

<b>Application Number</b>	14/00906/AS
<b>Location</b>	Land on the north side of Highfield Lane, Sevington
<b>Grid Reference</b>	04000/41000
<b>Parish Council</b>	Mersham with Sevington
<b>Ward</b>	Weald East
<b>Application Description</b>	Development to provide an employment led mixed use scheme, to include site clearance, the alteration of highways, engineering works and construction of new buildings and structures of up to 157,616 sq m comprising: up to 140,000 sq m Class B8 (storage and distribution) use; up to 23,500 sq m of B1a/B1c Business (of which a maximum of 20,000 sq m of B1a); up to 15,000 sq m of B2 (general industry); up to 250 sq m of A1 (retail shops) and 5,500 sq m of sui generis to accommodate Kent Wool Growers together with ancillary and associated development including utilities and transport infrastructure, car parking and landscaping.
<b>Applicant</b>	Friends Life Limited
<b>Agent</b>	Mr Will Edmonds, Montagu Evans LLP, 5 Bolton Street, London, UK, W1J8BA
<b>Site Area</b>	47.75 ha

Application as deposited 2014

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|---------------|-------|---|
| (a) 548/ 105R | (b) R | (c) River Stour IDB X, HE +, KH&T +, SGN X, NR X, HS1 X, English Heritage R, KCC (Heritage) R, NE X, KWT X, EHM (Env. Protection) X, SW X, EA X, Willesborough Community Forum R, Village Alliance R, CCE & Crest Nicholson X, KICC X |
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Application as amended 2015

- |                |       |   |
|----------------|-------|---|
| (a) 548 /111 R | (b) R | (c) NPCU X, HE +, KH&T X, Stagecoach X, SGN X, NR X, Historic England X, Canterbury Diocese X, KCC (Heritage) R, KCC (PROW) X, NE X, KWT X, KCC Ecology X, Kent Downs AONB Unit R, CPRE R, EHM (Env. Protection) X, SW X, EA X, KCC Flooding X, PO (Drainage) X, Willesborough Community Forum R, Village Alliance R, CCE & Crest Nicholson R |
|----------------|-------|---|

## Introduction and Summary

1. This outline application proposes large scale employment development at the site and therefore requires determination by the Planning Committee. The major nature of the proposals requires the submission of an accompanying Environmental Statement (ES) together with a suite of supporting documents. A proposed whole site masterplan is supplied (as amended) as a requirement of the Council's adopted Planning Policy relating to the site.
2. The application is made by Friends Life Limited. The applicant confirms that AXA Real Estate are the retained investment management advisors for this site and that DMI Properties Ashford Limited are the project managers and advisor to the applicant and AXA Real Estate.
3. The application was deposited in 2014. In late 2015, a number of amendments were made. In both instances, full stakeholder and community consultation has been carried out with time periods significantly exceeding statutory minima.
4. The site (located as per **Annex 1**) currently comprises an area of approximately 48 hectares and is located to the south east of the town. The site is bounded by countryside and the existing M20 to the north, Highfield Lane and Kingsford Street to the east, the Channel Tunnel Rail Link (CTRL) line to the south and Church Road and the existing A2070 to the west. Between the application site and the A2070 to the west is a farmstead with Grade 2 listed buildings and St. Mary's church which is Grade 1 listed.
5. The applicant identifies that the proposals have been led by the Borough Council ('the Council') adopting a Core Strategy in 2008 that identified the Sevington area between the M20 and the CTRL as an expanded focus for

employment development. The application site was allocated by the Council for this use through the local plan making process. It forms the basis of 'Policy U19 – Sevington' contained within the Urban Sites and Infrastructure Development Plan Document adopted by the Council in October 2012. Policy U19 requires the Council to agree to a whole site masterplan prior to the grant of planning permission.

6. The application is made in 'outline' form. Appearance, landscaping fine detail, layout and scale are all identified as being reserved for future consideration through the submission of future applications. Applications would need to be submitted to the Council for approval dealing with such matters. Access into the site is, however, to be dealt with now as part of the application.
7. However, one matter is not so reserved and is dealt with as part of the current application, being vehicular access to and from the site via Church Road. The 2015 amended application contains two different options as to how the Church Road/A2070 junction might be reconfigured depending on various development scenarios including the progress of the Highways England (HE) proposals to create a new Junction 10A to the M20 motorway together with a link road through the Policy U19 site thus connecting the new Junction with the A2070.
8. The application was originally submitted to the Council in 2014 by Friends Life Limited and full technical, stakeholder and community consultation was carried out at the time. The responses received are set out in the 'Representations' section of this report under the sub-heading 'Scheme as deposited 2014'.
9. An associated application (reference 14/00910/AS) was also submitted at the same time. This was for the fine detail of one proposed plot within the U19 site. That application was;-
  - (i) submitted as a full application – because the detailed requirements of the end user (Kent Woolgrowers relocating from existing premises at Tannery Lane Ashford) were known at the time - with the intention of revising its planning status to one of an application for reserved matters approval should outline planning permission 14/00906/AS be granted by the Council, and
  - (ii) was also the subject of public and stakeholder consultation.

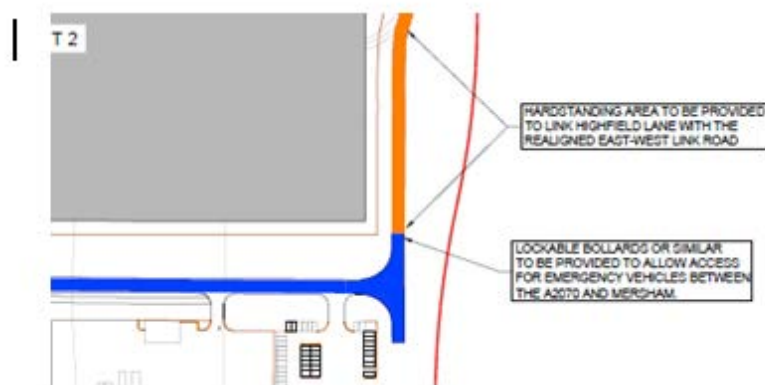
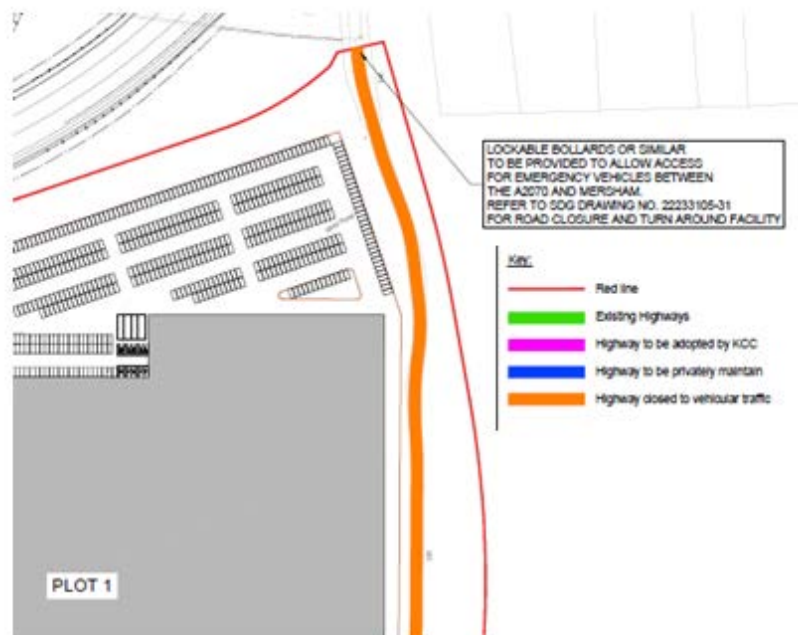
However, since that submission, the applicant has reconsidered the approach to the overall site with the result that this 'detail in advance' application has been superseded by events. Accordingly, application 14/00910/AS has been withdrawn.

10. Amendments have been made to the application since submission. These have been the subject of further full technical, stakeholder and community consultation with a significantly longer time period than that identified in statute to enable the proposals to be assimilated, including being understood against the emerging detail from Highways England in respect of Junction

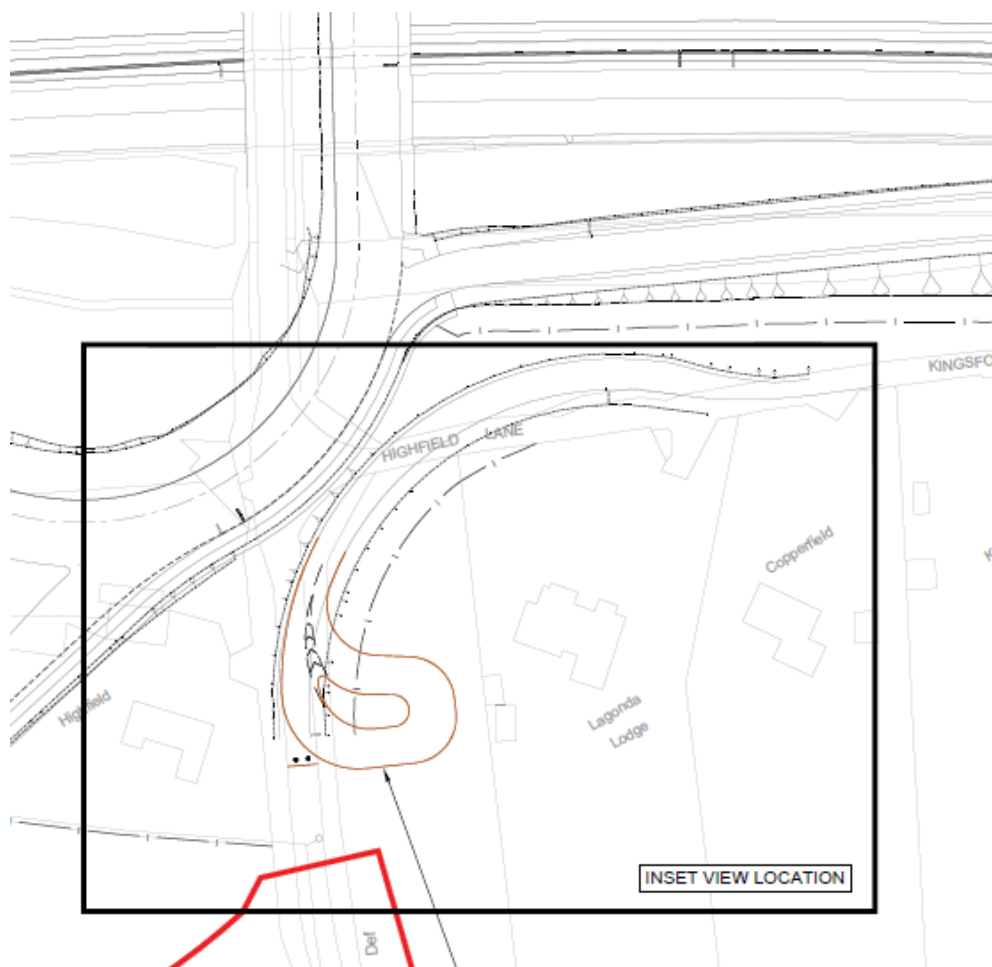
10A and the associated link road to the A2070. The responses are set out in the 'Representations' section of this report under the sub-heading 'Amended Scheme as deposited November 2015'. The main illustrative master plan in accordance with a series of parameter plans is shown below. A larger copy together with alternative master plan options is attached as **Annex 2**.



11. A recent further amendment in spring 2016 is the outcome of discussions between the applicant and the highway authorities on the future connectivity of Kingsford Street and Highfield Lane in the light of the J10A proposal. Neither of these local roads has so far been identified by Highways England as being connected to the proposed J10A. Therefore, they would remain part of the local, rather than strategic, highway network. Concerns have been expressed by the community during consultation about potential 'rat-running' to and from the development site via this connection and possible inappropriate traffic using Kingsford Street to try and access the development site. Kingsford Street is narrow and capacity for a vehicle to turn needs to be retained to allow homes to be properly serviced for refuse and delivery purposes.
12. The applicant has therefore now proposed that Highfield Lane be closed to vehicular traffic with bollards at the northern and southern ends to allow emergency access only. The majority of the Lane would remain as it presently exists and function as a cycle/pedestrian/equestrian route. The extract below from Drawing No. 22233105-32 shows this amendment.



13. The western end of Kingsford Street is not proposed to be connected to Highways England's Junction 10A scheme. With the closure of Highfield Lane to traffic, a turning facility is therefore needed at the western end to enable a delivery or refuse freighter serving homes to turn. Land to the west of Lagonda Lodge is within the applicant's ownership/control. The applicant has prepared Drawing No. 22233105-31 to demonstrate that a turning facility can be accommodated utilising part of that land. Bollards to Highfield Lane are shown just off that loop. An extract is shown below.



14. The applicant's position with the submitted 2015 amendments is that 6.75 development units (DUs) worth of traffic development scenario relating to the development site could be safely and acceptably provided for through highway improvements to the Church Road/A2070 junction prior to the main access into the site from the Highways England link road being available for use (with the improvements made to Church Road/A2070 then subsequently being removed/down-graded through discussion with the highway authorities and the Council).
15. Discussions have taken place with the applicant and highway authorities concerning the acceptability of that proposition. Clearly, it has the potential to involve unnecessary disruption to the A2070 whilst works are both carried out and then potentially removed as well as an approach that involves potentially abortive but significant expenditure. Additionally, the 6.75DU position is in excess of the quantum of traffic that was envisaged as accessing the site via Church Road in the Council's approach to the site in the adopted Urban Sites and Infrastructure DPD 2012.
16. Following discussions, the applicant accepts that only a considerably lower quantum of traffic using that way into the site is realistic. The approach that I set out in the Assessment and Recommendation sections of this report is that;-

- (i) up to 1 DU of development could be occupied unfettered (on the basis that this quantum is already covered by existing J10 capacity),
  - (ii) up to a further 1.75DUs of development could be able to be occupied following the granting of a Development Consent Order (DCO) to HE in relation to the proposed J10A and associated link road i.e. 2.75 DUs in total able to be occupied at the development before the principal site access (via the new link road) and J10A are open to traffic, and,
  - (iii) the remainder of the development only able to be occupied post-provision of J10A, the associated link road, and the principal access.
17. In relation to the principal access into the site from the link road, the application drawings and the material forming Highway's England's original s.42 consultation (reported to Members in March) respectively assume/infer that this access would take the form of a signalised T-junction. Nevertheless, recent discussions with Highways England and the applicant identify that a roundabout is another potential option that could be accommodated as part of the DCO application without material impact on the applicant's illustrative master plan and the location and size of the development Plots shown.
18. The applicant's estate road plan proposes a two way carriageway designed to adoptable standards linking from the proposed principal/main access to the J10A link road and the southern boundary of the site close to where a potential onwards bridge connection could the occur. This route needs to be safeguarded as public highway. The master plan needs clarifying further to show this potential future connection and I have built that into my recommendation.
19. The applicant contends that the design and layout and development parameters identified in the amended application would deliver the quantum of floorspace envisaged by the Council in a sensitive and appropriate way that addresses, heritage sensitivities, the surrounding landscape character, ecology constraints and nearby residential amenity amongst a number of other matters. I deal with these in detail below.
20. The parameter based approach is suggested by the applicant as including robust requirements to ensure that sufficient and appropriate mitigation would be delivered through future applications for approval of reserved matters for the various development parcels.
21. The proposals are proposed to be phased. The submitted phasing parameter plan was prepared on the basis of the applicant's 6.75DU proposition in the 2015 amendments and so will now need to be updated. I deal with that matter in my Recommendation.
22. The applicant's case is that the proposal would help secure the delivery of a large quantum of the employment floorspace allocated in the local plan bringing with it significant economic benefits for Ashford including the creation

of approximately 2,406 gross direct jobs. Taking into account leakage and displacement effects, it is suggested that the net direct employment generation from the proposal would be 1,624 full time equivalent (FTE) jobs in addition to an estimated 158 gross construction jobs per annum for the duration of the construction phase (which is estimated as a period lasting eight years).

## Site and Surroundings

23. The site currently comprises an area of countryside approximately 48 hectares in extent. The countryside in this location is not designated as Special Landscape Area or Area of Outstanding Natural Beauty. The land forming the application site is used for agriculture as well as some scrub/grassland and the Aylesford Stream lies to the north of the site.
24. The site is bounded by countryside and the existing M20 to the north with a mix of uses immediately to the north being a number of residential properties and the Wyevale Garden Centre and slightly further to the north the Tesco superstore at Crooksfoot, the Pilgrim's Hospice and the William Harvey Hospital.
25. Highfield Lane and Kingsford Street are located to the east. The Channel Tunnel Rail Link (CTRL) line is located to the south and Church Road and the existing A2070 are located to the west with the suburb of Willesborough located on the western side of the A2070.
26. Between the application site and the A2070 to the west is the Court Lodge Farm farmstead with Grade 2 listed buildings and St. Mary's church, the latter being a Grade 1 listed building. Both are shown in the aerial image below.





27. There is no conservation area within or close/adjacent to the application site.
28. In terms of scale of built form, homes along Church Road and Kingsford Street are generally 2-storeys with pitched roofs and differ in their visual relationship with the site. Homes located on Kingsford Street nearest to the application site and the junction with Highfield Lane are generally more screened by existing trees at plot sides and rears rather than having uninterrupted views to and through the application site as the annotated image below shows.



29. Further east along Kingsford Street, there is a mixture of homes screened by existing trees at plot sides and rears as well as some homes fronting westwards as the annotated image below shows.



30. The majority of homes on Church Road have relatively open views across the site as the image below shows.



31. Topographically, land levels rise from both the south and the north to the centre of the site. At this centre, there is a sense of a low ridge running in a broadly east-west axis through to Highfield Lane and beyond. Ground levels range from 61.95m AOD to 46.50m AOD across the whole site. From Highfield Lane moving westwards towards St. Mary's, land levels fall by 6 metres. The annotated aerial image below depicts this arrangement.



32. A high pressure gas main runs in a north-east/south-west axis through the western part of the site: this has practical safety implications for the achievable master planning layout of the site.
33. Hatch Park, a Grade 2 listed Registered Park and Garden is located approximately 2km to the east of the site.
34. The nearest statutory sites of nature conservation importance are the Ashford Green Corridors (80m to the east) and Hatch Park (680m to the east) with five non-statutory sites of nature conservation value located within 2km of the site. These are as follows:-
  - (i) Roadside Nature Reserve Local Wildlife Site ('LWS') – abutting the north-eastern boundary of the site
  - (ii) Willesborough Lees and Flowergarden Wood LWS – km north
  - (iii) South Willesborough Dykes LWS – 1.7km south-west
  - (iv) Woods near Brabourne LWS – 1.7km
  - (v) Great Stour River LWS – 1.9km north

## **Proposal: as originally deposited 2014**

35. As originally deposited the application description was as follows:-

Development to provide a mixed use development comprising: Up to 140,387 sq m Class B8 use; Up to 5,239 sq m comprising mixed B1c (light industrial) / B8 (storage & distribution) floor space of 3,706.6 sq m (including 959 sq m of operational mezzanine); with ancillary retail (A1) 873.7 sq m, and ancillary office (B1a) of 658.7 sq m; Up to 5,390 sq m Class B1c; Up to 5,150 sq m Class B1a; Up to 1,450 sq m Class A3 and or Class D1 use 2. Utilities infrastructure; 3. Car parking; 4. Transport works infrastructure; 5. Open space landscaping and associated ground works; Together with all associated and ancillary works.
36. In respect of the floorspace identified by reference to the Town and Country Planning Use Classes Order, the use of 'up to' provides an upper threshold to help give flexibility according to likely market demand in a development to be delivered in phases over a number of years. This flexibility is, however, embedded in a maximum level of floorspace to be developed on the site which is stated in the application as being 157, 616 sq.m gross external floorspace.

37. A copy of the whole site illustrative masterplan supplied with the application as originally deposited in 2014 is shown below.



38. As a result of the amendments to the application in 2015, save for ownership / certificates and the supplied Statement of Community Involvement all of the other supporting documents / information submitted in 2014 have been withdrawn or superseded or updated. The next section of this report details the key supporting documents.

### **Proposal: as amended 2015**

39. In response to post-submission consultation responses and comments from Officers, the application was comprehensively amended.
40. The application description was altered to the following;-

'Development to provide an employment led mixed use scheme, to include site clearance, the alteration of highways, engineering works and construction of new buildings and structures of up to 157,616 sq m comprising: up to 140,000 sq m Class B8 (storage & distribution) use; up to 23,500 sq m of B1a/B1c Business (of which a maximum of 20,000 sq m of B1a); up to 15,000 sq m of B2 (general industry); up to 250 sq m of A1 (retail shops) and 5,500 sq m of sui generis to accommodate Kent Wool Growers together with ancillary and associated development including utilities and transport infrastructure, car parking and landscaping'

41. The amended plans continue with the flexible approach to floorspace by reference to Town and Country Planning Use Classes Order as well as a sui-generis uses (i.e. mixed uses that do not fit into a single categorisation). For the avoidance of doubt, those relevant to the proposal are as follows;-
- Class A1: shops
  - Class B1a: business (other than for financial and professional services)
  - Class B1c: business for any industrial process that can be carried out in any residential areas without causing detriment to the amenity of the area
  - Class B2: general industry for industrial processes other than Class B1
  - Class B8: use for storage or as a distribution centre
  - Sui generis use: Kent WoolGrowers
42. The maximum level of floorspace to be developed on the site which is stated in the application as being 157,616 sq.m gross external floorspace.
43. This section of the report details the changes that have been made and is divided into eight sub-sections;-
- (A) A summary of changes enabling comparison between the 2015 amendments and originally deposited scheme in 2014
  - (B) The parameter plan approach to the outline application
  - (C) A list of other supporting application documents, including brief summaries thereof
  - (D) Details informing the applicant's approach to the parameter plans
  - (E) Illustrative masterplan (and alternatives)
  - (F) Highway Access – Strategic Route Network (Church Road/A2070 junction & relationship with proposed J10A
  - (G) Highway Access – Local Road Network (changes to Highfield Lane and

Church Road)

(H) Accessibility

(A) A summary of the changes enabling comparison between the 2015 amendments and the originally deposited scheme in 2014

44. These are as follows;-

(a) The application area has increased through the provision of an additional area towards the north-west of the site for the provision of a drainage pond, through incorporation of planting immediately to the east of Highfield Lane and as a result of the proposed alterations to Church Road,

(b) Use of the term sui-generis in place of mixed-use in relation to the plot where the applicant envisages Kent Woolgrowers would relocate from an existing site in Ashford Town Centre,

(c) Maximum floor areas are now provided in relation to each proposed use (with uses classified by reference to the Town and Country Planning Use Class Order),

(d) Provision of a small amount of Class A1 retail floorspace within the site to help provide opportunity for an everyday facility for local employees,

(e) Deletion of Class D3 community uses from the proposal with the exception of improving facilities to support the Church in helping to fulfil that role (and making a financial commitment to the necessary internal works following discussions with Heritage England and the Canterbury Diocese),

(f) Enhanced scheme for improved car parking to help support the Church,

(g) Church Road to be realigned east of the A2070 as part of helping to reduce the approach gradient for vehicles entering the SRN,

(h) Development plots reduced from 10 to 7 with the number on the western boundary of the site reduced to minimise potential visual/setting impacts on the Church with development plots being 'set back' from the site boundaries to allow for structural planting,

(i) Additional structural planting included on the eastern side of Highfield Lane on the land marked in blue on the site location plan (that the applicant owns/controls),

(j) Refinement of the Landscape, Open Space and Ecology Parameter Plan to help identify principles of proposed landscape treatment as well as surface water drainage,

(k) Access through the site is now applied for in outline rather than in detail

but is still shown illustratively so that how the interior of the site would work for traffic movement can be understood,

(l) At the southern edge of the site, omission of a road link (known as 'Orchard Way') across the HS1 and railway lines following discussion with Officers concerning that aspect of adopted Policy U19. As a consequence, improvement works to Highfield Lane to and from this road link are no longer required and the majority of Highfield Lane is therefore now retained as it presently exists and on its current alignment,

(m) As a result of further amendments in Spring 2016, the closure of the retained element of Highfield Lane to vehicular traffic save for emergency access thus providing a cycle / pedestrian / equestrian route and the ability to provide a turning facility on land within the applicant's ownership / control on land to the west of Lagonda Lodge on Kingsford Street thus ensuring they can continue to be serviced by delivery and refuse vehicles moving west from the centre of Mersham,

(n) The acceptance of the applicant that the position advanced in the 2015 amendments - in terms of quantum of development able to be accessed via the southern access into the site – would not be supported and that a only a significantly reduced quantum would be able to be supported and recommended at Officer level, and

(o) While the parameter plans differ from those original submitted, the overall maximum floor area for which permission is sought remains unchanged at 157, 616 sq.m gross external area.

