

## SOUTH EAST REGION

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Our ref: P00093493

1 April 2011

Dear Mr Saunders

**THE KING EDWARD VII HOSPITAL, WEST HEATH ROAD, CHICHESTER,  
EASEBOURNE, WEST SUSSEX**

RESTRICTED

You asked for a further letter based on our consideration of the District Valuer's final report (received here 29 March). As this is at present restricted, I have marked this letter the same, though I believe the headline figures that will be mentioned below are by this time in the public domain. Should you therefore wish to release this letter, we have no objection for our part.

With the benefit of the first draft of the DVS report (2 March) I went to site with my colleague David Tomback, Development Economics Director at English Heritage. David is one of the authors of 'Enabling Development and the Conservation of Significant Places' (2008), the Guidance which we follow when considering enabling cases. I asked him to advise in particular on the principal question which had emerged from the DVS report, which is: can this development be regarded as adequate given the possibility (in the less favourable of the scenarios considered by DVS) that there would be no, or very little developer's profit? In considering what the possible answers might mean, we had the benefit of several communications from the developers, and Simon Vernon-Harcourt was on hand to field our questions. This letter therefore takes into account the representations made by Helen Moore in e-mails to Mr Carvell of 18 March and to Mr Murphy of 16 March.

We acknowledge that City & Country has a generally good record of assessing and repairing historic buildings, and it has certainly employed in this instance first-class professional advisers. You have our previous advice on the approach to both the listed buildings and the adjacent new development (11 January). This advice disputes the contention of Squire and Partners that all of the proposed development is



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per se acceptable, finding that some areas, especially in the vicinity of the Chapel, could only be so if all the development was needed to finance the restoration of the hospital building and the other heritage assets.

We are broadly content with the treatment of the listed buildings, which would certainly be more sensitive than in previous schemes, but note that the reformation of the rear parts of the hospital south wing would interfere with the fullest possible restoration of the Jekyll scheme (another professed objective of the development). Recent drawings make clear the extent of this compromise. On balance, though, the benefit to the listed buildings and their immediate setting would in most areas be very substantial. And there is certainly a need for a comprehensive solution. The Chapel is currently on the At Risk Register, and the hospital building, though basically very sound, has suffered from water ingress, a danger at any time in a large, vacant building. They are a source of concern, because the former use is not practical and conversion for any other purpose is necessarily very expensive.

It is therefore with regret that we conclude from the figures that there is a real problem with this application. On current calculations the amount of development is not adequate. 'Enabling Development' states (paragraph 5.4.4) "taking an incremental approach to enabling development, in which additional enabling development is sought once the scheme is under way or completed, as a means of recovering unforeseen or underestimated costs, is not an acceptable practice. Such an approach distorts the process, because it is necessary to consider the effects of the enabling development proposals in their entirety before deciding whether the benefits outweigh the harm. The developer bears the risk - there can be no 'second bite of the same cherry' ". We accept that in this instance City & Country is adamant no further development will be sought, but this does not alter the fact that the scheme could not deliver a safe return on current assumptions, and other, less desirable outcomes, perhaps involving a successor, have to be envisaged.

The site is not over-large for what has been suggested, especially in view of the overall need to keep the level of development from changing the character of the place (I realise that many would already dispute that this would be achieved in the current scheme). There are few locations, if any, where development could be intensified. These locations could, nevertheless, be identified and discussed to see whether an amplified scheme was absolutely unacceptable, or acceptable on a different reading of the figures. Similarly, a different mix of assisted living and straightforward residential development might be considered. Squire and Partners have laid out the successive Master Plans in their Design & Access Statement, leaving open the possibility of returning to earlier stages of the process. However the developer appears completely unwilling to contemplate these options, relying on its stated quantum and fixity of purpose.



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In our view therefore, on the facts and figures, as well as the posture taken by the applicant, the application does not clearly meet the Enabling Development criterion 'a', i.e. that it will 'not materially harm the heritage values of the place' (because of the doubt over what else might need to be applied for), nor criterion 'c', that 'it will secure the long-term future of the place' (because what is currently applied for might not achieve this on its own). We cannot therefore be sure that the 'level of development is the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests' (PPS 5 Policy HE 11).

### Recommendation

We have described how the developer in this case might draw closer to the criteria in 'Enabling Development' and if this was possible we would be glad to assist. However, if the application must be judged as it stands we cannot recommend it to your authority, for the reasons given above.

Yours sincerely

**David Brock**

Team Leader

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