anticipates housing development.

Notwithstanding this, the application seeks consent for workshop/business units for which the parking allocation is inadequate. The 66 spaces proposed fall short of an SPD compliant scheme by 50%.

**This is a material planning consideration and a 50% parking shortfall compels refusal.**

## Overdevelopment

The potential to introduce a second floor to the workshop units for residential use would increase the area of the scheme by circa 70% to 4,178m<sup>2</sup> (45,000 sq. ft). The site area of the land to be developed, excluding the south site, is 1.06 Ha (2.6 acres). The proposed

development density is 4,940 m<sup>2</sup>/ha (17,170 sq ft/acre). This is high and excessive for a rural gateway location outside the envelope of the town.


**The scheme should be refused on the grounds of overdevelopment.**

**Summary - Grounds for refusal.**

For the reasons outlined and explained above we believe that the application should be refused on the following grounds.

- 1 The land is not allocated for development in the local plan.
- 2 The proposed development is located outside the Faversham built-up area boundary and the application should be refused on grounds justified by the Settlement Strategy Policy - ST3.
- 3 The scheme is car-dependent and should be refused on sustainability grounds.
- 4 The amended scheme has a significant shortfall of parking spaces set against Swale's policy guidance for the proposed workshop/ business use. An inadequate allocation of parking has been provided.
- 5 It would appear that the amended scheme has been drafted with residential use in mind. There is potential for overdevelopment if the scheme is approved. If permitted development rights are not excluded the application should be refused on the grounds of overdevelopment
- 6 The grant of outline consent embracing the visitor attraction would provide a threat to the continuance of the unique character of the place. If the red line plan is not amended, consent should be refused on the grounds that no development proposals for this area have been submitted. Insufficient information has been provided.

Yours sincerely



H Goodwin - Chair