45. The changes summarised above are derived from amendments made to the suite of documents supporting the application, including a series of parameter plans. The following sub-sections list the parameter plans and associated document and then set out the detailed planning factors that have shaped the approach to the parameter plans.

(B) The parameter plan based approach to the outline application

46. The amendments made to the application dictate the need to revise and update the associated supporting documents. Tables 1.1, 1.2 and 1.3 contained within the Planning Statement 2015 clarify the information that is superseded, updated, withdrawn or supplied as a new item.
47. The scale and nature of the application means that an ES is needed.
48. As amended, the application is now based on eight parameter plans which are set out in Appendix A of the applicant's Development Specification document. This document is intended to assess the scale and form of the proposed development and to control and inform any future applications for approval of reserved matters for the various plots subsequent to any grant of outline planning permission. The parameter plans are as follows;-

- (i) land use and layout
- (ii) building heights
- (iii) open space, landscape and ecology
- (iv) access / circulation
- (v) phasing
- (vi) tree retention / removal
- (vii) existing ground levels
- (viii) proposed ground levels

49. The 'limits' defined through these parameter plans are linked to the ES that accompanies the application and which is required to be submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) due to the scale and nature of the proposal.
50. The amended plans dictate revisions to the ES accompanying the application and so the revised and updated ES supplied with the 2015 amendments entirely supersedes that originally supplied to the Council in 2014. This approach enables robust assessments to be made based on the amended development parameters that are now proposed by the applicant whilst retaining a degree of flexibility to future development delivery.

(C) A list of other supporting application documents, including brief summaries thereof

51. The applicant's Planning Statement October 2015 summarises the content of the amended application and identifies elements from the 2014 submission that have subsequently been superseded.
52. In terms of plans, these are as follows;-
- Application covering letter
  - Application site plan - showing the application site edged in red and land in the applicant's ownership/control edged in blue
  - Ownership certificate
  - The eight parameter plans listed in paragraph 47 above
  - Illustrative Masterplan
  - 18 updated sections reflecting the amendments to the application
  - Proposed Stage 1 & 2 Church Road / A2070 highway improvements including swept path and visibility splay analysis and cross sections

53. In terms of supporting documents, these are as follows;-

(a) Planning Statement

- (a1) Includes the site location, site history, the proposals, analysis of the



proposals related to the planning policy framework, the applicant's analysis of the planning balance for determination and suggested planning obligations.

(b) Development Specification

(b1) Defines a land use and spatial structure for the future development of Stour Park should outline planning permission be granted. It describes the parameter plans and seeks to demonstrate how development can be delivered within the clearly defined development parameters in a flexible and adaptable manner thereby assisting national and local economic growth.

(b2) Sets out a series of environmental standards and design principles, includes detailed highways options in respect of the A2070/Church Road junction and sets out the basis for an acceptable approach to lighting at the site, an outline drainage strategy and a landscape strategy.

(b3) The applicant's intention is that the specification is embedded in any planning permission granted thus helping subsequently inform and control future detailed design. The document also forms the basis of the scheme assessed in the Environmental Impact Statement.

(c) Design & Access Statement (D & A)

(c1) Sets out the development context, constraints and opportunities and covers pre-application consultation and themes emerging from that process of community engagement. Reacts to concerns expressed by Heritage England through revisiting the indicative master plan submitted in 2014.



(c2) The D & A then sets out various concepts supporting the applicant's approach to master planning which involves;

- creating a 'landscape and ecological framework' through creation of a green grid comprising landscape buffers, green edges and corridors helping filter views with building plots and building sizes dictated by landscape context as per the concept shown below.






- Establish a landscape and ecological framework.
- Green grid across the site with green envelope around perimeter
- Create a parkland setting with landscape filtering views
- Building plot location and size dictated by landscape context

Legend	
	Application Site
	<b>Landscape Buffer</b> (incorporating amenity landscape, circulation routes, drainage, ecology and setting to heritage features.)
	<b>Primary Green Corridor</b> (for main pedestrian / cyclist circulation through the site)
	<b>Secondary Green Corridors</b> (for connectivity up and within the Landscape Buffer)
	<b>Green Edges</b> have played corridors within the Landscape Buffer forming the site perimeter
	Open non-formal associated with open space
	St. Mary's Church
	Consideration of Setting to Church of St. Mary, Swiggen

- creating an 'eco park environment' involving changing levels by 'cut' towards the centre of the site and 'fill' towards the edges to create level plots for the uses identified in the allocation, creation of a series of swales and ponds as an integral component of the landscape framework and an early approach to planting and changes to levels to help establish a natural environment as per the concept shown below.



- Create eco-park environment
  - Land cut & fill to reduce impact
  - Network of swales & ponds created
  - Early Landscaping and ground modelling to establish natural environment
- |   |  |
|---|--|
|  | INDICATIVE ROUTE OF PROPOSED LINK ROAD |
|  | INDICATIVE CUT AREAS                   |
|  | INDICATIVE FILL AREAS                  |

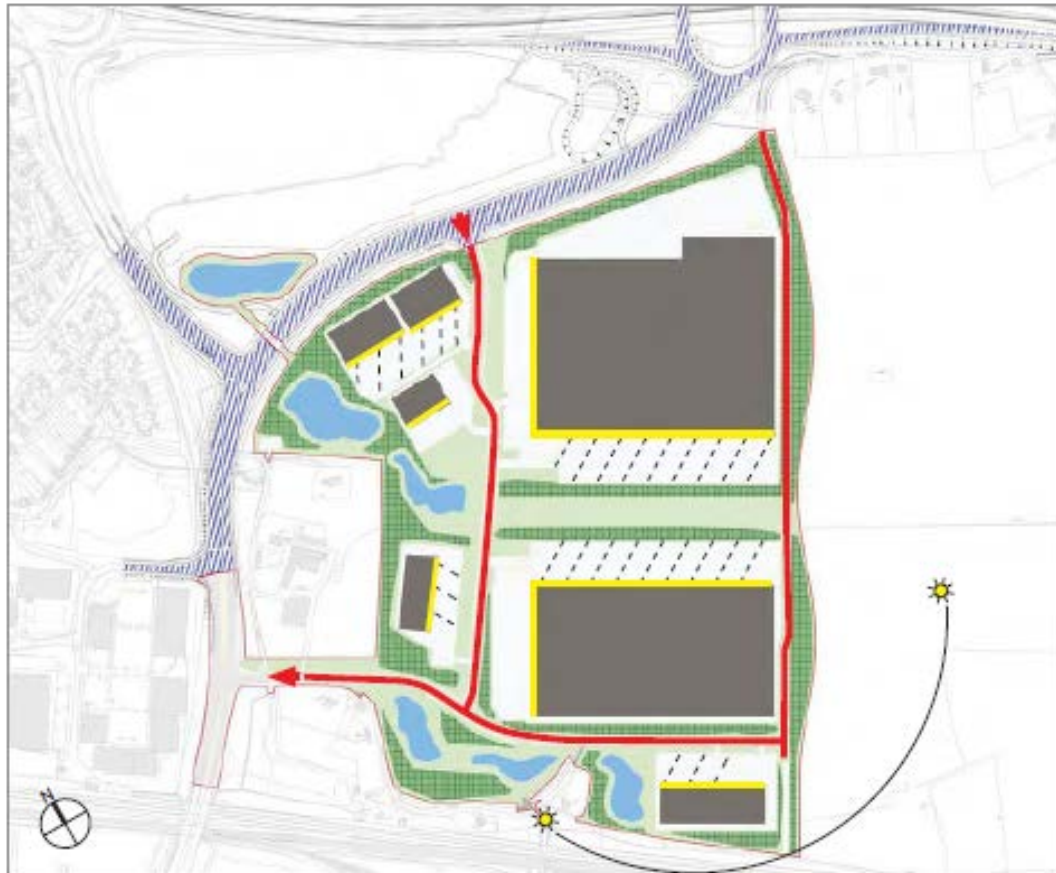
- creating a 'connected development' to the strategic and local highway networks, establishing safe streets with access connection to proposed plots from new streets, provision of public access via a series of themed paths and trails and safeguarding future routes as per the concept as shown below.



- Improve local connections
- Establish safe streets
- Greater public access via a series of themed paths and trails
- Safeguarding future routes

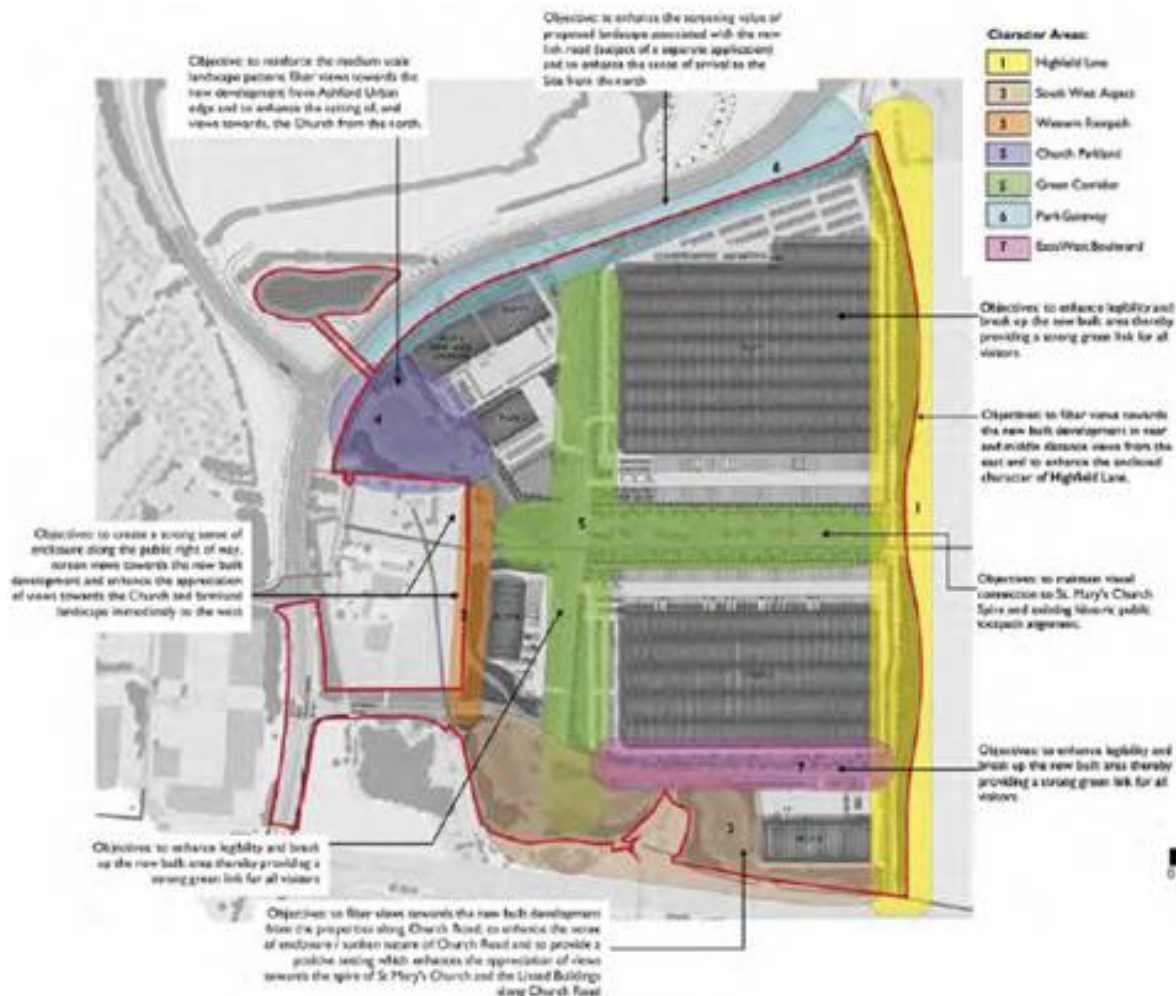
- NEW STREETS
- - -> PLOT ENTRANCES
- FOOTPATHS / CYCLEWAY
- /// INDICATIVE ROUTE OF PROPOSED LINK ROAD

- building on the aforementioned concepts, the placement of smaller buildings to the site edges, the creation of inward looking buildings, the provision of the longest edges of large buildings to best utilise the potential for solar gain and the provision of landscape screening.



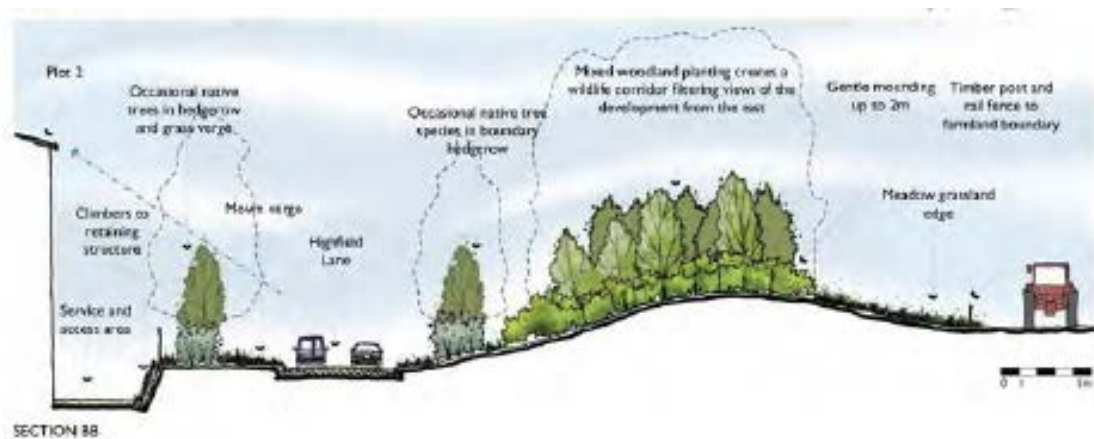
- Perimeter landscape screening
- Inward looking buildings
- Smaller buildings to site edges
- Greater level of public access and amenity space

(c3) The D & A goes on to suggest character areas taking forward the landscape strategy with details of phasing and key landscape elements per character area (together with supporting illustrative sections to help understand character area delivery). Seven character areas are defined as follows;-



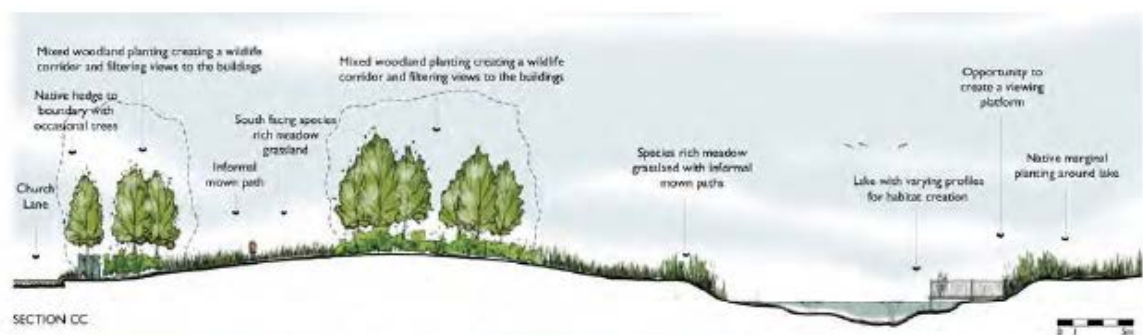
The applicant's approach to each character area is summarised below;-

(i) Highfield Lane – retention with an enhanced sense of enclosure through new native woodland and hedgerow planting. Woodland planting to be set within gentle bunds up to 2m in height to reinforce the sense of a sunken green lane (which is considered to be a key positive landscape characteristic of the Mersham Farmlands landscape character area) whilst filtering short/medium/long views to the development from the east. The 'off-site' planting on land owned/controlled by the applicant would be varied in width between a minimum 10m in depth and a maximum 30m in depth.



It should be noted that although the cross-section shows vehicular traffic, subsequent negotiations with the applicant have resulted in a proposal to retain the Lane for non-vehicular use only with bollards at its northern and southern end.

(ii) South West Aspect – enhancement of the setting of Church Road (and homes located thereon) through creation of gently undulating land via new profiled bunds and SUDs features in the form of ponds and shallow grassed swales. Woodland planting to be established adjacent to Church Road and along the slopes of the bunds so as to reinforce the sunken character of Church Road whilst allowing filtered views across species rich grassland and wildflower planting. This planting to help emphasise key views towards St. Mary’s Church. Creation of a mosaic of ecologically valuable habitats in this character area together with improved recreational opportunities through new footpaths, boardwalks and viewing areas. In addition, provision of a second belt of woodland planting and landscaped bunds closer to proposed buildings, providing a dense woodland backdrop to views into the site from this part of Church Road.

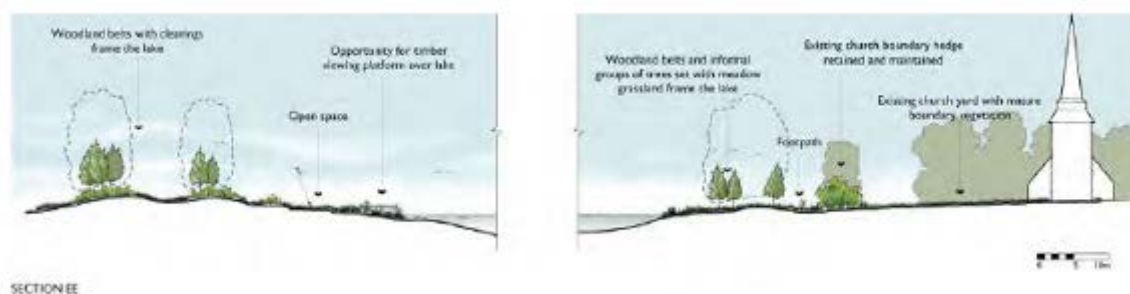


(iii) Western Footpath – this linear area covers the boundary between Proposed Plot 4 and Court Lodge Farm and farmstead buildings. A bund with native hedgerow and tree planting is proposed to assist containment of the public right of way, provide a wildlife corridor and create a strong landscaped western edge to the application site that visually reinforces the landscape

presence of St. Mary's Church.



(iv) Church Parkland – this area forms the interface between St. Mary's church and the land to the north. The proposal seeks to improve the landscape setting of the church through a mixture of uses including meadow grassland, new woodland planting, SUDs features, an orchard, footpaths and a new parking area for the church.



(v) Green Corridor – this would form the primary multi-functional landscape corridors penetrating the interior of the site from the outside in two directions. The north-south corridor aligns with the proposed new estate road running southwards from an entrance point on the J10A link road and within that corridor the approach is a tree-lined and landscaped corridor to soften the frontage of development plots and create legible space to move through.

This north-south corridor connects with the east-west corridor which is designed to help frame and enhance views towards St. Mary's church from the east.

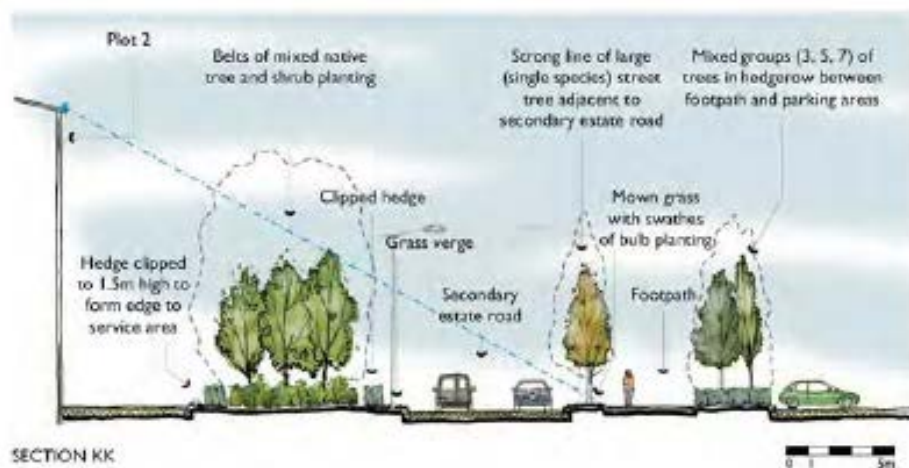




(vi) Park Gateway – the provision of a formal avenue of trees to create an entrance from the new J10A link road together with features such as an entrance wall to the Park. Tree planting is identified as helping filter views to buildings.



(vii) East/West Boulevard – this area covers the area within which a new secondary new street would be created connecting the new north-south estate road with the southern end of Highfield Lane. Tree planting here seeks to create an attractive green corridor that will also soften the frontages of new built form on either side.



(c4) The D & A then sets out how specific species and detailed landscaping approaches will help deliver the character areas and enhance biodiversity through creating new habitat.

(c5) In terms of hard landscaping, the D & A identifies a palette that includes contrasting materials and colours to distinguish pedestrian and cycle routes and enhance key spaces and the use of permeable block paving and planting including tree planting to help break up on-plot parking areas. Opportunities for public art will be considered and street furniture and boundary treatments across the site will be varied in style according to locational context.

(c6) The D & A identifies that although distribution warehouses often incorporate bespoke features tailored to specific end user requirements it is also the case that many have a relatively generic specification which in terms of height means typically 10-15metres of clear internal height being that which a standard forklift or reach truck can operate.



*Example of contemporary distribution warehouse*

(c7) Market evidence suggests demand from 100,000sq.ft as a starting point to 250-500,000sq.ft being common and some occupiers requiring up to and over 1,000,000sq.ft.

(c8) The D & A acknowledges that the generic nature of distribution warehouses and large light industrial buildings tends to create buildings with inherent inflexibility and a utilitarian form and aesthetic. Typically, operational facilities such as office areas and dock level loading bays are the main visual characteristic. Loading bays are normally arranged on one-side of the building but can also be 'cross docked' with yards on opposite sides of the building. These operational yards are generally high security and 50m in depth. The applicant suggests that whilst large service yards may be seen in part from distant elevated views, local views will be screened with the yards focussed towards the centre of the site.

(c9) Office components typically equate to a maximum 10% of the overall floor area and may be incorporated within the envelope of the building or as an

extruded – typically 2-storey but sometimes 3-storey – predominantly glazed offices at the front of the warehouse building. In some instances, offices will be forward of the main building as a separate ‘pod’ but with elements of unifying architecture. Given the scale of the overall building, office elements will only be seen from short range views and will provide attractive frontages reflecting a human scale. Smaller scale office buildings, office pods to warehouses and the amenity hub building need to St.Mary’s church would incorporate visually attractive and ‘softening’ green roofs. The images below show typical arrangements.





(c10) The D& A identifies that in the light of the above, the intention is to reduce the impact of new buildings through land profiling and landscape planting to create a 'parkland setting' within which views to buildings can be filtered and screened.

(c11) Reference is made to the Visual Impact Assessment work contained within the ES and differing design approaches to mitigate distant, local and short views to buildings.

(c12) Long distance views (such as from the North Downs) means that roof forms in the landscape is the impact to be mitigated. The identified approach to mitigation is for soft curved roof forms in natural colours – natural greens and beige/brown - with a matt finish to reflect the surrounding soft rolling field pattern and fit into the countryside from long distance views. An example of a curved roof to a distribution building is shown below.



*RI Curved roof - Green Colour*

(c13) The applicant suggests that from shorter distances within the site, curved, barrel vault and shell forms would offer greater visual interest at eaves level and due to their inherent softer flowing forms would create a less hard edge to the skyline when viewed. Integrated secret and valley gutters can be utilised to deal with surface water run-off collection and disposal.



(c14) Photovoltaic cells, typically surface mounted on a lightweight framework, would be incorporated as part of sustainable construction and design. Any additional roof plant would be expected to be carefully integrated into the roof design.

(c15) Local views (from surrounding houses and roads) would be to buildings through the proposed parkland landscape within which buildings would be embedded. Mitigation would be achieved by a combination of landscaping providing a high level of screening with only glimpsed views of buildings. An example of local views is shown below.



*LS9 Cambridge Research Park*

(c16) Short views would be those when moving around the site with buildings most visible at plot entrances. The D & A suggests the overall bulk of buildings can be filtered by landscape – an example is shown below - but office and service yard access points are identified as being highly visible.



(c17) In terms of materials for walls and wall cladding, the D & A suggests that the majority of facades would be clad in profiled / flat metal sheeting creating a contemporary aesthetic with scope for contrasting materials in key vista stop, entrances and at office areas: the focus would be on local and natural materials such as timber cladding and Ragstone to help key the buildings into the local landscape and create identity. The same natural materials will also be used as way-finding landscape features and signage around the site.

(c18) In terms of colours for wall cladding, the applicant identifies the need to select a consistent and limited palette that works with the landscape framework: the majority of walls in simple 'neutral' silvers and light greys to reduce apparent bulk and blend walls into the skyline offset by 'natural' bolder

blues or greens as bases and as highlights/accents – including demarcating differing building elements - to create a plot specific identity and assist way-finding through the site.

(c19) Given that the outline application is submitted with external appearance as a reserved matter, the applicant identifies that a Design Code would be compiled post grant of permission to ensure that the design philosophy outlined in the application is translated by designers to the micro scale of individual plots. The following key elements are envisaged in a Code;-

- plot configuration (position of buildings, yards and car parks)
- building form (shape, configuration and heights)
- roof profiles (materials and types)
- approach to expressed office elements (separate pod and integral)
- building appearance (cladding, materials, colours, doors & openings)
- materials (car parks, yards, roads, paths, boundary treatments etc.)

(c20) In terms of accessibility, the D & A envisages that the street design enables a loop for buses through the site and identifies that the approach to cycle-paths and cycle parking would – alongside the retention of a crossing point of the A2070 Southern Orbital – connect the development to existing residential neighbourhoods and facilitate transport choice.

(c21) The D & A identifies that the site will benefit from full time management with a dedicated site maintenance (including landscaping forming the public realm areas) and security team with a management suite located in the amenity hub building. A site-wide Stour Park database would be created to deal with these matters together with amenity and travel issues (such as car sharing). A landscape management plan and maintenance schedule would be prepared to set out responsibilities and establish objectives and quality standards for landscaping maintained by individual tenants of plots.

#### (d) Transport Assessment

(d1) Identifies that the Stour Park development would be delivered over an 8 year period following an assumed planning permission in 2016. With Highway England's J10A planned to open to traffic in 2019, some development at Stour Park is expected to occur before that event. Church Road would be widened and improved but remain as a restricted priority junction. The TA also includes an assessment of a signalised A2070/Church Road to be enacted should the J10A scheme be not approved or significantly delayed or postponed. Once the principal access from the A2070 link road is available, the A2070/Church Road access would remain to serve local traffic only or revert to that status if having already been upgraded through signals with measures to be agreed by the local and strategic highway authorities. The Assessment identifies car parking provision at 80% below KCC's maximum car parking standards. Cycle parking and cycle-path connectivity measures are proposed. There are no bus connections at present but these would be explored in terms of either extending an existing service to call in to the site or the provision of a shuttle bus service between the site and Ashford International station in the morning and evening peak hour periods.

(d2) The impact of the proposal on the surrounding highway network in terms of net change compared with the reference case (which includes an agreed level of development at 'allocated' sites in South Ashford that have permission to be developed/fully developed following the additional capacity created by J10A with 1 DU of development allocated to the proposed Sevington Stour Park scheme) been assessed for a 6.75 DU partial development scenario and a full of the development scenario (13.64 DU).

(d3) The 6.75 DU scenario tested by the TA is identified as resulting in the five local highway network junctions assessed (J10 / A2070 & Church Road / A20 & Highfield Lane / Church Road & Highfield Lane & Cheeseman's Green Lane / A292 & M20 west-bound on-slip) being able to operate within capacity with all and committed and allocated development traffic and the 6.75DU worth of traffic generated by a partial development of Stour Park with only existing strategic highway network J10 operating at capacity. The TA concludes that trips associated with the partial development of Stour Park to 6.75DU would have only minor impact on the operation of all of these junctions.

(d4) The junction assessments for the full development of Stour Park to 13.64DU demonstrate that sufficient traffic would divert from using J10 to J10A and the associated link road thus allowing all junctions within the study area to operate within the capacity during the morning and evening peak hour periods.

(d5) The TA contains a draft Framework Travel Plan (FTP) at Appendix A as the scale of the development is above the strategic level threshold for requiring a FTP as set out in KCC travel plan guidance. Until tenants are known, DMI Ashford Limited (or successor in title) would manage the FTP. Once tenants are known, DMI would liaise with any managing organisation for the site and tenants so that each tenant can produce its own Workplace Travel Plan (WTP) and, depending on size, appoint a Travel Plan Co-ordinator (TPCs) to work with DMI to develop WTPs within 7 months of occupation following the completion of baseline surveys within 6 months of occupation. Smaller sized occupiers would not be expected to appoint TPCs and produce individual WTPs but would be required to work towards the targets and objectives of the FTP managed by DMI.

#### (e) Economic Statement / Market Context Report

(e1) Identifies that over the last 25 years there has been a significant shift in corporate demand for industrial property through a growth in Class B8 warehousing and distribution buildings. This reflects economic growth, restructuring and changes in logistics and supply chain management as well as the need for up to date B8 facilities compared with some existing stock. Over the last 10.5 years, around 25.5 million sq.ft of distribution warehousing was taken up in the south east (comprising Greater London, south east and eastern regions) equating to an annual average of 2.4 million sq.ft. That demand remains solid into the medium term with demand exceeding supply.

(e2) Stour Park at Sevington is considered to have the potential to become



the primary distribution site within Ashford with potential to develop as a regionally significant site (particularly due to relatively few competitor sites, its scale, motorway proximity, good access to labour and competitive property and labour costs) and bring with it a substantial number of jobs and diverse employment opportunities.

(f) Heritage Impact Assessment

(f1) Identifies that the proposal would cause some harm to St. Mary's Church as a Grade 1 listed building through impacting on an element of its setting that has historic significance (being surrounded by open fields and associated with surviving agricultural) and blocking some existing views of the church spire (being currently experienced in views across the agricultural land from a number of locations). The Assessment makes reference to the Statutory Duty in Section 66 of the Act and the need for the decision maker to give special weight to matters of harm in balancing matters of harm with other planning considerations. Reference is made to the provisions of the NPPF in this regard.

(f2) The Assessment suggests that whilst harm would occur, it would not be to the building itself or its immediate churchyard setting but more distant matters of setting and the benefits of the development proposal would outweigh that which is considered to be less than substantial harm.

(g) Energy Statement and BREEAM Pre-Assessment

(g1) This identifies a hierarchical approach has been taken by the applicant based on reducing energy and carbon emissions by 'being lean' (through passive design and energy efficient measures), 'being clean' (investigating provision of or connection to an existing decentralised Combined Heat and Power system (CHP)) and 'being green' (installing low or zero carbon technologies such as solar panels, photovoltaics and wind turbines etc).

(g2) Based on this hierarchy, 'being lean' will be addressed at the fine detail of development by:-

- through additional improvements to the thermal performance of the fabric of the buildings (over the minima former the base level requirements of Part L of the Building Regulations) and

- the provision of energy efficient lighting and time/temperature zone controls in appropriate areas.

(g3) 'Being clean' will not be able to be addressed in the applicant's opinion as there are no existing CHP distribution networks to which connection can be made and installing a CHP plant on the site would only be economic with a minimum 4000 hours running time per annum and the site's industrial buildings are predicated to have low heating and hot water demands.

(g4) 'Being green', will be addressed by an Energy Strategy comprising :-

- use of Air Source Heat Pumps

- use of photovoltaic panels

(g5) This is considered to yield a carbon dioxide improvement of 26% beyond Part L of the 2013 Building Regulations and thus meet the required BREEAM 'excellent' standard as required by local planning policy.

(h) Sustainability Statement

(h1) The material in this document dovetails with the Energy Statement. Good quality cycling facilities are proposed to promote that means of travel to and from the site. To conserve local water resources, water efficient sanitary fittings such as dual flush toilets and low flow taps will be provided. The Statement identifies that grey or rainwater harvesting systems will be investigated. Building and insulating materials will be responsibly sourced as per the Green Guide. Any species of ecological value will be protected during site clearance, preparation and construction works. The site is within Flood Zone 1 and so is not at risk from fluvial or reservoir flooding. Detention ponds have been designed to incorporate SUDs.

(i) Flood Risk Assessment (FRA)

(i1) Identifies that the site lies approximately 100m south of the Aylesford Stream (a tributary system that drains to the Great Stour River). Risk of flooding to down-stream receptors as a result of surface water run-off from the development has been considered as part of the FRA. The site lies in Flood Zone 1 so has less than 1 in 1000 annual probability of river or sea flooding in any year and so the FRA therefore concentrates on the management of surface water run-off post development.

(i2) The FRA identifies that the point of discharge from the development would be via an existing outfall to the south of the site which is a 225mm diameter pipe. The existing site catchment is one with surface water run-off to the north and the south. With no existing outfall being available to the north, site flows can be collected in a series of swales and detention ponds with controlled discharge to the south to ensure that there would be no additional 'post development' peak flows from the site. The overall restricted run-off rate from the site would be 1.8 litres / second / hectare. This would be via an existing ditch that has a historic outfall to the south across Network Rail land. The applicant has had discussions with Network Rail and approval in principle to use this southern outfall has been agreed.

(j) Geoenvironmental and Geotechnical Interpretative Report

(j1) Identifies that from chemical test results, it is considered that there would be negligible risk to human health from soil contamination and groundwater and so no specific remediation measures are considered necessary. Soil gas monitoring carried out suggests no requirement for gas protection measures in any development. Laboratory tests show total contaminant concentrations to be non-hazardous for waste disposal purposes. Contamination test results indicate that topsoil may be reused in managed landscaped/amenity areas. Care will be needed in managing stockpiles of topsoil and following all normal health and safety guidelines will result in negligible risks to workers and the general public.

(k) Preliminary Ecology Assessment

(k1) Identifies that a desk study and walkover study (in accordance with Phase 1 Habitat Survey methodology) have been undertaken.

(k2) The desk study identified one European statutory site within 5km of the survey area, two UK statutory sites and sixteen ancient woodland sites within 2km and five non-statutory sites within 1 km. The site is not located within 10km of a statutory site for bats. The study also provided records of protected and notable species including bats, terrestrial mammals, herpetofauna and birds.

(k3) The walkover study identifies the site is principally comprising arable farmland with small fields of semi-improved neutral grassland, small plantation woodlands, pockets of tall ruderal vegetation, open and running water with scattered mature trees and mixed boundary features. The site's surroundings include farmland and Ashford to the west and north-west. The key ecological features on or surrounding the site in relation to the proposed works include designated sites, mature trees and hedgerows as these are considered to have intrinsic ecological value that cannot be readily replaced, the Old Mill Stream/Aylesford Stream as it may be indirectly impacted (pollution) and protected species which inhabit or use the site.

(k4) In summary, the Assessment makes the following recommendations;-

- the proposal could impact on Roadside Nature Reserves which are designated as a Local Wildlife Site (LWS). Accordingly, a Construction Ecological Management Plan (CEMP) should be compiled and agreed with the Council and Local Wildlife Trust in order to minimise the potential impact of the construction phase on the existing ecology of site and off-site receptors as well as ensure any works carried out accord with current legislation.

- biodiversity enhancement measures should be incorporated into the landscaping scheme.

- trees to be retained should be protected prior to any works being carried out and any tree loss as a result of the scheme should be mitigated within the landscaping design through appropriate native or wildlife species of adequate 'standard' size.

- the Old Mill/Aylesford Stream area acts as a wildlife corridor and the development should protect it as such. Any lighting, either temporary or permanent, along this corridor should be kept to a minimum. Wildlife corridors should be maintained to ensure ecological links within the site and to the wider area are maintained.

- in respect of terrestrial mammals including badger, hedgehog and brown hare, any excavations left overnight to be covered or fitted with mammal ramps to enable animals to escape and open pipework greater than 120mm must be covered at the end of each day to prevent animals becoming trapped

- any works to be undertaken during the brown hard breeding season (Feb – Sept inclusive) should only take place after a walkover study has taken place to identify if any dependent leverets are present
- care will be needed to remove vegetation outside the nesting bird season or, if not possible, only following site checks by an ecologist with any actions delayed accordingly
- the recommendations in the 2014 and 2015 updated survey reports need to be carried out
- suitable mitigation or compensation should be provided with respect to wintering and breeding farmland birds

(l) Arboricultural Survey

(l1) Identifies that a desk study and field survey have been carried out. None of the trees present on site are protected by a Tree Preservation Order. The site contains a number of early-mature and mature trees in predominantly fair condition. The most significant trees recorded are located in the north-western corner of the site, with mainly Category B specimens (moderate quality and value and thus a 'material planning consideration' as to whether to be kept) with a scattering of Category U specimens (no retention value due to physiological or structural condition and hence loss should not be a material consideration).

(l2) All trees selected for retention should be subject to safeguarding through planning controls in accordance with British Standard specification.

(m) Statement of Community Involvement

(m1) Identifies the pre-application process of community engagement, the outputs of the workshop held grouped into key themes and the subsequent exhibition of work-in-progress scheme development in the light of that community participation in helping shape the approach to the application as deposited in 2014.

(n) Environmental Impact Assessment (including Non-Technical Summary)

(n1) Deals with the evolution of the scheme and an assessment of its impact and therefore dovetails with the detail contained in a number of the other supporting documents.

(n2) Sets out the socio-economics effects of the development in terms of Full Time Equivalent employment creation both during construction and in use. Once completed the local spend by employees is estimated to be around £2m per year rounded down representing a 'minor to moderate' beneficial effect.

(n3) The Assessment includes landscape character and visual assessment based on 27 viewpoints including within 250m, 3km and over 3km from the site. A number of computer generated images are included to show what the

development would look like at Year 1 and Year 15 based on the maximum based parameter plans. Indicates that the Kent Downs AONB is located around 2km to the north and that views from this area to the site are sensitive because of their quality and landscape value. Suggests that the site is presently undistinguished arable land and that the development would have a fundamental effect on local landscape character and on near distance views into and across the site. Identifies that the main effect of the development would be on views experienced by residents with views across open fields to St. Mary's church and beyond but that adverse effects would be reduced in part through the introduction of landscaping and mounding to screen and soften the development as part of a landscape strategy. Accepts that there would be a change to the skyline view but identifies positive elements of the development that would improve local views in the long term and respond to local and national planning policy requirements (new woodland, meadow grassland, gently undulating landform, drainage ponds and St. Mary's viewing corridor enhancing the appreciation of that heritage asset).

(n4) Makes reference to the scale of growth of Ashford and how ideas of 'green & blue' grid and public open spaces – matters covered by approved Council Supplementary Planning Documents – have been responded to in the development proposals. Suggests that the landscape strategy provides woodland parkland setting for the development (whilst responding to potential effects on landscape and visual receptors) and that the proposals would introduce a range of habitats and landscape features with wildlife and amenity benefit. Identifies that there would be an initial 'adverse effect' on local landscape character due to the loss of arable fields but a positive long term effect on landscape features and the biodiversity value of the development. Where views of the development are judged to be adversely affected further design development of external elevations would be undertaken at detailed design stage.

(n5) Identifies that the scheme is compliant with the NPPF by ensuring sustainable economically viable development that responds to environmental constraints and both landscape, heritage and amenity opportunities. Suggests that the objectives of the Kent Downs AONB Management Plan have been taken into consideration by measures to minimise potential effects on the AONB setting through review of the local landscape character areas which fall within the zone of theoretical visibility of the scheme.

(n6) In terms of cultural heritage assessment, a field survey has showed evidence of medieval activity within the site and that the eastern part was the location of a former Royal Observer Corps underground monitoring post with part of that structure still present below ground. The predominant agricultural use since the Medieval period means that there is higher potential for archaeological deposits to survive although the area involved with the High Pressure Gas Main would be disrupted. Identifies that the development has the potential to severely truncate or completely remove below ground deposits with a resultant 'moderate adverse' effect. The residual effects of development would have a negligible or nil effect on listed buildings save for St. Mary's Church which it is suggested would experience a residual minor

adverse effect on its setting due to the development of adjacent agricultural land and the blocking of some existing views of the church spire. Mitigation is identified in the form of new footpaths located in proposed landscaping which may provide new views of the church reinforcing its communal, aesthetic and historic values as well as proposed direct financial contributions by the applicant towards its maintenance and conservation. The conclusion reached is that the benefits outweigh the harm and so satisfy paragraph 134 of the NPPF.

(n7) In terms of ecology, identifies that extensive ecological surveys since 2008 have identified that some habitats are being used by protected and notable species including foraging and commuting badgers and bats, breeding birds, wintering birds, populations of slow worm, common lizard and grass snake. Confirms that the development has been designed to ensure that where possible key habitats are retained and populations of protected and notable species are able to remain within and surrounding the site in addition to being given optimal additional habitat to expand into. Hedgerows and trees as key habitat will be retained and in an 'Ecological Mitigation Area' within and to the north of the site additional habitats would be created for the aforementioned species. It is recognised that the loss of arable would inevitably result in the loss of habitat for farmland bird species. Much of the mitigation is suggested as having been designed in to the scheme but additional mitigation is proposed including developing and implementing reptile mitigation strategies, preparing a Landscape and Ecological Management Plan (LEMP) for retained and created habitats, careful lighting design to ensure dark corridors for bat foraging and provision of features for use by nesting birds and roosting bats. With the implementation of the proposed mitigation, scheme impacts on ecology would be insignificant or minor beneficial. It is accepted that the loss of habitat for farmland birds would have a minor adverse effect in that specific area.

(n8) In terms of transport and access, construction access would be from the A2070 via Church Road unless the M20 J10A is open for traffic and an access into the site from the associated link road for construction traffic is available. A Construction and Environmental Management Plan (CEMP) would be developed to include measures such as signage, dedicated haul routes, wheel washing facilities and other measures to limit the effects of construction including car parking and car sharing. The peak period of construction activity is predicated, on a daily basis, to generate 64 car movements and 43 lorry movements. The ES suggests these additional vehicles would have minimal effect on the operation of the highway network and as a result of mitigation through the proposed CEMP would have an overall 'insignificant effect'. The location of the site would mean car travel would predominate but opportunities to develop alternative modes of transport would be developed through a Green Travel Plan. Bus uses would be minimal in early phases but once critical mass is reached has opportunities to be provided through new services or diversion of existing services.

(n9) In terms of noise and vibration, residential properties on Church Road, Kingsford Street and in the urban area to the west would be the nearest

sensitive receptors. During construction, steps would be undertaken to minimise noise and vibration, including hours of operation, under the auspices of the proposed CEMP. It is suggested that this would be likely to result in effects that would be mostly 'insignificant' and at worst 'minor'. Predictive modelling of noise levels from traffic generated by the development during its operation on the highway network are indicated as being 'insignificant'. Noise from car parks and loading / delivery areas have potential to affect residents but the potential noise effects are predicated to be insignificant due to the separation distances involved and screening effects of intervening units to receptors. The ES identifies that if required the detailed design of delivery areas can include additional screening measures such as solid timber fences to further control noise effects. With suitable limits on fixed building services plant, noise effects from the operation of new buildings are identified as being 'insignificant'.

(n10) Turning to air quality, the ES suggests that air quality conditions in the vicinity of the site are good although there may be exceedance of air quality objectives set to protect human health close to the M20. The lack of any Air Quality Management Areas in the Borough is referenced. The proposed CEMP would enable dust emissions to be minimised through damping-down of surfaces, covering construction materials and the regular cleaning of frequently used areas to the point whereby the implications on air quality effects arising from the development during construction would be 'insignificant'. The impacts of traffic generated by the development in use have been modelled. The work undertaken has identified that the proposal would not lead to changes in pollutants that would be above national health-based objectives and objectives relating to nearby sensitive ecosystems. The overall operational air quality effects are predicated to be 'insignificant'. A site wide Travel Plan has potential to reduce vehicle emissions.

(n11) In terms of ground conditions, contaminated land surveys have been undertaken. Reference is made to potential for elevated contaminant levels as a result of pesticides and fertilisers relating to historic agricultural use. Boreholes and trial pits in 2012 identified groundwater at depths of 8-10m. The site is not in area of major sensitivity in terms of ground water resources. The conclusion of the survey and subsequent risk assessment is that the proposed development would have a 'negligible' risk. The proposed CEMP would minimise construction workers (alongside the use of personal protective equipment) and the general public from being exposed to any residual ground contamination and contaminated dust.

(n12) In terms of managing foul water, the development would drain to the Southern Water pumping station located to the north-west of the site off Kingsford Street. It is acknowledged that improvements to the pumping station would be required through a formal application to Southern Water for connection. Proposals for managing surface water run-off would involve betterment of the assumed green-field 4 litres / second / hectare run-off rate by reduction to 1.8 litres / second / hectare. This would have a minor beneficial effect. Taken together, overall the ES concludes that there would be no significant adverse effects on water resources and flood risk.

(n13) In terms of waste, the ES identifies that the majority of the top and sub-soil excavated from the site would be clean, acceptable for re-use on-site as filling as part of creating level development platforms and would assist minimise the need to transport material off-site or import granular material onto the site. The total volumes of waste material (excluding topsoil) to be removed by road are anticipated to be small, principally relating to construction waste and not expected to exceed 4,000m<sup>3</sup>. With controls through a CEMP and a Site Waste Management Plan (SWMP), effects of waste during construction would be insignificant. Post development, the provision of on-site recycling storage areas would result in insignificant effects on the quantity of waste generated in the Borough.

(n14) In terms of lighting, careful design, planning and implementation during construction phases would result in temporary localised 'moderate to minor significance' on sensitive visual (residential properties, night-time viewpoints) and ecological (e.g. bats) receptors. On completion and in operation, the combination of a stringent lighting design (e.g. shields and hoods) and landscaping would provide additional screening minimising the loss of light to the night sky and glare discomfort to sensitive receptors. Dark zones would be retained on site especially around the proposed water features on the southern side adjacent to Church Road. The visual effects on night-time setting of St. Mary's Church will be minimised through site lighting design. Overall, the effect on sensitive receptors would be long term and of 'minor significance'.

(n15) The ES considers effects on soils and other agricultural factors. The site was identified in a 1990 survey as comprising 80% Grade 2 and Grade 3a land (38 ha). The agricultural land is currently farmed for arable purposes on a short-term non-secure basis by two separate businesses. It is accepted that the development would affect 42.25ha of the best and most versatile agricultural land. The ES identifies that little can be done to mitigate that loss and so the proposal would result in a moderate adverse effect.

(n16) Lastly, in terms of cumulative effects, the proposal's main contribution is when combined with the Highways England M20 J10 and associated link road scheme. It is identified that the proposal would, to a lesser extent, contribute to the cumulative effects on long distance views from the North Downs Way over 5km distant. The cumulative effects would be significant because of the sensitivity of the visual receptors but it is considered that the development would form a small part of the open panoramic views.

#### (D) Details informing the applicant's approach to the parameter plans

##### Land use and maximum floorspace

54. Table 4.1 in the Planning Statement sets out the proposed maximum floorspace by references to land use classification and is shown below. Maximum floorspace for each land use is not defined for each of the identified



7 development plots on the Land Use and Layout Parameter Plan: the applicant's approach is one allowing flexibility to the market place to shape the detail of each plot rather than attempting to 'second guess' precise floorspace per Plot in advance.

**Table 4.1 – Proposed Floorspace by Land Use**

USE	LAND USE CLASS	MAXIMUM FLOORSPACE sq m (GEA)
Business	B1	23,500 (maximum 20,000 B1a)
General Industrial	B2	15,000
Storage and Distribution	B8	140,000
Shops	A1	250
Kent Wool Growers	Sui Generis	5,500
<b>Total Floorspace</b>		<b>157,616</b>

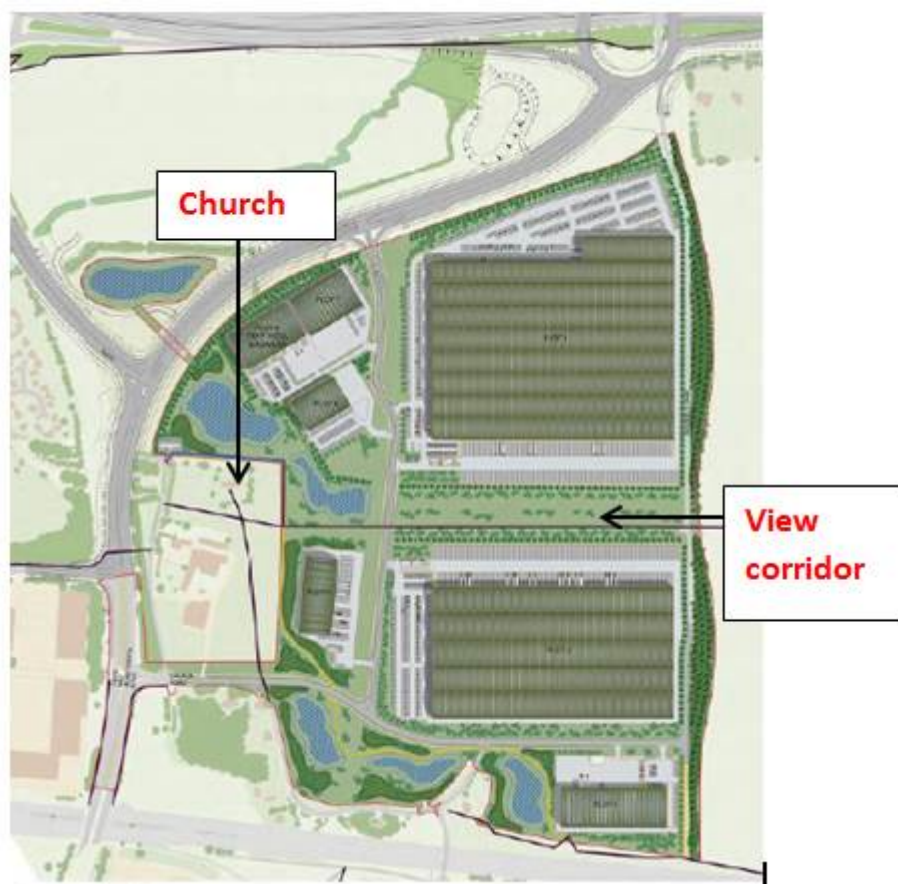
55. Ultimately, the sum of floorspace so shaped in future applications for approval of reserved matters would not be able to exceed the total floorspace permitted in an outline planning permission and the maximum's identified in Table 4.1 could not therefore all be achieved on the site.
56. The applicant identifies that the formation and size of the development plots has been informed by the landscape strategy and a requirement to screen sensitive views and preserve the setting of heritage assets. Accordingly, the largest development Plots, Plots 1 and 2, are situated in the central and eastern parts of the site. The applicant considers that this enables appropriate landscape screening to be provided. The extract below shows both Plots.



57. Likewise, the Development Plots 3 and 4-7 would be of a smaller size and the applicant cites this approach as appropriate in order for the proposals to respond appropriately to adjacent homes and the Church.



58. The applicant's case is that the impact on heritage assets, including the Church, have been minimised through specific design principles for Plots 4 – 7. In addition, a zone between the largest Development Plots 1 and 2 has been identified in the amended proposal to ensure views towards the Church are maintained.



- (a) A High Pressure Gas Main runs through the site in a north/south direction. In accordance with Health and Safety Executives Planning Advice for Development near Hazardous Installations ('PAHDI'), this establishes a series of zones within which development floorspace is either prohibited altogether with only minimal changes to existing ground levels being possible (effectively a zone 9metres on each side of the Main thus 18m in width in total) or is acceptable subject to certain parameters. The approach to layout is therefore one that is shaped significantly by PAHDI.

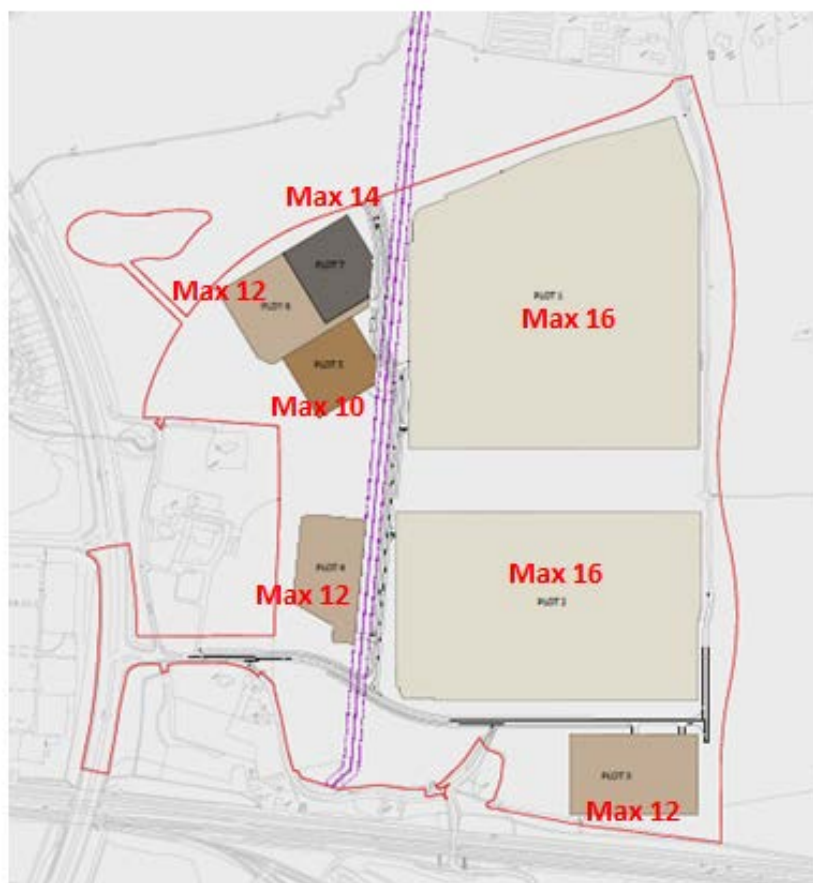
#### Building heights and scale

59. The Building Heights Parameter Plan defines maximum building heights from (ground) Finished Floor Level (FFL) to ridge height. FFL's are expressed for each Plot in relation to AOD, Read in conjunction with the Parameter Plans supplied for Existing and Proposed Ground Levels, this enables an understanding as to how the maximum building heights proposed would sit in the wider landscape.

Buildings would have maximum ridge heights ranging from 10-16m in height which the applicant identifies is the typical height within which a standard forklift or reach truck can operate. The greatest heights – 16m - would be in relation to the largest buildings proposed for Development Plots 1 and 2 with

Plots west of the High Pressure Gas Main being smaller and supporting development of smaller footprint buildings with reduced heights between 14 and 10m.

60. In order to minimise impacts of development on Plots closest to the Church and it 'setting', the applicant proposes the following design principles for Plots 4, 5, 6 and 7;-
- (a) Wherever possible, buildings will be located so as to screen direct views from the Church into any service yards,
  - (b) Buildings on said plots shall have a footprint (or aggregate of footprints) covering no more than 45% of the Plot area (or aggregated total Plot area), and
  - (c) The shortest building dimension (or aggregate of building dimensions) should address the south west boundary of Plots 5 – 7 and the north boundary of Plot 4.
61. The diagram further below is based on the Building Heights Parameter Plan with my annotations on maximum height and the approach relating to Plots near to the Church. Elements outside the site are provided in order to give context.



62. Additionally, the applicant identifies that no plant would be provided at roof level given the nature of the buildings and that any photovoltaics would be roof mounted but would not breach the maximum building heights.

#### Building sustainability

63. All buildings would be designed to comply with the relevant standards prevailing at the time that each phase comes forward for approval. The aim would be to achieve BREEAM 'excellent' with the 10% reduction carbon dioxide requirement of the Council's CS10 (and associated SPD) policy achieved through a combination of passive design and energy measures, air source heat pumps and photovoltaic arrays.

#### Access and highway improvements

64. The access proposals involving upgrades to the Church Road/A2070 junction and the applicant's proposal in terms of how those would be related to the HE scheme involving J10A and new link road (with primary access into the development site from the latter) are described at XX of this report.
65. Access details within the development site are reserved for future consideration, including access to individual Plots from estate roads. The 'Access and Circulation' Parameter Plan supplied with the application identifies broad 'access zones' with the intention of precise arrangements coming forward with every detailed application for Plot development. Clearly, the presence of the High Pressure Gas Main (and the development limitations it imposes) and the intended realignment of the south-western part of Highfield Lane combine to produce an estate road circulation that is unlikely to change significantly.
66. Estate roads would be 7.3m wide with 2m grass verges and combined cycleway/pedestrian footways between 3 and 3.5m wide either on one side or both sides of the road. This approach is proposed by the applicant as enabling safe and convenient routes into and within the development. The applicant identifies that all of the internal estate roads would be built to adoptable standards with potential for future adoption.

#### Vehicular / cycle parking and servicing & Travel Plan

67. The proposed new car park serving the Church would provide a maximum 18 spaces ((including 2 spaces serving people with disabilities).
68. Internal estate roads would be 7.3m with 2m wide grass verges and 3 - 3.5m wide shared footway/cycleways and would be built to adoptable standards. Vehicle 'access zones' from roads into development plots (some of which

would be shared) are shown on the Access and Circulation Parameter Plan.

69. Parking levels for each Plot are proposed at 80% of KCC's maximum car parking standards per land use type as set out in SPG4 to the Kent and Medway Structure Plan 2006. The 80% approach to commercial vehicle parking is set out in the Council's adopted SPG6. Table 8 in the applicant's 'Development Specification' document indicates that this would equate to the provision of 1,811 car parking spaces (including 90 spaces serving people with disabilities) across the entire site. Electric vehicle charging bays would be included.
70. Cycle parking and motorcycle parking provision would also be based on SPG4 helping to cater for differing transport needs.
71. Given that the nearest bus stops to the site are an approximate 20 minutes' walk, the applicant indicates that options to extend existing bus services into the site will be discussed with KCC.
72. Service vehicle parking will be provided and it is identified that the detailed design of each Plot will seek to minimise the need for larger vehicles to turn around through the provision of adequate turning space.
73. The applicant states commitment to preparing a Travel Plan for the site that would be submitted to and approved by the Council should permission be granted. A draft Framework for this is set out in the Transport Assessment provided in support of the proposals and this would act as the template for the individual tenants of development plots.

#### Footpaths and public rights of way (PROW)

74. The 'Access and Circulation' Parameter Plan shows;-
  - (i) existing PROWs to be extinguished,
  - (ii) existing PROWs to remain unchanged,
  - (iii) a proposed PROW connecting the proposed new Church car park with PROW AE639, and
  - (iv) existing footpath/cycleways connecting to the development site.
75. The applicant proposes that a series of themed paths and trails (including nature trails) will also be provided around and through the site in addition to three informal footpaths that are proposed for amenity value. These are shown on the 'Open Space, Landscape and Ecology' Parameter Plan.

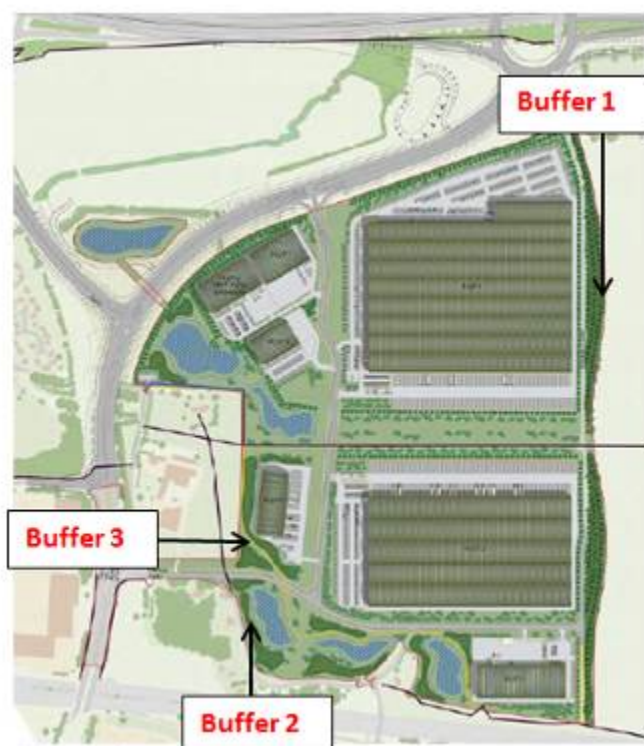
### Landscape buffers

76. A landscape buffer is proposed as an important element of the setting for the proposed development. The applicant suggests this provides a transition with adjacent semi-rural landscape associated with the Sevington and Mersham Farmlands (Character Area). The location and extent of this buffer is identified as having been determined by the sensitivity of the adjacent land uses and 'receptors' of the proposed development so as to ensure adequate physical separation from new built form is provided. The key elements within the buffer would include:-

(a) To the east of Highfield Lane – a substantial belt of native woodland and understory planting defined by a hedgerow mix together with earth mounding up to 2m high. The primary objective of this approach is cited as being to filter near and middle distance views into the site from further east and to enhance the enclosed character of Highfield Lane but with a gap so that views from the east towards St.Mary's church would be maintained. This area is annotated 'Buffer 1' on the plan further below

(b) On the southern side of the site – earth mounding up to 2m in height north of Church Road with native tree and understorey planting. The primary objective stated by the applicant is to filter views from homes towards the new development and to enhance a sense of enclosure and 'sunken' nature of Church Road in the landscape. This area is annotated 'Buffer 2' on the plan further below.

(c) On the western side of Development Plot 4 - native hedgerow and tree planting is proposed in this area. The applicant states that the primary objective is to create a strong sense of enclosure close to PROW AE340 (which is located a short distance to the west) , to screen views to new development and to focus views towards the Church and the farmstead/farm landscape immediately to the west.. This areas is annotated 'Buffer 3' on the plan below.



(d) On the northern-western side of the site – native tree and understorey planting is proposed both adjacent to the A2070 and to reinforce existing field and Church boundary hedgerows thus forming the backdrop to a gently undulating landscape associated with the ponds and swales proposed to help deal with surface water run-off from the development. It is suggested that this will filter views into the development from the Ashford urban edge, reinforce the medium scale landscape pattern and enhance the setting of and views towards St. Mary's.

(e) On the northern side of the site – amenity grass, clipped hedgerows and native street streets to be provided (helping created frontage to new built form). The primary mitigation objectives will be to enhance the screening value of proposed landscape associated with the new link road and to enhance the sense of arrival into the site from said link road.

77. The applicant proposes that whilst mounding will vary in width and gradient, it would be no more than 2m in height to ensure a naturalistic landform which would reinforce proposed woodland planting (and the screening value thereof). Precise details (including planting) would be supplied through submissions of reserved matters.

### Open Space

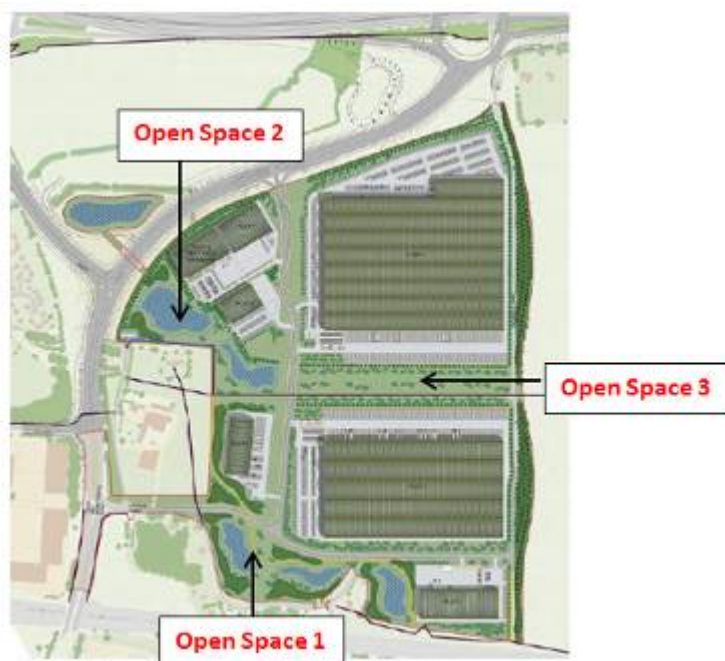


78. Informal open space within the site would incorporate gently undulating species rich meadow grassland containing scattered groups of native trees with understorey planting. Informal amenity paths would be provided in these areas together with SUDs features ranging from balancing ponds to shallow grassed swales. Three key open space components are proposed;-

(i) to the south – open space near the southern boundary will help filter views of new built development from homes on Church Road with scattered trees and wildflower meadows providing amenity value and enhancing views outwards from the site. This area is annotated ‘Open Space 1’ on the image further below.

(ii) To the north west – existing vegetation along the site boundary with the Church will be retained and hedgerow losses as a result of Development Plots 5, 6 and 7 would be mitigated through new planting. The applicant states the primary objective would be to maintain the sense of enclosure formed by the existing Church boundary and to filter views towards the site from the Ashford urban edge to the north. This area is annotated ‘Open Space 2’ on the image further below.

(iii) Land between Development Plots 1 and 2 – this area, aligned with the centrally located broadly east-west ridge across the site, is proposed to be open meadow grassland. PROW AE639, connecting Mersham and Sevington, runs through this ridge. The applicant considers this approach will usefully connect the eastern and western elements of the landscape buffer previously described. This area is annotated ‘Open Space 3’ on the image below.



79. In addition to the above, the applicant identifies that each Development Plot would be set within a formal landscape comprising native street trees and hedgerows. In contrast, limited tree planting is proposed within the Gas Main corridor as an area 9m on each side must be left with minimal level changes to ground levels in accordance with PAHDI requirements.

#### Ground levels

80. Parameter Plans have been provided in relation to existing and proposed ground levels. The applicant states that due to the variation in levels engineering 'cut and fill' works will be necessary across the majority of the site in order to both provide suitable development plots and to reduce the visual impact of new buildings.
81. The applicant states a key target is to minimise the need to transport material off-site or to have to import granular material to the site and that where that approach might still be necessary discussions are being had with HE in terms of co-ordination and beneficial interrelationships relating to modifying the landscape.
82. Notwithstanding the need to alter ground levels, the applicant states that the proposals attempt to follow the natural topography of the site and existing levels as closely as possible. Therefore, the Plots in the centre of the site have the highest levels with a terracing approach from the centre towards the site boundaries. The main areas of 'cut' are located in the east of the site with areas of 'fill' located predominantly in the northern part. Areas required for excavation as part of embedding SUDs into open space and mounds are not shown in detail and would be confirmed as part of future detailed applications.

#### Tree Removal and Retention

83. A Tree Retention / Removal Parameter Plan is provided. The elements retained – and cited by the applicant as being reinforced by new native tree and hedgerow planting would be as follows;-
- (i) trees and hedgerows either side of Highfield Lane
  - (ii) trees and hedgerows on the northern boundary of Church Road
  - (iii) trees and hedgerows along the southern boundary of the site
84. The elements lost are annotated on the diagram further below and would be as follows;-

(a) Trees and hedgerows within Plot 6 (c.200m long) and Plot 7 (c.100m long), and

(b) Trees and hedgerows within Plot 2 (c.220m long) and Plot 3 (c. 180m long).

#### Drainage

85. SUDs areas are shown on the Open Space, Land and Ecology Parameter Plan. The need to attenuate surface water run-off from the development is acknowledged by the applicant.

86. Section 5 of the applicant's 'Development Specification' document provides details of an intended drainage strategy. The key elements are as follows;-

(i) Lowest parts of the site are at the north-west which falls towards the Mill Stream and at the south-west which drains to an existing ditch watercourse which then discharges to the south under the CTRL via an existing culvert. This creates a site with two distinct catchments: north and south.

(ii) For the purposes of the application, the maximum impermeable area (including road surfaces) that will be created as a result of development would be 268,600m<sup>2</sup> (57% of the total site) with the remaining 208,981m<sup>2</sup> of open space being used for landscaping and drainage ponds/features. Not taken into account is landscaping within individual Plots. For a total site of 44.29ha, the maximum permitted flow would be 174 litres per second (ltrs/s).

(iii) Appendix F to the Development Specification shows the principles of the proposed drainage strategy with preliminary locations, shapes and sizes for SUDs. The details would be confirmed through future detailed applications.

(iv) As no discharge access across third party land to the Aylesford Stream to the north is yet available, all of the surface water from the redeveloped site would be collected in a series of 5 ponds and routed to the south. The pond system would be a cascading network located outside of Plots operating together with overflow swales provided both outside and inside Plots. These are annotated on the diagram below.

(v) Discharge to the south of the proposed system will, at 1.8l/s better the allowable Greenfield rate of 4 ltr/s.

87. The intended design approach to be taken is to marry functionality in dealing with surface water with other planning benefits such as provision of wildlife habitat and water cleansing through sensitive detailed design. Where possible, car parking areas would be constructed in porous paving.

### Ecology

88. The Open Space, Landscape and Ecology Parameter Plan identifies two ecological mitigation areas.
89. The first would be 'on-site' provided along the central east/west ridge previously referred to in this report as 'Open Space 3'. Existing arable land would be converted to species rich meadow grassland designed to be of wildlife value.
90. A strategy for the provision of new bat roosting features on site would be produced and implemented. In addition, the intended lighting strategy for the site would be appropriate in ecological terms through using low level/directional lighting along woodland edges. Hedgerows and habitats to retain and create dark corridors.
91. The second would be 'off-site' in an area located outside of the application site but on land within the applicant's control. The applicant states this has habitat connectivity to the soft estate of the M20 motorway and the Aylesford Brook corridor. This area would be used for the translocation of reptiles from the development site and would be designed to be of value to reptiles including species rich grassland, marginal vegetation and native scrub. The applicant contends that species rich-grassland providing a foraging resource for birds, bats and terrestrial mammals may in turn be large enough to support low numbers of ground nesting bird species such as skylark or meadow pipit.

### Lighting strategy & associated specification

92. Appendix D of the Development Specification document identifies that a lighting scheme would be designed to balance human and vehicular movement safety - and the potential 24 operational nature of some uses to be accommodated - with the need to limit the impact on local sensitive receptors being;
  - ecological receptors (bats)
  - visual & historic receptors (homes & St. Mary's church)
93. In terms of ecological receptors, the recommendations of the bat conservation trust would be incorporated to ensure that the development mitigates impacts on wildlife. A bat activity map is provided and provided below. This highlights in purple ecologically desirable 'dark' areas of the site and in green conflict zones where street lighting has potential to cause fragmentation of habitat areas thus lessening the value to bats. The applicant acknowledges that this would dictate as sensitive approach as possible in the conflict zones.



94. The approach that would be taken in the areas marked purple would be to provide level (e.g. bollard) or directional lighting in order to limit excessive light spill into these areas with design to limit light spill being the subject of computer simulation with lux levels to be less than 1.
95. In terms of visual & historic receptors, the applicant identifies a site wide design specification for roads, car parks, service yards, building facades and landscape areas. This is summarised in the following paragraphs.
96. The variation in car parks in terms of size, structure, location and access means that different lighting techniques may be necessary to provide task lighting to the car park surface whilst ensuring good amenity lighting for pedestrians at various access points around a car park. The recommendation is LED as choice of lamp to provide a low energy/ maintenance high colour rendering 'white light' approach which would both assist CCTV as well as benefit human safety. LEDs have the advantage of being able to dim and can therefore be subject to a control strategy to help limit light after 23:00 and generally lower the impact of exterior lighting on both types of receptors. The aesthetic design of luminaires will be important in terms of daytime impact with designs with multiple optic configurations favoured because of the availability to tailor light distribution and limit spill beyond that which needs to

be illuminated. Baffles, louvres and shields should be utilised to prevent direct viewing of lamps from homes with the source intensity for all luminaires not to exceed 7,500 cd before 23:00 and 500 cd after 23:00.

97. Service yards would need to have lighting designs that minimise overshadowing from articulated lorries and to provide a safe working environment. General lighting should be provided under canopy bulkheads or building/column mounted floodlights at heights between 8-12m.
98. Facades could be lit for aesthetic reasons and this would assist way-finding and site navigation as well as contribute to general luminance. This type of lighting should generally be down-lighting with appropriate optic control to limit spillage. Up-lighting should only be considered if wasted light beyond the roof structure can be carefully reduced through equipment, luminaire locations and aiming angles.
99. In respect of illuminated signage, this would need to limit excessive brightness in the field of view and reduce negative impacts on sensitive receptors especially ecological receptor areas.
100. Landscaped areas and green spaces should generally be left dark but any safety lighting for navigation should take a low level integrated approach. Bollard type luminaires should be considered.

#### Development Implementation

101. A Phasing Parameter Plan is supplied. An annotated extract is shown below.
102. This suggests a 3 phase approach to the site comprising:-
  - (i) Phase 1 (infrastructure) - site preparation, infrastructure, strategic wide mitigation measures such as drainage and flood alleviation measures and boundary earthworks and planting.
  - (ii) Phase 2 (enabling development) – construction of buildings that the applicant contends could be occupied and operated prior to J10A opening to traffic and prior to the primary access being available from the proposed link road to J10A. All development in Phase 2 to be accessed via Church Road and the existing A2070 junction (without either of the improvement scenarios identified). The applicant suggests that, according to market demand, the level of floorspace in this phase might be a combination of Plots 1 and 6 OR Plots 2,5,6 and 7 OR Plots 2,3,4 and 5.
  - (iii) Phase 3 (full development) - to completion following Phase 2 works and following J10A opening to traffic and provision of the primary access. Church Road access would be limited to local access as part of this Phase.

### Contingency Options

103. This suggests that the applicant's Phase 1 (identified as starting in 2016) and Phase 2 (identified as starting in 2017) would do so before any Development Consent Order is granted in respect of the M20 J10A Scheme (expected late 2017). Accordingly, the applicant requires that the development must be capable of being served via an improved Church Road access.
104. If J10A is not approved or the application is cancelled or no contracts for an approved J10A scheme have been let by the end of 2019 then the applicant wishes to be able to serve a development up to the identified Phase 2 via the signalisation of the Church Road / A2070 junction with two possible options to be decided and carried out within two years of the date of no approval / cancellation / contact for an approved scheme not let. The applicant identifies that in this scenario and on the completion of the signalisation works then approval for the remaining Phase 3 development would be sought from the Council. Details of the signalisation works are set out further below in this report.
105. Finally, once the J10A scheme is approved and notification is given that a contract has been let for its construction then the applicant proposes that given the certainty involved with the creation of the main entrance from the link road then there should be no restriction on progressing towards Phase 3, subject of course to approval of reserved matters for the plots concerned.

### Other matters

106. A Construction Environmental Management Plan (CEMP) would be prepared for Council approval prior to any commencement of development. The CEMP would detail the protection and control measures to be implemented to ensure construction phases do not give rise to environmental risks.

### (E) Illustrative masterplan (and alternatives)

107. The application contains an illustrative master plan layout that is based on the maximum based parameter plans that are supplied. The applicant identifies that master plan forms a 'vision' of how the site could be developed and brought forward as a deliverable solution. A copy is shown below.



108. However, it is recognised that once specific tenant requirements are known other variations of the masterplan may need to be considered. A number of possible variations are contained within the applicant's Design & Access Statement Section 6.2 (pages 99 & 100). Extracts are shown below.





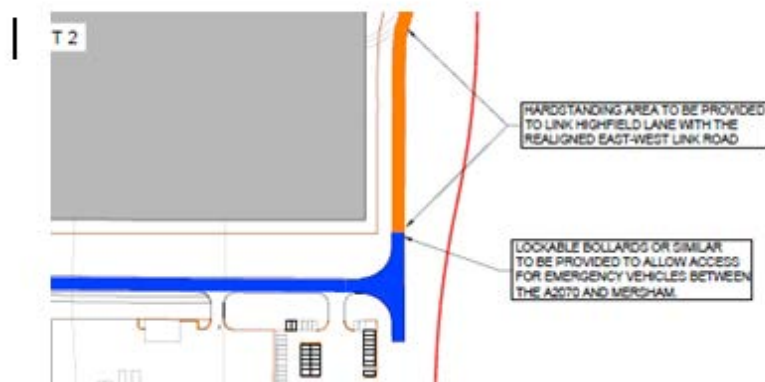
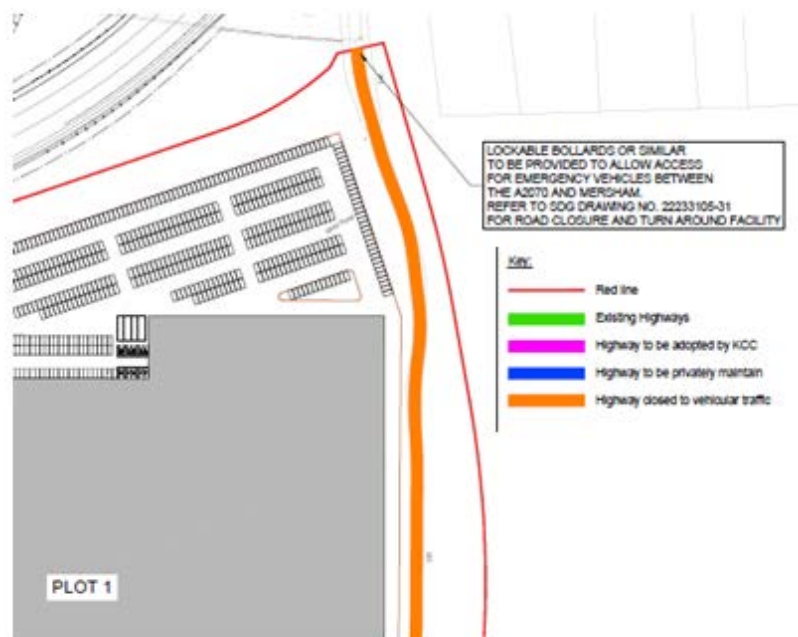
(F) Highway Access – Strategic Route Network (Church Road/A2070 junction & relationship with proposed J10A)

109. As previously identified, vehicular access to and from the site via Church Road is not reserved for future consideration. Two access and highway reconfiguration options – for which full planning permission is now sought pending selection of one or the other - are set in Appendix B of the Development Specification Document. The applicant identifies that option selection is intended to be secured through a planning condition to be attached to a grant of outline planning permission.
110. Access and highway improvements dealing with these matters are explained in Section 3 (paragraphs 3.6 to 3.9) and Section 4 (paragraphs 4.43 to 4.49 and 4.51 to 4.52) of the Development Specification Document and summarised below.
111. The primary access to the site would be from the proposed new link road connecting the A2070 and new Junction 10A to the M20. Both elements would form part of the improved Strategic Road Network (SRN)
112. In advance of the opening of J10A (anticipated as being early 2019), access to the development would have to be via the Church Road/ A2070 junction. The stretch of Church Road that would give access to the development and is part of the Local Highway Network (LRN) maintained by Kent Highways & Transportation (KH&T) would be realigned and improved to accommodate the anticipated traffic flows arising from the use. The speed limit on Church Road would remain at the existing 30mph.
113. The Church Road/A2070 junction would, however, continue to operate as a restricted priority junction as it does at present with no improvements being carried out within the SRN boundary maintained by Highways England (HE).
114. Church Road would be realigned east of the A2070 to reduce the approach gradient for vehicles.
115. In the event that J10A is not approved, or is postponed or significantly delayed, then a 'fall-back' scheme for improvement of the Church Road/ A2070 junction involving signalisation is proposed with (subject to approvals) the works being carried out within 2 years of that event. This signalisation would reduce speeds on this part of the A2070 from 60mph to 40mph.
116. The fall back scheme options set out in the Development Specification are as follows:-
  - (i) Option 1: all movement signalisation
  - (ii) Option 2: Church Road left in left out priority junction through signalisation on southbound lanes of A2070 only

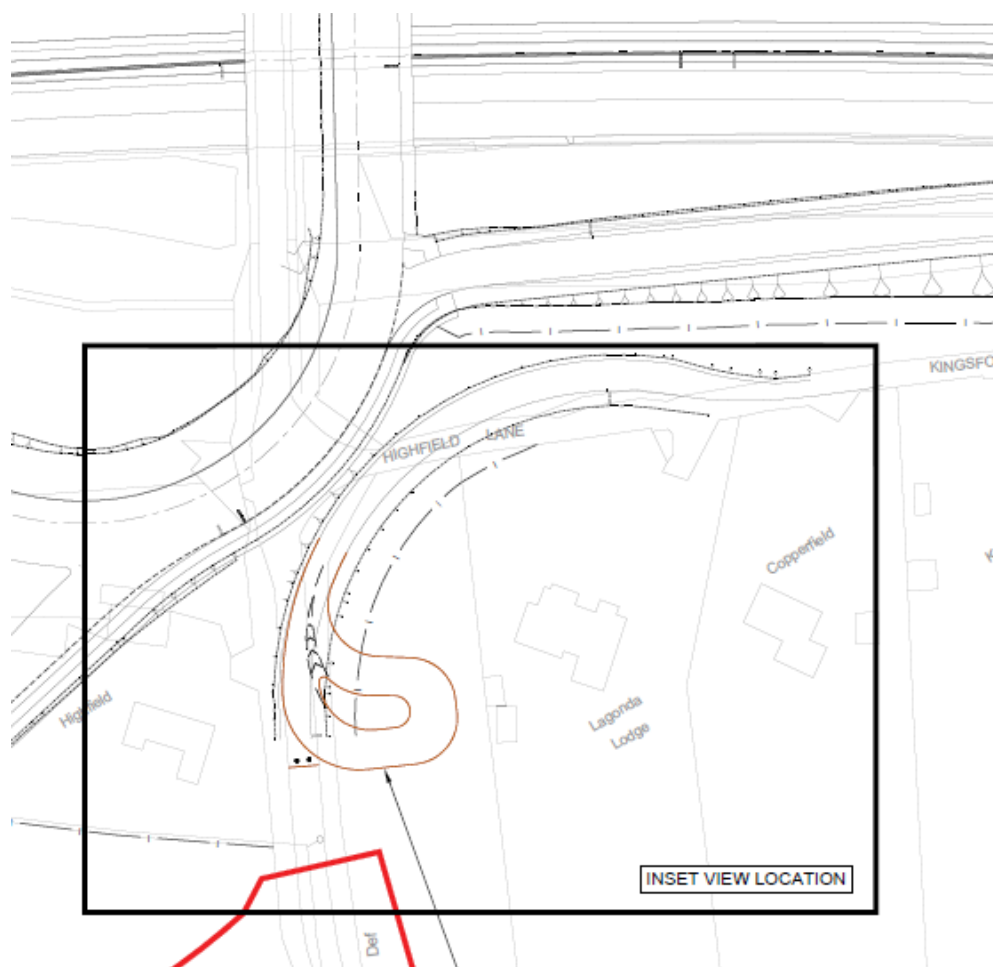
117. The related quantum of traffic facilitated by the works is expressed by the applicant in relation to the Council's SPG6 document and the concept of 'development units' ('DUs') contained therein.
118. The applicant contends that the fall-back scheme would allow up to 6.75 DUs of traffic and that no more equivalent than 6.75 DUs worth of development would be constructed at the development site until the primary access – in whatever form it might need to take - from the SRN is available.
119. The applicant suggests that once the primary access into the site from the new link road is available and open to traffic then Church Road would revert to use by local traffic only and that measures to help restrict its use by traffic from the development site can be agreed with both KH&T and HE as part of a planning condition.
120. The applicant indicates that it will work with HE to ensure a satisfactory interface with the primary access into the site from the new link road and that it has agreed in principle to enter into a s.278 under the Highways Act 1980 agreement to enable the primary to be constructed in the location shown on the parameter plan.

(G) Highway Access – Local Road Network (changes to Highfield Lane and Church Road)

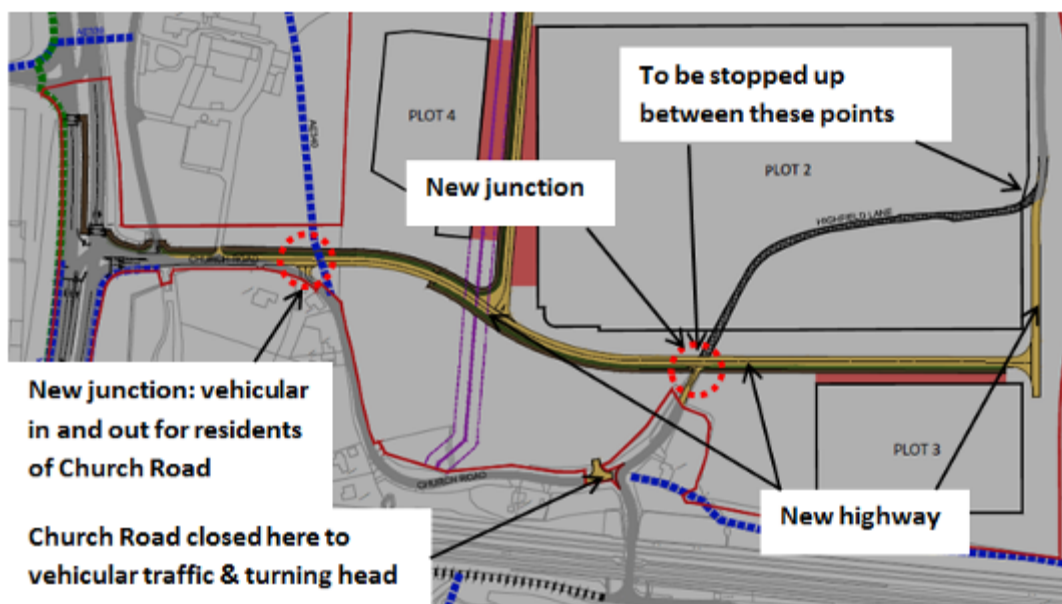
121. Section 4 (paragraphs 4.50 and 4.51) of the Development Specification Document sets out the applicant's proposal in relation to these roads which form part of the LRN.
122. In respect of Highfield Lane, the applicant proposes that this would be retained on its main current alignment in a north-east/south-west axis) with access being retained to Kingsford Street (notwithstanding the alterations to the Highfield Lane/Kingsford Street junction identified in the emerging HE proposals for J10A).
123. Since submission of the amended plans, the applicant has reviewed further the nature of the access to be afforded by Highfield Lane. This is as a response to discussions with the highway authorities and consultation responses from the local community highlighting concerns about potential rat-running and inappropriate traffic seeking to connect to the development site from the Mersham area via Kingsford Street. A further amendment is proposed being the following:-
  - (a) Highfield Lane to be retained in its present form as a movement route connecting people and places (pedestrians / cyclists / equestrian use only) but otherwise closed to vehicular traffic via installation of lockable bollards (to be agreed) at its northern and southern ends that could be lowered if emergency access is needed. This detail is shown on newly supplied drawing 22233105-32, annotated extracts from which are shown below.



(b) The western end of Kingsford Street to be reconfigured through the creation of a turning loop facility on land outside of the defined red line but forming part of the land in the applicant's ownership/control shown blue to the west of Lagonda Lodge (being the western-most house on the southern side of Kingsford Street). The lockable bollards to Highfield Lane would be located just off the proposed loop. This detail is shown on newly supplied drawing 22233105-31, an extract from which is shown below.



124. It is proposed that the existing western element of the Lane would be stopped up and then reconfigured to provide sensibly proportioned development plots. The additions would extend the Lane further to the south where it would then turn 90 degrees and then both west to a point where it would then connect into Church Road - this connection point is identified on land to the north-east of Sunnybank on Church Road – and also south towards the CTRL bridge via a new junction.
125. Another aspect of the applicant's proposal is that the aforementioned connection of new highway with Church Road creates the opportunity to reconfigure an existing part of Church Road as a cul-de-sac. A new turning head developed at the southern end near to the junction with Highfield Lane and the bridge over the railway line.
126. The graphic below, with my annotations, explains all of these proposed changes.



### Accessibility

127. The applicant cites the following accessibility benefits considered to be in the proposal's favour;-

(i) Public rights of way extend across the site connecting it with its surroundings. Willesborough and Aylesford Green are considered easily accessible and within a 30 minute walk with Ashford Town Centre further afield at a 45 minute walk.

(ii) Although there are currently no cycle routes through or adjacent to the site, there are two within the vicinity of the site giving accessibility to Ashford Town centre within 10-20 minutes and closer suburban areas a shorter ride time.

(iii) The applicant sites the town as having good rail links with other towns in Kent, with London and also with the continent.

(iv) In terms of buses, the nearest bus stops are located approximately 20 minutes distant in a variety of directions with frequency of vehicles on the routes so served ranging from between 1 and 5 vehicles per hour with routes offering connections to Ashford Town Centre and beyond.

(v) The site is well located in respect of road links with proximity to the M20 SRN (and the proposed creation of J10A thereto) and A2070 LRN. Accordingly, the site would be highly accessible in south east England with the majority of Kent within a 60 minute drive time.

## **Planning History**

128. There is no planning history relevant to the proposal.

## Consultations

### Responses to application as originally deposited 2014

**Ward Member:** Cllr Bartlett is the Ward Member.

**Mersham with Sevington Parish Council:** Object and state the following:-

'Mersham and Sevington Parish Council unanimously recommend that the application as presented is rejected. The application fails on many counts as described below.

The proposal would cause substantial harm to the Grade 1 listed Church in Sevington, the Grade 2 listed Bridge Cottage and the neighbouring Grade 2 houses as clearly articulated by the English Heritage response to the application.

The developers have shown no interest in accommodating feedback from the "consultation workshops". The developers have instead proposed an outline design that directly counters the views of the local community and pushes "all the reds" in term of design. This includes:

- Maximised density of building especially to the east of the site
- Highest building on the highest part of the site
- Negligible landscaping allocation to the north and east of the site
- Massive warehouses that will not attract the skilled workforce which would benefit the Ashford community
- The detail access provisions for such a site must be understood before any outline proposal of its contents can be considered. Access as a reserved item is not appropriate

The proposed "massive" sheds on the east of the site are wholly inappropriate and would scar the image of Ashford for all approaching the town. It is inappropriate to set consideration of this application ahead of the pending M20 J10A design. Several key items have yet to be decided upon including the Barrey Road/A2070 and the Highfield Lane/Kingsford Street junctions. The Parish Council believes that Highfield Lane and Kingsford Street should be shut off to prohibit these roads becoming runs and further endangering the pedestrians, cyclists and horse riders who use them. Additionally, the proposed dual carriageway from the new M20 Junction 10A will pass directly adjacent to the site and its full design must be the priority, and precede any decisions on this site to ensure that this key infrastructure project for Ashford Borough is not compromised in any way.

Developments of the nature proposed will directly increase the volume of large vehicles visiting the area. The anti-social parking of such traffic is already a major problem and concern. This application would cause this issue to worsen dramatically, reducing the South East of Ashford and its surrounding villages to a vehicle park. Until a solution to this is implemented (via the Kent International Gateway plan), applications (which by their very nature increase such traffic) must be rejected. While Mersham and Sevington Parish Council do respect that the site

has been allocated for development within the local plan, any outline planning approval for the site should include the following conditions as a minimum:

- Hours of usage should be restricted. i.e. no more than the current permitted hours of the neighbouring businesses on Orbital Park and Ashford Business Park
- If development proceeds, then such development must maintain the correct balance between building types at all times. Starting development with large warehouses with some statement of intent to build the other building types later should be explicitly prohibited
- As mentioned above the proposed landscaping is insufficient. Also, it should be a condition of approval that landscaping must remain in place for a minimum of 15 years, but preferably in perpetuity

In closing we draw your attention to the Ashford Borough Council Local Development Framework Core Strategy (Ref Policy CS1: Guiding Principles) which states:

D: New places-buildings and spaces around them – that are high quality design, contain a mixture of uses and **adaptable building types, respect the site context** and create a positive and distinctive character and a strong sense of place and security.

The outline proposal fails when measured against these principles and should be rejected.'

**Environmental Health Manager (Env. Protection):** Note that the intrusive investigation undertaken by the applicant has not identified the need for any remedial action. Further investigations may be required and so a condition is requested to be attached to any permission granted.

**Environment Agency:** No objection subject to appropriate planning conditions to protect controlled waters, comply with the NPPF, ensure satisfactory storage and disposal of surface water from the site and to ensure foul drainage is managed correctly.

**Kent Wildlife Trust:** Express concerns in respect of the loss of hedgerows if said hedgerows are found to be of value to wildlife as a result of ecological survey work. Further detail is requested.

**Natural England:** Raise a concern that the ecological survey with the application does not appear to be sufficient to enable the impact of the development on protected species to be assessed.

**River Stour Inland Drainage Board:** Comment that the outline drainage proposals appear to be appropriate in terms of limiting off-site run-off but further details of drainage would need to be secured by condition as the onward drainage to the south in particular to the East Stour is not clear.



**Southern Water:** No objection. Insufficient capacity in the local network to deal with foul sewage disposal needs to be addressed through entering into a formal agreement with Southern Water to enhance capacity. SUDS will not be adopted by Southern Water.

**Kent Invicta Chamber of Commerce (Ashford Economic Development Group):** No objections raised by members in the Ashford area and therefore has no comment to make on the application.

**KCC (Heritage):** Identify that the sites lies within an area of archaeological potential but an evaluation of the site has not revealed any significant archaeology within the site itself and so archaeology can be dealt with by conditions. However, raise concerns about unacceptable harm to listed buildings, particularly the Grade 1 listed church.

**English Heritage:** Object. State that as proposed the application would constitute substantial harm to heritage assets at Sevington, particularly the Grade 1 Church and planning permission should be refused unless it can be demonstrated that there are wholly exceptional circumstances and the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss.

**Network Rail:** No observations to make.

**HS1:** No objection subject to detailed conditions to be attached to any grant of planning permission

**Southern Gas Networks:** No objection. Draw attention to the High Pressure Gas Main running through the site that will need to be protected.

**Highways Agency:** direct that planning permission not be granted for a specified period as not in a position to give a considered response to the application

**KCC Highways and Transportation:** No response received.

**Willesborough Community Forum:** Object and state:-

'We understand that people need employment but we do not believe that this development will provide the nature of employment required by the people of Ashford, particularly those looking to buy the new houses being built. The application talks of it serving people within 30 minutes' drive, so it would serve Folkestone and Dover. So why not put this kind of development there and provide something more fitting for Ashford?

This development will provide an ugly eyesore on Ashford's European gateway. Not only that, it will be an ugly blot on the landscape, especially from the Wye downs,

and destroy good farmland which we need to grow food. Meanwhile leaving brownfield and vacant sites unused all over Ashford.

We are concerned about the roads, and in particular how it will affect journeys to and from Willesborough. The talk of 2000 jobs with half the workforce coming from south Ashford and 40% (800) from the J10 area would infer traffic volumes that we

fear the new scheme would not handle.

The application itself is confusing, inaccurate and contradictory. It talks of the partial J10a scheme - we understood that this had been superseded by the revival of the Full scheme? It includes drawings that are not relevant to the scheme. It talks of development of land outside the site boundary.

We feel that ABC should reject this and any further application until the developer can provide something accurate, consistent, informative and substantial. We feel that unless that happens we will find ourselves with reduced faith in ABC to look after our town.'

**Crest Nicholson:** Make reference to the relationship that the proposal has to the delivery of additional strategic highway capacity which will be necessary to achieve the full-build out of the Finberry development. No objection subject to suggested planning conditions.

**Church Commissioners for England:** Support the principle of the proposed development and recognise the important of Sevington to the delivery of J10A but make a number of requests for issues to be addressed and suggest certain planning conditions.

**Village Alliance:** Object and state as follows;-

'We write to object to the referenced Outline Planning Application and Environmental Impact Assessment for the Sevington warehouse development (U19), especially with regard to the following:

#### REFERENCES TO LAND EAST OF HIGHFIELD LANE

Many drawings and sketches include the land east of Highfield Lane - e.g.:

Design and Access Statement:

- Section 3.1
- Section 3.4
- Section 3.5
- Section 3.6
- Section 4.2
- Section 5.7

This land is outside the scope of this application so these drawings and sketches are irrelevant. Also, we note that the developer plans to plant screening trees to the east of Highfield Lane. We appreciate that this land is owned by the developer but it is not within the site boundary of this application.

We therefore believe that it is somewhat presumptuous of the developer to include this land. We also believe that it would be wrong of Ashford Borough Council to allow this and in fact cannot see how it can without it reflecting badly on ABC's planning department.

#### LOCATION AND BUILDING DESIGN

Section 6.166 of DPD Policy U19 states "The location of this site adjacent to attractive open countryside at a key entrance to the town means that it is essential that development here is built to a high quality design and layout. Innovative designs will be encouraged and approaches which seek to soften the impact of large bulky buildings will be supported."

Several points:

The developer is planning to cut and fill the landscape to level it out - this will mean that some buildings' floor levels will be significantly higher than the existing ground datum. The result will be effectively elevated rooflines. We feel that this is hardly conducive to "softening the impact of large bulky buildings".

The Design and Access Statement also talks of curved and green roofs, but still prefers grey cladding. We feel that this is hardly innovative, but we acknowledge that it is cheap. We believe that ABC should push the developer to produce designs that really will "soften the impact of large bulky buildings".

This is Ashford's European Gateway - we do not believe that a collection of huge metal boxes will be the best advertisement for the town - it is not likely to encourage our European visitors to linger.

Sevington Church. The view from the top of Highfield Lane towards Sevington Church, with Ashford in the distance, is lovely, particularly with a nice sunset. The plan, instead, is to remove this view and lose Sevington church in an industrial site. English Heritage has commented on this elsewhere; suffice to say we agree with their every word.

Design and Access Statement Section 2.5:

The updated Kent Design Guide provides overarching guidance and highlights that "*well designed developments are those that add something positive to the environment and enrich the lives of those who live in or visit them.*"

It sets out seven benefits of good design:

- 1) raise peoples spirits
- 2) create a higher quality of life
- 3) enrich the existing environment
- 4) create higher capital value
- 5) attract people
- 6) increase marketability and prestige
- 7) lift confidence in surrounding areas

The developer's plan fails on points 1), 2), 3), 5), 6) and 7), by industrialising the open countryside that is one of the area's primary assets.

### JOBS

We understand that politicians cannot say no to jobs, and we understand that people need to be able to make a living but we are far from convinced that the kind of jobs this scheme will create will be what the people of Ashford need.

The Design and Access Statement Section 2.4 estimates 1500-2000 jobs could be created. But what kind of jobs? It should be remembered that Ashford is an old railway town with a history of a skilled and semiskilled workforce - will these jobs be for them?

Many new homes are being built around Ashford. Will the type of employment offered by the Sevington Development provide the income required for its workers to afford these new homes?

Section 4.2 of the Design and Access Statement refers to a study performed by James Lang LaSalle (JLL). Quote:

The JLL reports highlights the benefits of this location from a geographic and labour market point of view.

- Around 202,400 people live within a 30-minute drive time of the site, including 145,200 aged between 16-74.

This suggests a reasonably large labour force within the catchment area.

- Of these people, an estimated 6,500 are currently unemployed.

The 30 minute drive time includes Folkestone, Dover and Maidstone. So are the jobs really for the people of Ashford?

### ROADS AND TRAFFIC

This application cannot be decided without proper consideration for the surrounding roads and traffic. The upgrading of Highfield Lane will likely create extra traffic on Kingsford Street. What will ABC do about this if this application goes forward?

The people of South Willesborough, Kingsnorth and future residents of the Cheeseman's Green estate will also have cause for concern; The Transport Assessment estimates as follows:

Over half of trips to and from Sevington Park are expected to be generated in South Ashford. Up to 40% are expected to pass through M20 Junction 10, with between 10-14% travelling between the site and 'the east' (M20 or A20). This proportion would transfer to the new Link Road and Junction 10A on completion of the Kent CC scheme.

If the site is to employ 2000 that means 1000 trips to and from South Ashford and 800 via the M20 junctions - is this viable?

### PHASING OF THE WORK

Section 6.3 of the Design and Access Statement talks of the phasing of the work; it is rather confusing. Also, Section 4.19 of the Transport Assessment document states:

Phase 1B would be delivered prior to J10A scheme opening and would comprise five commercial units and associated internal estate roads.

In short, these two sections seem to infer an intention to exceed the limit of 11,920 sq metres prior to completion of M20 Junction 10A. It could also be inferred that these documents are talking of the developer's phase 2, i.e. the land east of Highfield Lane. This needs to be clarified and should, surely, be enough on its own to reject the application.

### CONCLUSION

We believe that this application is very poor, being inconsistent, vague, presumptuous and inaccurate.

We also believe that this is the wrong kind of development in the wrong place providing the wrong kind of employment.

We therefore urge you to reject this application.'

**Neighbours:** 548 residents consulted: 105 objections the main points of which are as follows;-

#### Highway safety/transport

- The traffic generated will bring the whole area to a standstill.
- Currently traffic queues on the A2070 up to J10 can make drivers delayed for over 30 minutes and ambulances trying to get to the hospital get stuck.
- The current infrastructure is inadequate. Traffic often backs up to the Orbital roundabout.

- J10A will not alleviate the traffic problems due to the development and the amount of other development being built in the area such as the extension to the Designer Outlet, Cheeseman's Green and Conningbrook.
- The new road from J10A cuts across the end of Kingsford Street, but there is still an access to Highfield Lane to the back of unit A. Access to Kingsford Street should be restricted to avoid it becoming a 'rat run'. Pedestrian and cyclist access should remain.
- The village alliance has submitted a petition to KCC (Joint Transportation Board) on the 10 June 2014. This proposes to close off Kingsford Street from Highfield Lane so that it will become a cul-de-sac.
- J10 has been an issue for many years. A distribution centre of the size proposed would be a destructive use of it and its capability to improve Ashford. The long awaited new Junction is to improve the town for the people of Ashford and not for the convenience of foreign corporations.
- J10A is not planned until after this development is started.
- Any benefit brought about by J10A would be offset by the amount of traffic the development would generate.
- The Local Plan states that the site should not be developed until J10A is constructed. As a date for the completion of J10A has not been finalised the application should be refused or should not open until it is complete.
- No contingency plans appear to have been made for operation stack.
- Mersham relies upon oil for heating which requires people to wait whilst the tankers deliver it.
- There are 4 junctions proposed and all will be used by HGV's. The arrangement will increase the risk of blockages or accidents for motorists going into Ashford. It is not feasible to have left in, left out of all of these sites as that will only create more traffic at Junction 10 and the Orbital Business roundabout.
- Applications 14/00910/AS and 14/00906/AS should be considered as one large development and logical timelines should be developed so that the necessary infrastructure is put in place prior to any development taking place.
- If there is an emergency residents will be put at risk. The proximity of the William Harvey Hospital and its A&E unit make traffic considerations of extreme importance.
  
- The proposed road (Orchard Way) crosses over land between Imber and The Dean. As there are no proposals to develop this area so it should be deleted from the scheme.  
(HDSS&D comment: This is outside of the application site)
  
- The increase in traffic from Barrey Road to the A2070 is a concern.

- If the development goes ahead before J10A is built there will be severe traffic jams on Hythe Road and the A20.
- The creation of a number of new traffic-light-controlled junctions along Bad Munstereifel Road will create additional traffic problems, exacerbating what will already be a very severe traffic bottleneck.
- Church Road, Sevington will also become a 'rat run' for vehicles as they try to negotiate the new development. It should be closed near to the bridge to Cheeseman's Green.
- It is unacceptable that access is to be addressed in detail as a reserved matter. It is not possible for the council to assess the application whilst access remains a reserved matter.
- A large scale operation such as this should not receive outline permission whilst J10A remains in the balance.
- The surrounding rural roads will suffer from use by HGV's i.e. becoming lost and accessing unsuitable lanes, performing U-turns and/or seeking lay-bys and places to 'park-up'. There is already frequent damage to traffic bollards, lamp-posts and road verges caused by lorry movements.
- There will be increased instances of 'road rage'.
- The truck stop already causes problems due to lorry drivers pulling out into oncoming traffic. Drivers park where they like and leave rubbish all over the place.
- The junction of A2070 with Barrey Road must be improved with a silent running road surface at 40mph so a right turn can be made and the alignment of the new road and Barrey Road as one single junction would help.
- The proposed works to Highfield Lane will destroy the village.
- Increased traffic on Church Road and Blind Lane will be dangerous.
- There has been another fatal accident on the A20 Smeeth crossroads recently. The risk of more accidents would increase.
- Tesco's at Crooksfoot will become busier leading to more traffic.
- No provision is to be made on site for timed deliveries. It is not clear where the lorries will park whilst waiting their turn.
- It is not clear where employees would park or if buses are proposed.
- Signs in Kingsford Street asking people not to use it will not be sufficient.
- The masterplan shows an extension to the south of Highfield Lane which would cross the railway lines to land on the eastern side of Cheeseman's Green Lane. This land has not been approved for development and does not appear to have been submitted for approval in the Ashford Local Plan to 2030 Site Submission process.
- So far ABC has ensured that the main access routes to the major developments of Waterbrook and Cheeseman's Green have been from the A2070. This policy should be continued to protect the rural nature of the land to the east of Cheeseman's Green Lane and to keep as much traffic as possible from accessing the narrow rural lanes in this area. The extension of Highfield Lane southwards to the railway lines is not needed and also puts the landowners to the south of this proposed route under an unnecessary threat.

- The Transport Assessment (paras. 6.23 and 6.24) mentions the assessment of the A20 Hythe Road/Highfield Lane junction, including a statement that in 2019 this junction is expected to continue to operate within capacity. If the plans for Junction 10A remain the same as in the Highways Agency's Preferred Route Announcement of March 2010, this junction will not exist as the present Highfield Lane bridge over the M20 will be demolished and only be replaced with a pedestrian/cycle bridge.
- If there is no vehicular access from the northern end of Highfield Lane direct to the A20 and the northern part of the development will be accessed from the new Junction 10A/A2070 link road, there is then no reason for Highfield Lane to be upgraded. It should not be included in this plan just because there is a possibility that WE15 (site submission) will be allocated for development at some future stage.
- J10A will be a major burden on the taxpayer and should not be built.
- Car parking estimations are not clear as this will be dictated by the number of buildings per plot.
- The TA does not incorporate an assessment of other development such as Finberry, future development of the Waterbrook site and the future planned extension to the Ashford Designer Outlet.

#### Heritage/Listed buildings

- The development would damage the setting of the listed buildings that are close to the site.
- The development would dwarf the Grade I listed 12<sup>th</sup> Century church of St Mary. Large buildings should not be built alongside it.
- The development, which would be adjacent to over ten listed buildings is contrary to the National Planning Policy Framework due to its size. The design will be detrimental to the amenity of the settings of these listed buildings. The layout and landscaping schemes do not mitigate the effect and do nothing to conserve these heritage assets in a manner appropriate to their significance.
- KCC's Senior Archaeological Officer has objected to the current proposals which she considers will have a detrimental impact on the grade I listed church and the nearby Grade II listed buildings. Planning permission should therefore be refused unless it can be demonstrated that these are wholly exceptional circumstances.
- St Mary Church should be protected from the 21st century pollution and the footbridge access to the church, which was so fiercely fought for, must be preserved.
- Highfield Lane is an ancient rural lane and parish boundary dating back to Anglo-Saxon times, the lane should be considered as part of the cultural heritage of the area and the original road pattern should be preserved.
- The immediate vicinity of development contains numerous listed buildings, the nature of which will be fundamentally changed; these include St Mary's



Church, Bridge Cottage, Ashdown Cottage, Orchard Cottage, Maytree Cottage, Imber, Court Lodge, Swanton Court along with another 64 listed properties in Mersham.

- The development will be detrimental to the setting of Sevington manor, Court Lodge, and nearby historic buildings along Church Road.
- Although there are impacts from the A2070 and M20, it is still predominantly a rural setting for many of the historic buildings.
- The site boundary has been carefully drawn to miss the existing buildings but the 'kink' in the southern boundary totally encompasses Bridge Cottage destroying its setting.
- There needs to be greater consideration for mitigating the impact on the Grade I Sevington Church.

#### General

- The development would be contrary to National Planning Policy.
- The development would be contrary to policies CS1 and U19.
- U19 states that specific detail is required.
- The masterplan is not detailed enough. Stricter limits should be set on the type, size and number of buildings, amount of landscaping, etc.
- If the plan/layout changed at a later date the mitigation may not be sufficient.
- There are numerous sketch plans that include land to the east of Highfield Lane but this land is outside of the scope of the application.
- The project is over the top for the area and out of keeping with the area in terms of size.
- The applicant owns other land between the site and Blind Lane. If this application is permitted further development may be considered.
- The site is a green field site. There are brown field sites and empty warehouse space available in Ashford and the wider area.
- The development is too large.
- Families will be made homeless and jobless.
- The application shows development right up to the western edge of Highfield Lane, with a narrow band of landscaping. In order to mitigate more effectively against visual impact, noise and light pollution, a much greater width of high woodland and/or other soft landscaping measures is required, i.e. 100m wide. This could be achieved by curtailing the building footprint further west or alternatively, since the applicants own the land immediately to the east of Highfield Lane, by creating a band of community woodland there as an in-perpetuity mitigation measure.
- House prices in the area may be affected.
- The village of Mersham will be surrounded by development and effectively swallowed up.
- The development could be located at the existing Ashford Business Park or the lorry park instead.

- The end result will completely join up with a charming and typical English village community with no buffer between it and a modern industrial and housing estate.
- If the development area was confined to end along Highfield Lane it would give Mersham some protection from becoming an absorbed suburb.
- The village community would be destroyed.
- There are existing warehouses nearby that are standing empty.
- The village of Mersham would lose its character.
- KWG would be located here and the site is not allocated for retail.
- The footpath which is well used and currently provides access to Sevington Church from Mersham will be diverted and if phase 2 takes place will disappear altogether. Soon people will have nowhere to safely walk in the countryside. The footpath is an old thoroughfare and is part of the local heritage. It should be preserved as a Green Corridor across the site.
- The children from the Norton Knatchbull School walk the footpath once a year to visit the grave of Norton Knatchbull.
- Strategically huge warehouses are not the best answer for promoting Ashford as the gateway to Britain.
- The development would put additional pressure on the already overburdened William Harvey Hospital. They should be consulted on the application.
- Land to the east of Highfield Lane is owned by the applicant and any development here would incorporate the village of Mersham into Ashford. Whilst not in the current application this will likely follow.
- Most of the landscaping on the masterplan is on land outside U19 to the east of Highfield Lane. Since it is not certain that W15 (site submissions) will be allocated for development in the Local Plan to 2030 and may be retained as open farmland, much more substantial screening needs to be provided on the eastern boundary of the U19 site to the west of Highfield Lane.
- If a larger number of buildings are built than illustrated in the masterplan and, if the prospective users decide they need up to KCC's maximum car parking standards, there is a danger that allowance for more parking space may reduce the amount of landscaping on each plot.
- Distribution warehouses should be built next to motorways well away from houses.
- At the pre application consultation events, local residents were told that the developer would reduce the land level down. They know propose to do this to a lesser extent. The consultation should take place again with the correct facts. The plans also bear no resemblance to that considered at the consultation event which was therefore meaningless.
- The development will not be of benefit to local communities.
- The railway forms a physical barrier between industrial and residential uses and should be preserved.

- Any decision should be deferred until such times that the general public can be in receipt of all the facts needed to reach a decision. Under no circumstances should the developer be allowed to proceed with such a flexible and highly fluid design statement.
- The phasing plan is not clear but does infer that there is an intention to exceed the limit of 11,920 sq. meters prior to the completion of J10A. Section 4.19 of the Transport Assessment document states that Phase 1B would be delivered prior to J10A scheme opening and would comprise five commercial units and associated internal estate roads.
- The Kent Design Guide is contradicted because the countryside is being industrialised.
- The development will reduce the desirability of the surrounding residential area such as Cheeseman's Green which has been the subject of considerable investment.
- Suggests that the Planning Committee visit similar developments elsewhere to appreciate what the development would be like in situ.
- The proposed phasing schedule would fail to comply with policy U19 which would only allow 11,920 sqm of floorspace to be built (with an aggregate of 150 two-way trips during peak hours) prior to the completion of J10A.
- HS1 have 12 individual requirements for additional information and consultation before approval can be passed. Approval should not be granted until this is resolved.
- The development would encroach past the previously agreed limit of development as set out within the Parish Plan 2006.

#### Noise & Disturbance

- The application does not specify the hours of use. 24/7 use would damage what is a quiet rural location. Specific operational hours should be supplied within the application and ideally limited to daytime hours to reduce impact on local residents.
- Light and noise pollution would be harmful to the area.
- Regard should be given to sound insulation.
- Anti-social behaviour related to overnight HGV parking in Orbital Park is well known.
- The noise and light pollution will be made worse for neighbours in Mersham by the orientation of the buildings, with the service yard running from the north west to the south east, and therefore exposing Mersham to the full view and noise from the movement and loading and unloading of vehicles.

#### Residential Amenity

- The proposed earth bund with mature trees directly in front of Ashdown, Church Road will make the occupiers of this dwelling feel penned in. During the winter no direct sunlight will enter this home. The existing view would be

lost. Requests that the open space is retained, with the earth banks and trees to be sited closer to the buildings some distance away. The proposed pontoons sited in the lakes could encourage youths to congregate, causing both noise and litter. Fishing from them would bring the same problems. They would result in a loss of privacy.

- The mitigation proposed to protect neighbours is inadequate.
- The development would generate dust.
- The development would result in an uncertain future for many local residents.

#### Flood Risk

- The area has a high water table and the amount of other building work in the area would mean a higher risk of localised flooding.
- Water freely drained into the river system will potentially cause flooding in Ashford and further down the Stour to Canterbury.
- Replacing absorbent fields with buildings and hard-standing will inevitably increase the speed at which water runs off the site into water courses, reducing the ability of those watercourses to cope with surges in water levels.
- Once the lakes are full they will cease to be effective as safety valves for the area, which already struggles to cope with wet seasons.
- The ratio of development to drainage provision exceeds the 40% stipulation.
- Policy for U19 states that the masterplan should also reflect a limitation on site coverage across the whole site of no more than 40% in order to enable sufficient scope for the necessary flood attenuation. The proposed site coverage is at least between 55% and 65%, as presented in plans and as such the application should not be passed. The developer is only counting building footprints in their calculations and ignoring car parking, unloading sites and roads which clearly impact on flood attenuation.
- Southern Water state that the proposed development would increase flows to the public sewerage system and existing properties and land may be subject greater risk of flooding as a result.

#### Visual impact

- The site is located adjacent to attractive open countryside at a key entrance to the town as stated in policy U19.
- The impact of the size of the buildings would be harmful to the area.
- The bulk of the buildings would be out of character with the surroundings.
- The proposals do not include enough to help to hide the warehouses.
- The largest warehouse should be half hidden underground and the remaining buildings should be reduced in height.
- Roofs should be grass covered (green roofs)
- There should be no street lighting and blackout windows should be incorporated.
- Housing would have been far more in keeping with the character of the area.

- The rural nature of the area would be adversely affected.
- The development will be highly visible from the AONB.
- The development will be a blight on the landscape.
- The proposed development is more of ABC's indifference to the way things look.
- The development would be ugly.
- The design of the development would be poor and as such it would be contrary to the National Planning Policy Framework.
- The proposal seeks to raise the level of part of the land and lower others, instead of using the natural land topography to hide some of the larger buildings.
- The development would represent an overdevelopment of the site.
- The proposed buildings would be 2.5-3 times higher than the houses in Mersham and Sevington.
- The submitted photographs of the eco-park environment are misleading. The areas will be too small to be effective.
- Cutting and filling and then levelling the site would result in elevated rooflines.
- The D&A refers to green roofs but prefers grey cladding.
- More screening is needed to the eastern boundary to the west of Highfield lane.
- Planning policy requires development to be built to a high quality design and layout and that innovative design must be encouraged. The plans show little or no innovation.
- All building types are presented as standard warehouse units.
- Specific public green spaces are limited constituting only a small proportion of the site.
- The proposed height of the buildings and the landscaping proposed will mean that they are not completely screened. Building heights should be reduced.
- Some screening would be located outside of the site boundary and the limits of site U19.
- The land to the north of the new link road should be included within the site as this forms part of a natural valley. Development here would have a lesser visual impact.
- The application is misleading.
- Sevington Church can be clearly seen from a number of aspects not mentioned in the application, such the junction of Flood Street and Bank Road and on Laws Lane. The inaccuracy of these elements calls in to question the wider validity and impartiality of the application and the other visual representations of the development in situ.
- The development would be contrary to the Kent Design Guide.

- The development will destroy grade 1 agricultural land.

(HDSS&D note: the site consists of grade 2 and a small amount of grade 3 agricultural land)

- The proposal will destroy natural habitats.
- There is a healthy population of bats in the area which may be roosting in the church or adjacent trees.
- Bats are susceptible to light pollution and the destruction of their habitat. This should be considered as part of the EIA.
- The development would result in increased air pollution generated from large diesel engines.
- No study of the environmental impact appears to have been made.

(HDSS&D comment: the proposal is subject to Environmental Assessment)

- The development would contribute to global warming.
- There is an array of wildlife in the area such as badgers, hedgehogs; woodpeckers, kestrels' and kites are often seen in the area. They will disappear if their habitat is destroyed.
- Natural England recommends that further survey work is required before the impacts can be fully assessed.
- No provision is being made for the loss of habitat due to the destruction of hedgerows on Highfield lane.

### Economy/Employment

- The standard of employment would be poor with low grade contract work.
- The proposal would fail to optimise the Council's wish to utilise this site for employment uses. The employment created will be low in numbers of jobs, and low in quality of employment i.e. low-skill manual jobs. It is likely that the workforce for this type of operation will have to be 'bussed in' from elsewhere, which will only increase traffic problems, and not assist in providing to good numbers of high quality jobs for local residents.
- Employment created would be minimum wages jobs. Employees would have no spending power and would need social housing.
- The application states that 2100 jobs would be created but it does not state what this is based upon.
- The number of jobs proposed is overestimated and it is not clear what type of jobs these would be. The jobs would not be just aimed at people within the area but those living within a 30 minute drive time.
- The development would not be beneficial to the town centre.
- The warehousing would be located well away from any centres of manufacture or distribution.
- No indication is given as to how many of the proposed job opportunities are likely to be part time or on a contract basis.

- There is no indication of future tenants or obligation to attract certain types of business. The plans should not be approved until a more rigorous view and commitment on employment potential and type is provided.
- Amazon is not the type of employment opportunity Ashford should be striving for. They employ less than 50% of their staff full time, work on a largely agency or contract basis and have a terrible record when it comes to staff care and provision and career development.

(HDSS&D note: As the Council has repeatedly identified in press releases, the future occupiers of the development have not been stated within the application save for the relocation of KWG)

- KWG is relocating existing jobs rather than providing new ones.
- ABC should be looking to incentivise service, creative and technology business looking for quick links into London whilst also benefiting from lower staff costs and overheads.
- As occupiers requiring large units often require a bespoke space, approval should only be given as a when a tenant with suitable employment opportunities is identified.

#### Responses to application as amended 2015

**Ward Members:** The Ward Member is Cllr Bartlett.

**Parish Council:** State as follows;-

'Mersham with Sevington Parish Council strongly object to this application and many of the points raised in the letter sent on 31<sup>st</sup> October 2014 remain valid. 'There are a number of discrepancies with the Local Plan:

1. The site policy in the Local Plan was clear that a maximum of 11,000 square metres of development should be allowed before Junction 10A was built and functioning. That is only the size of the proposed Kent Wool Growers development.
2. The design guide says the site is bounded in the east by Highfield Lane the new site layouts make it clear that the red line has now been drawn on the Mersham side of Highfield Lane. This is completely contrary to policy, because site U19 has always been bounded by Highfield Lane.
3. The Local Plan site policy says that not more than 40% of the U19 site should be developed, even after Junction 10A is built. The developer has attempted to get round this by extending the red line around the site to include the drainage pond and the landscaping that they are proposing to the east of Highfield Lane. What percentage of the original U19 site (as shown in the Local Plan) is proposed to be developed?

4. The Local Plan site policy says that development of buildings and car parks should be placed away from existing buildings in Church Road and Kingsford Street. The building and car park in the north east corner of the site is far too close to existing buildings in Kingsford Street, which include the Grade Two-listed Lagonda Lodge.'

(HDSS&D note: There are no records that suggest Lagonda Lodge is a listed building. I deal with the point about % coverage in the assessment section of the report.)

**National Planning Casework Unit:** identify that it has no comments to make on the proposal.

**Highways England:** Have identified the need to receive further analysis from the applicant in respect of the implications of a restricted A2070/Church Road junction on the Orbital Park roundabout (facilitating the turning of vehicles exiting from Site U19 but needing to return northwards to the M20 corridor until the Principal Access into Site U19 is available for use).

**Kent Highways & Transportation:** No objection subject to planning conditions and s.106 obligations. The following key points are made;-

(1)The road design to the section of Church Road to be upgraded to form part of the access into the development site is acceptable.

(2) The applicant will fund the promotion of a road closure via Traffic Regulation Order (TRO) to prevent through traffic moving between Highfield Lane and Kingsford Street as shown on Drawing No. 22233105-32. The section subject to closure will remain public highway for use by pedestrians and cyclists but will be closed to vehicular traffic with lockable bollards allowing emergency access only.

(3) The applicant has supplied Drawing No. 22233105-31 that shows that space can be provided to accommodate the turning of a large refuse freighter size vehicle. The land in question is within the applicant's control and will need to be implemented by the applicant.

(4) The adjustments to be made to the southern-most section of Highfield Lane via stopping up and extension to a new junction are considered acceptable.

(5) A decision on the quantum of traffic that the upgraded Church Road from the A2070 can take – including quantum with the benefit of the applicant's fall-back signalisation scenario options should the principal access from the Highways England Link Road not be forthcoming or be delayed - is considered a matter for the Council and Highways England to reach a decision on. In terms of the local highway network, the access proposals at this end of the site are considered acceptable in terms of capacity and safety.



(6) A public transport strategy will be required. Discussions between the applicant and Stagecoach provide suitable confidence that the site will be able to be served by a bus service and, on that basis, the approach to car parking is considered acceptable.

**Stagecoach:** No objection. Envisage a route in using the left in left out arrangement at Church Road and then a bus moving northwards through the site along the primary estate road to the area near to St. Mary's Church and then exiting from the site via the principal access/link road junction. A critical mass of floorspace build-out would be necessary to make this a commercial proposition.

**Southern Gas Networks:** Raise no objection and identify the necessary requirements relating to the high pressure pipeline crossing the site (and within the vicinity thereof).

**Network Rail:** No objection.

**Historic England (HE):** HE's recommendation, in summary, is that the improvements made to the scheme are welcomed as HE considers the changes made would partially mitigate the harm to heritage significance in the originally deposited scheme and particularly to that of St. Mary's Church, Sevington. HE conclude that although the harm in this case remains very serious, providing the indicative changes made to the masterplan can be fully secured and any impacts on the future sustainability of the church are countered with a fully detailed package of improvements works to the building secured by s.106 agreement (or similar) the harm may now be treated as 'less than substantial'.

On that basis, HE consider that the current application could be considered against NPPF paragraph 134 and not 133. The Council would still need to satisfy itself that a clear and convincing justification for the serious harm exist (NPPF paragraph 132), that this harm has been minimised (NPPF paragraph 129) and that there are sufficient public benefits to outweigh it (NPPF paragraph 134).

Comments in detail as follows:-

'Amendments have been submitted to the above application for commercial development on fields to the east and north-east of St Mary's Church, Sevington, a grade-I listed building. We concluded in a previous letter of 23 October 2014 that the application would do substantial harm to the significance of the church and severe harm also to Sevington's various grade-II listed houses and farm buildings on the basis of the almost wholesale proposed loss of their agricultural setting and impacts on the church's ongoing conservation.

The scheme has consequently been altered to mitigate both aspects of that harm: firstly by reducing, moving and softening the edges of the development, and, secondly, by providing a financial contribution for physical alterations to secure the

church's ongoing viability. The residual harm to heritage significance remains very serious, but we now think that on the basis of these changes it is capable of being treated as 'less than substantial'. That conclusion is, however, predicated on further detail being provided to quantify the extent and type of mitigation proposed to the church building itself.

Under paragraph 134 of the NPPF your Council would of course still need to satisfy itself that there is clear and convincing justification for the serious harm that would still be caused (NPPF 132), including demonstrating that this harm has been minimised (NPPF 129) and that there are sufficient public benefits to outweigh it (NPPF 134). You will also need to ensure that you fulfil the statutory requirement to give 'special regard' to any listed buildings and their settings (Planning (LB&CA) Act 1990).

### Significance

The significance of the site remains unchanged since our previous letter of 23 October 2014 and is therefore not repeated here.

### Impact

In our letter of 23 October 2014 we set out our serious concerns that the church's setting would as a result of this scheme be dominated by commercial sheds, rather than the agricultural land within which it is currently experienced and which we have previously explained is a key contributor to its significance. We were also seriously concerned that by marooning the church by roads and commercial development the probability of it remaining in use and in good condition would be considerably reduced. The Planning Practice Guide is clear that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation (PPG, para. 13).

On the basis of analysis set out in detail in our previous letter, we concluded that the overall harm to the significance of St Mary's Church would be 'substantial', and not, as is suggested at paragraph 6.33 of the applicant's current Heritage Impact Assessment, a 'moderate adverse effect' (i.e. less than substantial harm). We nonetheless agree with the applicant that the harm in this case is capable of being mitigated to a level where it may be treated as 'less than substantial'.

Amendments to mitigate the harm have consequently been made to the current scheme. The nature of development remains the same, but the total footprint of units, their disposition around the site and allowance for soft landscaping and other forms of visual buffering are changed on the latest indicative masterplan. These amendments would allow for greater separation of the new units from the church, more attractive immediate surroundings to the church and a new viewing and footpath corridor running between the two largest proposed units across the site from east to west corresponding with an existing public footpath. The latter is particularly important in maintaining the visual connection between the church spires at Mersham, Sevington, Willesborough and Ashford, and therefore retaining a sense of one of their historic functions as way-markers in the landscape.

Although the masterplan is only indicative at this stage, we think it is reasonable to assume that these changes could be secured through more detailed landscaping proposals and through careful treatment of any future reserved matters applications. The current application also proposes a financial contribution to the church to help address the impacts of the scheme on its future sustainability. We welcome the offer of financial assistance to help secure the church's ongoing conservation, and think you should treat this as an essential means of reducing harm to its significance (i.e. by countering the scheme's negative impacts on use of the church). Such a contribution should be secured by a s106 agreement, or similar.

The financial contribution currently proposed is £100,000, but in this case we think any final sum should be determined by the specific needs of the building, rather than a convenient round number, and may need to be more than this. However, we think it would be fair for this mitigation to be shared between the applicants both for the current scheme and for Junction 10a, because each plays a part in the overall harm to the significance of the church.

We suggest that the needs of the church should be broken down into a package of works, to be submitted as an addendum to the current application. It should cover any necessary repairs to its external envelope and re-ordering of the interior to make a warm, comfortable and usable space for both sacred and secular activities, all designed to cater both for the new development and existing community. I suggest that you should be led by the parish priest and the church's inspecting architect in defining these works, but Historic England stands ready to assist in this process. We also recommend that you should ensure that the church is well served by footpaths from Mersham and Sevington (including with dedicated pedestrian and cycle routes across any the new roads) to give the church every possible chance of remaining in active use.

Despite the above mitigation, we think that the residual harm to the church remains very serious because the scheme would still result in loss of much of its characteristically rural setting and the new buildings, particularly on plots 1 and 2, are likely still to compete in scale with its spire. However, we conclude that the above steps taken to mitigate this harm are capable of reducing the degree of harm to just below the substantial threshold.

### Policy

Subject to receipt of more detailed proposals for the church, the 'less than substantial harm' in this case will need to be weighed against the public benefits of the application in the manner set out in paragraph 134 of the NPPF. All harm to the significance of heritage assets nonetheless requires 'clear and convincing justification' (para. 132) and should not simply be dismissed if treated as less than substantial.

The NPPF requires 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. The more important the asset, the greater the weight should be' (para. 132). The church of St Mary, Sevington is a grade-I listed building and is

therefore of the highest order of significance. It therefore demands that the greatest weight should be given to its conservation when determining this application.

In deciding this application you should also be aware of a number of recent Court of Appeal decisions that have confirmed that the 'special regard' requirement of Section 66(1) of the Planning (LBs & CAs) Act 1990 should be interpreted as requiring 'considerable importance and weight' to be given to listed buildings and their settings in the determination of planning applications [e.g. Barnwell Manor Wind Energy Ltd vs East Northamptonshire District Council, English Heritage, National Trust and SoS for CLG, paras 16-29].'

**Canterbury Diocese:** The Diocese consider that the development of Site U19 must be one that makes a proportionate contribution to community infrastructure and that in order to fulfil its role in serving the emerging community the Diocese will need additional resources. The scale of the proposal for Site U19 means that it will permanently change the context of the Grade 1 listed St. Mary's Church. Paragraph 6.163 of the Council's DPD makes it clear the suitable mitigation will be necessary. On the understanding that Heritage England's concerns have been addressed, the Diocese has two objectives;-

- establishing / resourcing a role for the church within the emerging community
- ensuring connectivity to assist that role (parking / access etc.)

In respect of the first objective, discussions have been held with the applicant and HE in terms of funding to allow the Diocese to upgrade St. Mary's Church (adjusting the layout as appropriate according to historical significance, provision of a kitchen, bell ringing area, improved internal lighting and disabled toilet facilities). The sum of £186, 875 has been agreed with the applicant to be given to the Diocese to cover the carrying out of these works (as well as fees and costs incurred in the design process, obtaining relevant consents and supervising the implementation of works).

In respect of the second objective, the applicant requires the new church car park accessed from the northern end of Church Road to have capacity for 30 cars together with access alterations and footpath connections to be agreed with the relevant parties and for the works to be carried out by the developer within a reasonable timeframe.

The total cost of all of these works being almost exactly £250,000 and the Diocese is content for this to help move the application forward.

**KCC (Heritage):** In summary, in terms of built environment issues, recommend refusal of the application on grounds of substantial harm to the Grade 1 Listed St. Mary's Church. Considers that the Heritage Landscape Assessment is disjointed, minimal and mitigation needs to be more carefully considered. Recommend archaeological issues are addressed through conditions and draw attention to the

area north of St. Mary's Church needing to be carefully evaluated.

Make the following detailed comments;-

'The development site lies in an area of high archaeological potential and considerable historic built environment sensitivity in view of the proximity of Sevington Church and associated historic hamlet. Considerable heritage concerns were raised for the initial application, particularly with regard to the impact on the setting of Sevington Church, Grade I Listed Heritage Asset. The revised scheme has taken note of these concerns and I understand there have been discussions with Historic England regarding setting issues.

However, the KCC Conservation Architect considers that comments on the built heritage issues made for the earlier application are still relevant because there has been little change to the basic scheme except to move some of the units further away from the church. It is still considered that the harm to St Mary's Church, a Grade I Listed Building, is significant and as such this application should be refused, in accordance with paragraph 133 Section 12 NPPF. Below are comments by the KCC Conservation Architect:

Comments on the built heritage issues made for the earlier application are still relevant because there has been little change to the basic scheme except to move some of the units further away from the church. The overall scale and height of the development remains as before.

The Heritage Impact Assessment compiled by Montagu Evans October 2015 is a comprehensive document. It can be seen that H.A.'s immediately surrounding the site will be impacted in some way both during the construction and on completion, although the report states that in all cases, other than St.Marys Church, this will be 'negligible', and the impact on St. Marys Church will be 'minor adverse'. I have to disagree with these conclusions.

Sevington is a small historic settlement which provides an attractive buffer to nearby urban development. The church and its neighbouring grade II listed HA's enjoy a rural setting to the east, cut off from the urban spread of Ashford by the major A2070. The report claims that the site is already compromised by surrounding major roads and HS1 line, but I would contend that even a road as major as the M20 would not have the same impact as the scale and mass of this proposal, and the HS1 line has little impact as it is in a cutting.

The spire of its church, a grade-I listed building of outstanding heritage significance, retains its intended commanding presence over the surrounding houses and this countryside despite the intrusion of nearby roads.

The positive elements of the church's setting make a key contribution to its significance, as well as to many of Sevington's grade-II listed houses and farm buildings.

6.79 of the HIA states that the 3no. plots 5,6,&7 which are located nearest to the church will not exceed the height of the church spire as ... *this will minimise the impact on the listed building...* I would totally disagree with this point because for a large building in such close proximity, to be the same height as the spire will totally overwhelm the church and destroy its setting.

In conclusion this proposed development would do substantial harm to the significance of the church and severe harm also to Sevington's various grade-II listed houses and farm buildings.

Because of this substantial harm to the significance of a grade-I listed asset, the NPPF requires that the Council should refuse this application unless they consider there to be 'wholly exceptional circumstances'

With regard to archaeology, this is an area of potential for prehistoric, Roman and medieval remains. There have been significant Bronze Age and Iron Age settlement and funerary sites known in this area, especially to the south and west. Roman farmstead is known to the south at Waterbrook Park although the main focus for Roman activity seems to be to the south towards Kingsnorth. There are indications of medieval farming and industrial activity, utilising the natural resources of the river and minerals and Sevington may have been an important medieval manorial complex in view of the presence of St Mary's Church. Post medieval farms and small villages, such as Sevington and Mersham developed.

There are indications that Sevington may have been a much larger village during the Medieval Period with settlement clustered around the church and Court Lodge. The focus of this settlement may have been north of the church where there are numerous earthworks, suggestive of historic enclosures. Archaeological evaluation did not sufficiently assess the potential for a medieval settlement due to ecological constraints. As such there is still potential for as yet unknown medieval remains north of Sevington Church. The HER records the presence of a ROC underground post on the site but remains of this site have yet to be clarified.

As part of this proposed development, there have been several phases of archaeological desk-based assessment and fieldwork providing information in addition to the HER. This revised application is supported by an updated Environmental Statement which includes consideration of heritage. Submissions on heritage include a revised DBA, the Wessex Archaeology evaluation report and a revised Built Heritage Assessment. I consider reasonable assessment of archaeology has been undertaken. The evaluation did locate a scatter of archaeological features across the entire site but there were particular clusters of prehistoric and Roman remains north east of Sevington Church and some post medieval remains towards the south west corner of the site. There has been insufficient assessment of the area north of St Mary's Church but this was due to ecological constraints.

The Design and Access Statement suggests the site has "negligible archaeological potential" for prehistoric to early Medieval remains. This is not quite accurate considering prehistoric remains have been found on the site itself. The fieldwork has provided reasonable cover of most of the site, except the area north of St Mary's

Church. The area north of St Mary's Church still requires suitable fieldwork evaluation to determine the presence/absence of significant archaeology. There is a need for some further evaluation and archaeological work to ensure suitable mitigation for archaeology is achieved.

With regard to historic landscapes, there is no historic landscape assessment as requested in the Scoping consultation but issues of setting and landscapes have been assessed in other areas of the ES. Although the character of Sevington hamlet and the visibility of St Mary's Church spire have been considered, the assessment has not been robust. For example, the visual impact of the M20, HS1 and A2070 are not severe although noise levels can be high. Sevington historic hamlet of the farm complex and church are still in a cluster with the open field rising to the east. The mitigation does not seem to acknowledge the full impact of large industrial units on the current historic landscape forming the immediate setting of Sevington as well as on the longer views from the North Downs.

**KCC Public Rights of Way:** make reference to the amended plans continuing to indicate diversions and extinguishment of Public Rights of Way (PROW) and identifies the legal process for making the necessary Orders. Identify that as a whole the development has made good consideration in respect of PROW matters. The alternative routes are considered adequate in amenity terms. KCC would need to approve construction fine details of all newly created or diverted PROW.

In terms of cycling access, the internal situation is well-designed but off-site improvements are needed to enable workers at the employment site to access it by cycle and, accordingly, the following works are identified;-

- (i) A s.106 contribution of £30,000 towards pedestrian and cycle improvements between the site and Kingfisher Close along with suitable crossing facilities over the A2070 into the site at its southern access
- (j) Upgrading of public footpaths AE639 and AE363 between Highfield Lane and Blind Line to public bridleway status to a standard to be agreed with KCC.

**Natural England:** makes reference to previous comments in 2014 and raise no objection.

**Kent Wildlife Trust:** Make reference to the previous representation in 2014 and, in particular, to the impact on the Roadside Nature Reserve AS07. Recommend that a mitigation plan detailing mitigation measures should be secured through planning condition and that subject to this being provided at reserved matters stage no objection is raised.

**KCC (Ecology):** Indicate satisfaction that the applicant's ecologists have a good understanding of the ecological constraints associated with the proposal. Identify that ecological surveys have made recommendations for mitigation but an outline mitigation strategy has been produced. It is accepted that the indicative master plan

would provide suitable green space within the site to incorporate mitigation. An outline mitigation strategy and management plan would be needed.

In terms of the wintering and breeding bird survey, the development will result in a direct loss of arable farmland which cannot be recreated within the development. Suitable mitigation or compensation should be provided for in respect of impacts on farmland birds. It is recommended that this information is provided prior to determination.

**Kent Downs AONB Unit: Raise concerns.**

Make reference to the Area of Outstanding Natural Beauty (AONB) boundary approximately 2.5km north east of the application site and suggest that as the proposed development would be visible in views from the North Downs in the AONB it forms part of the AONB's setting. Reference is made to the importance of that setting as a reason for designation in the first instance as well as in the AONB Management Plan 2014-2019 adopted by all local planning authorities in the Kent Downs. It is suggested that Management Plans are capable of forming a material consideration when planning applications are determined. Reference is made to (i) the importance of 'setting' in appeal decisions, (ii) the Duty of Regard in Section 85 of the Countryside and Rights of Way Act 2000 and (iii) the issue of setting as set out in paragraph 6.33 of the Council's Core Strategy 2008.

The Unit recognises that the principle of development has been established through the local plan allocation and that the scale of buildings is in accordance with Policy U19.

The Unit consider the scale of development has the potential to have a significant impact in views from the Kent Downs AONB. Although seen in the context of existing built development at Ashford, the scale of proposed plots 1 and 2 is larger than any other building in the locality and is considered would be a prominent discordant feature in the landscape when viewed from long sections of the scarp in the AONB.

Appropriate landscaping to mitigate that impact is considered imperative and that which is proposed is considered to be 'wholly inadequate' and would do little to mitigate the impact when viewed from the AONB to the north. A strong tree belt of at least 15metres in width along both the north and east boundaries is considered to be needed. Reference is made to material contained within the Environmental Assessment dealing with the assessment of landscape impact.

The Unit welcome the applicant's comments that appropriate planting that might come forward in respect of the Highway England link road helping to screen the development site in the landscape but comments that said landscaping would be outside of the applicant's control and so delivery is uncertain and that the requested planting is considered necessary closer to the proposed northern-most building to maximise the screening effects in views from the higher topography of the Kent



Downs AONB.

In addition, other key issues are cited as needing to be addressed as follows:-

- External appearance and design and colour of materials
- Where appropriate siting buildings 'end-on' to predominant views to and from the AONB
- Minimising harm from external lighting on the countryside
- Use of appropriate indigenous species to encourage biodiversity
- Landscaped areas to be secured by legal agreement and maintained in perpetuity

**Council for the Protection of Rural England (Ashford District Committee incorporating Ashford Rural Trust):** object to the development on the following (summarised) grounds:-

1. Approach to the development - this is considered to be harmful and uncomfortably establish the principle of massive buildings (footprint, scale and height) detrimental to the locality. It is suggested that the scheme would give rise to significant harm and that it would not be appropriate for the Council to accept this on the basis of uncertain benefits outweighing that harm. Once a detailed scheme is proposed, CPRE suggest appropriate weight can be then be assigned to the potential benefits of the development. An outline application is not considered appropriate. The illustrative masterplan does not sufficiently address the sensitivities of the site.
2. Development design – the parameter plans show giant provocatively white boxes on raised level plots. Design parameters that might be used to mitigate local impacts are buried in the environmental report. Roof design, height, materials and colour should be broadly specified at the master planning stage.
3. Impact on AONB – the applicant has failed to demonstrate the significance of impact on the setting of the AONB. The proposal fails to give great weight to conserving landscape and scenic beauty in the AONB (as is required by paragraph 115 of the NPPF). Impact must be minimised by substantial structural landscaping to the north of the site and buildings at Plots 1, 6 & 7 and car and HGV parking will need to respond to this concern. Landscaping should be secured in perpetuity.
4. Nature conservation – No mitigation is proposed for the loss of arable land and its importance to farmland birds in terms of nesting and feeding. The right type of mitigation is essential both on and off-site. The development has clearly not sought to proactively conserve biodiversity and deliver net gains, where possible, as is required by NPPF paragraph 118. Parts of the site associated with Plots 1, 6 and 7 should be amended to retain some reptile habitat as well as structural tree landscaping.

5. Heritage impact – CPRE do not share the applicant's assessment in terms of significance and impact. CPRE consider the proposals would do substantial harm to the significance of St. Mary's church and that to permit development in the form applied for would not fulfil the statutory duty in respect of listed buildings and their setting. More needs to be done to avoid damaging the setting of St. Mary's church and many other listed buildings and the heritage environment of East Ashford.
6. Site cover layout and operations – the applicant has followed the Council's no more than 45% site coverage policy rather than the submitted market context advice that logistics uses now prefer 35% site coverage. CPRE does not agree that the master plan is in anyway acceptable. Plots 1 and 2, are grossly intensive. Site coverage should be expressed with the safeguarded gas main and heritage restriction areas excluded. There is no detail of how the development would operate commercially and this is essential to assess the likely impact. Queries are raised about the number of HGV parking spaces shown and the modelling of traffic impacts. The Transport Assessment is considered insufficient.
7. Relationship to highway network – no reference is made to the context related to channel ports or the risks of Operation Stack. The relationship to proposed Junction 10A needs to be given in more details. Access should only be via the A2070 link road which would go some way to containing the impact and ensuring that local roads remain local.
8. Lorry parking requirements – there is no reference to the requirements or effects of lorry parking requirements to meet drivers' hours long and short rest periods not any appreciation of the specific issues of overnight lorry parking which is a major issue for Ashford. Details need to be established such as (i) what provision the applicant is making for the delivering and collecting HGVs waiting for timed slots?, (ii) where are turning areas and are buildings really going to be one-sided?, (iii) what is the actual number of lorry parking spaces on site and will this meet drivers' hours requirements?, (iv) what rest rooms facilities will be provided for drivers delivering or collecting from the site?, and, (v) is any chilled storage anticipated and, if so, how will this be accommodated in a manner that avoids noise and pollution from units that are running?
9. Evidence of economic need – Reference is made in the market context report to demand being greater north of the Thames. The economic assessment of the proposal needs further evidence on commercial merits in terms of logistics (Channel crossing & congestion, constrains of Dartford crossing, the provision of local lorry parks). The Market Context report is silent on the operational logistics context for the channel corridor.

10. Protection of nearby communities - Mersham needs to be protected by an area of open countryside to protect its rural status in perpetuity. This is not provided by these proposals which compromise Highfield Lane contrary to Policy U19. The applicant owns land to the east of Highfield Lane and this should be declared a green space/strategic gap between the employment site and the residential community of Mersham. Low bunding and screen planting for 15 year old maturity is necessary but insufficient for the protection of Mersham. The planting should be within the site. It is essential that local lanes are not used as rat-runs. The J10A proposals need to be considered in conjunction with this proposal.

**Environmental Health Manager (Environmental Protection):** identifies that the previous comments remain applicable and that the conditions recommended by the Environment Agency in its October 2014 representation are supported.

**Southern Water:** no objection but identify that the development cannot be accommodated without the funding of additional local infrastructure and the applicant is therefore invited to enter into a formal agreement with Southern Water to provide this upgrade. Identifies that SUDs would not be adopted by sewerage undertakers and that appropriate measures will need to be put in place to secure the operation of a SUDs scheme. Requests conditions are attached to any grant of permission.

**Environment Agency:** No objection. The developed site discharge rates to the southern outfall will be restricted to the discharge rate of 1.8 litre/second/hectare which would be in accordance with the Council's Sustainable Drainage SPD. The applicant's approach to groundwater and contaminated land is acceptable and follows relevant guidance and good practice. In order to ensure acceptable provision for foul drainage, upgrades to Southern Water's infrastructure will be required.

**KCC (Flooding):** In summary, identify that following initial objections regarding the surface water strategy, KCC has held discussions with the applicant's consultants in liaison with the Borough Council's Engineer and the River Stour Inland Drainage Board with the applicant's consultant providing additional information. KCC consider that the concerns previously raised have been considered seriously and that the indicative layout is sufficiently flexible that an outfall to the north could be provided through liaison between developer and Highways England. In the meantime, an alternative acceptable but 'last resort' arrangement is possible whereby a single point of discharge for the entire site is provided on the southern side. Either proposal would not increase off-site flooding risks. KCC therefore removes the previous objection and recommends detailed planning conditions.

**Project Office (Drainage):** Raise no objection.

**Willesborough Community Forum:** identifies that objections from 2014 still stand and the following additional objections are raised;-

### Boundary

Site Policy U19 is quite clearly shows the eastern boundary of the site bounded by the western side of Highfield Lane, extrapolated down to the railway. The new application, however, shows the eastern boundary wandering around in the field to the east of Highfield Lane. Since the site boundary does therefore not conform to the zoning the application must therefore be invalid; I think that ABC planners would have a difficult time claiming otherwise.

### Development Phasing

Site Policy U19 states that only 11,920 sq metres of the site may developed prior to the opening of M20 Junction 10a. Sections 4.43 to 4.49 indicate that the developer intends to develop the whole site with or without Junction 10a. Since this does not conform to the zoning the application must therefore be invalid; I think that ABC planners would have a difficult time claiming otherwise.

### Land Use

Site Policy U19 states indicates the site should be used for B1, light industrial, B2 and B8 uses, plus Kent Wool Growers.

Developers drawing 9031 P 10\_160\_J indicates A1 use as well (not Kent Wool Growers). Since this does not conform to the zoning the application must therefore be invalid.

### **The Village Alliance (VA):** State as follows;-

‘The following comments are made on behalf of the 300 members of the Village Alliance. The Village Alliance has been established to scrutinise and challenge what we consider to be inappropriate development proposals in and around Ashford, Kent.

Development is inevitable and Ashford is growing. But we believe that development should be transparent and be based on joined-up thinking and that it should not be whimsical nor focussed on maximising developer profit and that it should benefit everyone who lives and works in and around Ashford and that it should make Ashford a place people want to live, and live well.

Ashford is in a unique position and it has unequalled connections to Europe, is less than an hour from London by train, and is surrounded by history and beautiful countryside. Ashford should be focussing on attracting quality businesses and employers, with the disposable income to regenerate the local service industries. To do this it must be careful how it uses the land and infrastructure to ensure that it remains attractive.

To its credit, Ashford has not been afraid to redevelop brownfield sites, but its use of greenfield sites, whilst inevitable, must be seen to be of benefit to the people of Ashford and not just the owners of those sites.

Unfortunately, the proposals for the development at Sevington do just the opposite. If these proposals go ahead Ashford will have lost an opportunity to enhance its European gateway, and will create increased suffering for those who have to use the already overstretched roads.'

The VA object to the amended application for the following reasons;-

#### A new application

1. It is clear that this new information should be a new Planning Application, and not a revision of application 14/00906/AS. The description of the uses of the land is different, the area covered by the site is different and this application includes access issues and does not reserve them for future consideration.
2. For these three reasons a new Planning Application should be submitted. The current attempt to hide the new information in the existing Application is underhand and should not be permitted.

#### The scope and size of the application

3. The site policy in the Local Plan was clear that a maximum of 11,000 square metres of development should be allowed before Junction 10A was built and functioning. That is only the size of the proposed Kent Wool Growers development. The current 'application' describes the size of the development in terms of the number of development units, but this term is not defined clearly in the document. It is not clear if the Phase One proposed (which could be built before Junction 10A opens) is less or more than 11,000 square metres in extent. It seems like it could be considerably more than this maximum permitted size, but the figures given on the plans are incorrect, as they are based on the previous application. The applicant should be required to describe accurately what size of development they are proposing in Phase One, to see if it is compliant with the Local Plan.
4. The application covers the whole site, although only Phase One could be built before Junction 10A is open. The applicant should be asked to submit a plan showing just Phase One, with clearly defined sizes on all of the buildings proposed.
5. The site boundary (the red line) has been changed in the new 'application'. This is potentially very serious for several reasons. Firstly, it makes it clear that it should be a new application. Secondly, although the design guide says the site is bounded in the east by Highfield Lane the new site layouts make it clear that the red line has now been drawn on the Mersham side of Highfield Lane. This is completely contrary to policy, because site U19 has always been bounded by Highfield Lane. To permit any application to even be considered which crosses Highfield Lane is highly dangerous. It brings development nearer to Mersham, and breaks the 'Mersham Wall' that seeks to protect the village from the encroachment of Ashford.
6. As soon as land to the Mersham side of Highfield Lane is included in the site, anything could be built on this land. The current application is only an indicative master plan, so although it currently shows landscape screening to the Mersham

side of Highfield Lane, there is no guarantee that this land use would not change later in the planning process.

7. Site U19 is bounded in the east by Highfield Lane. There is certainly a need for landscaping to try to protect Mersham a little from the visual intrusion of these huge buildings, but this landscaping must be placed in the site of U19. That is the development site and so any consequences of development need to be on that site, not across the road in a newly expanded site.

8. The Local Plan site policy says that not more than 40% of the U19 site should be developed, even after Junction 10A is built. The developer has attempted to get round this by extending the red line around the site to include the drainage pond and the landscaping that they are proposing to the east of Highfield Lane. The Council should be asked to state what percentage of the original U19 site (as shown in the Local Plan) is proposed to be developed, so that we can see if the 40% rule has been exceeded.

#### Timetable for comments and timetable for Junction 10A

9. The closing date for comments on this application is the 8th January. However, the public consultation on Junction 10A will not begin until the 14th January. It is clearly completely unacceptable to ask people to comment on the U19 site proposals before the detail of Junction 10A is available for comment. This is particularly true because the new application includes access matters, and it is quite impossible to consider access to this site without considering Junction 10A, which is integral to the access to this site.

10. The closing date for comments on this application should therefore be extended considerably. The public consultation on Junction 10A closes on 17th March. The Highways Agency will publish their response to the consultation in June 2016. It will then take up to 18 months for the Government to make a decision on the proposals. It is not appropriate to consider the Masterplan for the whole of the U19 site until the Government has made a decision on Junction 10A, because without 10A the U19 site will simply not work. Remember that the Local Plan says that if 10A is not built then site U19 should not be developed beyond one small unit.

#### Kent Wool Growers

11. The new plans show the Kent Wool Growers at the opposite end of the site, with completely different access arrangements. Indeed, it appears that the location of Kent Wool Growers has now been designed to develop all the site infrastructure at an early date, to make subsequent development easier.

#### Views of Sevington Church

12. The line of sight to ensure that Sevington Church can be seen from Mersham has been widened and extended in the new drawings. This will just make matters considerably worse. Although Mersham will be able to see the church, it will also be able to see the two loading bays of the two huge buildings. These will have

floodlights in operation 24 hours a day and lorry movements throughout the 24 hour period, with swinging headlights, diesel fumes and noise. All the noise and light pollution will be funnelled towards Mersham by the canyon created between the two buildings, significantly increasing the disturbance to the rural setting of Mersham.

13. We understand and share the wish of Heritage England that the churches of the Stour should be in line of sight with each other. We simply question what the benefit is of retaining that line of sight if it is obscured by floodlights and the diesel fumes of manoeuvring lorries.

14. Although some of the buildings that were very close to Sevington Church have now been moved in the new plans, it is still, in our opinion, completely unacceptable that this Grade One listed ecclesiastical building should be hemmed in by two monstrous buildings, which completely dwarf the scale of the Church, because their rooves are only one metre short of the top of the Church spire and the church will find itself surrounded by a large distribution estate.

#### Impact on local homes and roads

15. The Local Plan site policy says that development of buildings and car parks should be placed away from existing buildings in Church Road and Kingsford Street. The building and car park in the north east corner of the site is far too close to existing buildings in Kingsford Street, which include the Grade Two-listed Lagonda Lodge.

16. One of the most serious impacts of this development is the impact on rural roads. The new plans still do not protect local roads from rat-running Heavy Goods Vehicles, the cars of employees or service delivery vehicles to the site. (Some of these concerns are shown in the section below, but they have not been addressed by the new plans.) The development at Finberry was permitted on the condition that the development was isolated from the surrounding rural roads. It is even more important that this same condition is placed on this new development. We know that the access arrangements proposed for this development will not be sufficient. Bottlenecks will build up on Bad Munstereifel Road, at junction 10, 10A (if built) and elsewhere. At the end of work shifts on the site a huge tailback of traffic will build up as people attempt to get out onto Bad Munstereifel Road. As soon as traffic builds up, all sorts of vehicles will rat-run through Mersham village, over the very narrow and blind bridge in Church Road, Sevington and down Highfield Lane. We repeat that it is vital to block Kingsford Street to vehicular traffic at its junction with Highfield Lane and we also suggest that Church Road, Sevington should be restricted at the bridge over the railway.

17. The site as a whole does not show enough parking spaces. The developer suggests that employees will be bussed into the site from elsewhere, but in practice this is very unlikely to happen (although it is interesting to speculate that if employees are being bussed in from neighbouring towns it rather suggests that this development will be failing in its primary purpose, as defined by the Local Plan, of providing good quality jobs for the people of Ashford Borough). Many employees and visitors will drive to the site. As soon as the inadequate parking spaces are full, they will park in the rural roads just mentioned above, further restricting traffic flows, adding to urban intrusion into the

rural landscape and increasing rat-running. Even if these roads are blocked to vehicular traffic, employees will use these roads, park where they are blocked and walk to work.

(The VA consider that) objections to the previous scheme that are still valid

#### Timing of the application and Junction 10A

1. First and foremost, it was clearly stated in the Local Plan that this site should not be fully developed until junction 10A was constructed. In fact, the amount of development permitted before 10A is finished is very small indeed at roughly the equivalent of the existing Kent Wool Growers application.
2. As the date for the construction of junction 10A has not yet been finalised, this application should be refused, or at any rate only approved subject to the site not opening for business until junction 10A is open and operating. This principle was clearly established in the Local Plan and any deviation from it would be a gross breach of trust from the Council to the people of this area.
3. If the Council goes against its own policies by seriously considering this application before the construction of Junction 10A, the traffic implications will be extremely severe in the local area. The fact that junction 10 is an incomplete junction, with London-bound traffic joining the motorway via Hythe Road and a traffic-light-controlled junction, means that significantly increasing the traffic on junction 10 will create severe traffic jams on Hythe Road and the A20 to the east of the junction.

#### Traffic problems

4. Furthermore, the proposals to create a number of new traffic-light-controlled junctions and roundabouts along Bad Munstereifel Road will create additional traffic problems, with the possibility of traffic backing up onto the roundabout at junction 10, further exacerbating what will already be a very severe traffic bottleneck.
5. As soon as Bad Munstereifel Road and junctions 10 and 10A become known as traffic bottlenecks, traffic will use Kingsford Street and the centre of Mersham as a rat run to avoid the problems. This will be exacerbated by the proposals shown here to straighten parts of Highfield Lane, and to leave Highfield Lane attached to Kingsford Street. Kingsford Street is a narrow rural road with very limited carrying capacity. At the very least, Kingsford Street should be blocked for vehicular traffic at its junction with Highfield Lane, leaving access only for pedestrians and cyclists.
6. In a similar fashion, Church Road Sevington will become a rat run for vehicles of all descriptions as they try to negotiate the new development. It should be restricted near to the bridge to Cheeseman's Green, so that local residents at least have the benefit of living in a 'cul de sac' to compensate them for the huge disruption in their life created by the new development.



7. The applicant has stated that the opening times on the new facility are not known. It is not unreasonable to presume that this means that they are expecting a non-stop operation, with vehicles arriving, manoeuvring, loading and unloading and departing 24 hours a day, 7 days a week. This will lead to unacceptable levels of light and noise pollution for what is currently a rural location.

8. The access problems of this site cannot be resolved without the construction of junction 10a, and this is acknowledged quite clearly in the Borough Council's own approved Local Plan. As well as this fundamental issue, access to this site raises other fundamental issues as to the viability of this site for the proposed use, and it is not possible for the Council to accurately assess this application until the plans for Junction 10A are known in detail.

#### The proposal is far too visually intrusive

9. The noise and light pollution will be made worse for neighbours in Mersham by the orientation of the buildings, with the service yard running from the north-west to the south east, and therefore exposing Mersham to the full view and noise from the movement and loading and unloading of vehicles.

10. The size and bulk of the buildings proposed is completely out of keeping with the existing aesthetics of the area. In particular, the very close proximity of the large, rectilinear metal boxes to the Grade One listed building of St Mary's Church will completely destroy the views of this important building in the local religious style, and the buildings will also greatly impact on the views of other listed buildings in the area.

11. The size and bulk of these buildings will be clearly visible from miles around, and they will be a significant blot on the landscape from a number of locations, including the Wye Downs Area of Outstanding Natural Beauty, which currently enjoys excellent views across the rural area surrounding Ashford.

#### Impact on wildlife and ecology

12. The area currently has a large number of bats, and these animals are particularly susceptible to disturbance from light pollution and the destruction of habitat. This matter should be closely considered as part of the Environmental Impact Assessment of the site.

13. It is accepted that this site is identified in the Local Plan for employment uses. (However, it must be remembered that this is only AFTER the construction of junction 10a.) Even allowing for this designation, and assuming that junction 10a is built, the current proposed buildings are far too large for the site. They take away all the land in the vicinity, which is good quality Grade 2 agricultural land, and they will contribute substantially to increased speed of run-off for surface water, significantly increasing the prospect of flooding in the Ashford area, which is already an issue of considerable and understandable concern. Replacing absorbent fields with buildings and hard-standing will inevitably increase the speed at which water runs off the site into water courses, reducing the ability of those watercourses to cope with surges in water levels. Once the lakes are full they will cease to be effective as safety valves for the area, which already struggles to cope with wet seasons.

### Low grade employment

14. The proposal also fails to optimise the Council's wish to use this site for employment uses. The employment created by a development of this type will be low in numbers of jobs, and low in quality of employment. There will be few jobs per hectare, and the jobs that will be created will mainly be low-skill manual jobs. This is not what is required within Ashford, which already has a reasonably good level of employment, both in terms of numbers of available jobs and the quality of those jobs. It is quite likely that the workforce for this type of operation will have to be bussed in from elsewhere, which will only increase traffic problems, and not assist the Borough Council to provide good numbers of high quality jobs for local residents, as they seek.

### Summary

In summary, this application for the whole of the U19 site, and additional parcels of land in most directions, is premature and very poorly conceived. It should be rejected.

The developers should be asked to submit a new application which;

- Makes it clear that this is not an extension of the previous application
- Waits for Junction 10A to be agreed and funded before planning or developing more than the limited development permitted before Junction 10A by the Local Plan
- Clearly shows what will be developed in Phase One
- Restricts itself to the site of U19 and does not extend beyond it
- Provides the solutions to any requirements such as landscaping and drainage within the U19 site, and not outside it
- States the scale of development in each phase in terms of square metres of development
- Withdraws other applications on the site so it is clear what is proposed
- Produces buildings that are in scale with the rural setting and the surrounding listed buildings
- Maintains the views to Sevington Church without limiting this to a glimpse through an industrial-scale Loading Bay
- Offers a genuine prospect of good quality jobs for local people, as the Local Plan requires
- Ensures that existing properties in Mersham and Sevington are protected as much as possible from noise, light and other forms of pollution
- Protects rural roads from increases in inappropriate traffic
- Complies with the Local Plan in all respects, which the current application most clearly does not.

### **The Church Commissioners for England (CCE) and Crest Nicholson (CN):**

support the principle of the proposed development and recognise the importance of the development to the delivery of J10A. However, indicate that a number of serious concerns are considered to still be outstanding. The CCE supply a Report by Bellamy Roberts Highways and Transportation Consultants and summarise the main findings of that report as follows:-

1. The local junctions have been tested on the basis of 6.75DUs of development at Stour Park in 2019 with no Junction 10A, and then with full development of the site by 2030 with Junction 10A in place.

However, there is no testing of the impact of full development of the site without Junction 10A. The 2019 analysis demonstrates that the existing Junction 10 would be operating at or about its capacity with only 50% of the Stour Park site developed by that date and it is clear, therefore, that with continuing development of Stour Park as well as background traffic, Junction 10 would become overloaded well before 2030.

2. There is a realistic prospect that delivery of Junction 10A will be slower and/or delayed beyond 2019, for either procedural or financial reasons. On the basis of the analysis set out in the Stour Park Transport Assessment it would be inappropriate to allow continuing major development on that site beyond the 2019 level of 6.75DUs until such time as Junction 10A was open to traffic (or at least under construction). An appropriate Grampian style condition restricting the level of development pre-Junction 10A is therefore required.

This would be in common with the outline planning permission at Cheeseman's Green (11/1/00473/AS). Condition 29 of that permission states that no more than 700 dwellings shall be occupied until works to Junction 10A are completed and opened to traffic. This Grampian condition was justified by the Council on the basis there was inadequate capacity at the existing junction to accommodate the full extent of the planning permission.

3. The need for a Grampian style condition is reinforced by the fact that in the absence of Junction 10A, all access to Stour Park will be by Church Road. It is clear from the 2019 analysis that this junction will also be overloaded as a result of the growth in background traffic and the growth in development traffic from unrestricted development of the Stour Park Site in the absence of Junction 10A.

The TA omits the assessment of the impact of access and egress on Church Road, and the knock on effects on the A2070, and the fact that vehicles leaving the site are forced to turn left and then form a U-turn manoeuvre to proceed northwards towards the Junction 10.

Policy U19 of the Urban Sites and Infrastructure DPD states that prior to any development being permitted on the site, a scheme for the improvement and upgrading of Church Road and the Church Road / A2070 junction shall have been agreed with the Council and the Highway Authorities and the approved scheme shall have been implemented prior to the occupation of any development.

4. The Transport Assessment also states that the LPA have advised that Policy U19 of the Urban Sites and Infrastructure DPD no longer requires a road across the CTRL from Junction 10A (the route known as Orchard Way in the Core Strategy). The Stour Park proposals no longer protect that option.

This is a particular concern. Policy U19 states that development of the site shall deliver a new link road through the site, from the access onto the Junction 10A link road to the point at the site boundary where it would cross the railway lines to the south.

*Para 6.161 of the DPD states that the 'layout of the site shall also enable the provision of a route southwards to link across the CTRL and Folkestone railway lines to the Cheeseman's Green / Waterbrook area. The precise alignment of this route shall be included as part of the masterplan for the layout of the site and shall need to be agreed with the appropriate railway authorities and operators and the adjoining landowners to the south. The route shall be of a single, two-way carriageway adoptable standard and shall be delivered by the developer of this site alongside the abutments for a crossing of the railways'.*

The Orchard Way connection providing a new access to the south of Ashford is a fundamental part of the adopted Core Strategy, as important new highway infrastructure. The then Highways Agency address the strategic need as part of the overall highway provision including access to the west from the M20 giving Orchard Way a strategic role going beyond its local impact. It is understood from the Commissioners' previous involvement in the Core Strategy Examination in Public that Orchard Way is also to be a key vehicular access to the land the south and east of Cheeseman's Green. Failure to maintain this route is not consistent with strategic planning need for Ashford and the wider area and it will significantly hinder the development potential of this huge area of land and restrict the future potential growth of Ashford. The Commissioners understood that this wider strategic need is part of the reason for the creation and financial support for J10A. The Commissioners also understood that developer funding would be required as part of the funding of J10A and it is difficult to understand which developments could have the scale, mass and viability to make robust contributions if Orchard Way is to be discharged from future options.

Confirmation is needed from the Council on the formal process undertaken to remove this requirement from the Core Strategy and Urban Sites and Infrastructure DPD. The absence of this access in the proposed development is a departure from adopted policy, and one to which the Commissioners and Crest object.

The CCE and CN submission goes on to state as follows;-

'In summary, the CCE and CN support the principle of the proposed development and recognise the importance Sevington to the delivery of J10A by the provision of land provided that the specific proposals are consistent with the adopted Core Strategy and maintain the strategic connections inherent in the Orchard Way concept.

However, a number of serious concerns remain outstanding with the proposed development which must be addressed by the applicant and the Council to

ensure development does not compromise the ability of developers to build out existing planning permissions, and therefore the ability of the Council to meet its objective of delivering housing to the south of Ashford, and also to secure critical infrastructure for the future growth of Ashford.

In summary, the following matters need to be addressed by the applicant and / or the Council:

- Impact of the development without J10A needs to be assessed by the TA.
- A Grampian condition is required to prevent development beyond 6.75 DUs until the operation of J10A.
- Further information in respect of the impact of development on Church Lane and the wider highway network, including the consented Bellamy Gurner junction is required and to be assessed by the TA.
- Confirmation is required on the provision of the Orchard Way access, as required by Policy U19 of the Urban Sites and Infrastructure DPD. Without such confirmation the application is not in accordance with the Development Plan and should be refused.'

**Neighbours:** 548 consulted. 111 objections received. These either directly duplicate or are closely aligned to the comprehensive points made by the Village Alliance that are set out further above and so are not repeated further. Many of the letters request that they be brought to the attention of the Committee. As per normal practice, copies are available for Members to view on the web-site.

## Planning Policy

129. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012 and the Chilmington Green AAP 2013.
130. The relevant policies from the Development Plan relating to this application are as follows:-

### **Ashford Borough Local Plan 2000**

GP12 – Protecting the countryside and managing change

ET3 - Ashford Employment Core

EN9 – Setting and entrances of towns and villages

EN10 – Development on the edge of existing settlements

EN31 – Important Habitats

TP6 – Cycle parking

**Local Development Framework Core Strategy 2008**

CS1 – Guiding Principles

CS2 – The Borough Wide Strategy

CS4 – Ashford Urban Area

CS7 – The Economy and Employment Development

CS 9 – Design Quality

CS10 – Sustainable Design and Construction

CS11 – Biodiversity and Geological Conservation

CS15 – Transport

CS18 – Meeting the community's needs

CS19 – Development and flood risk

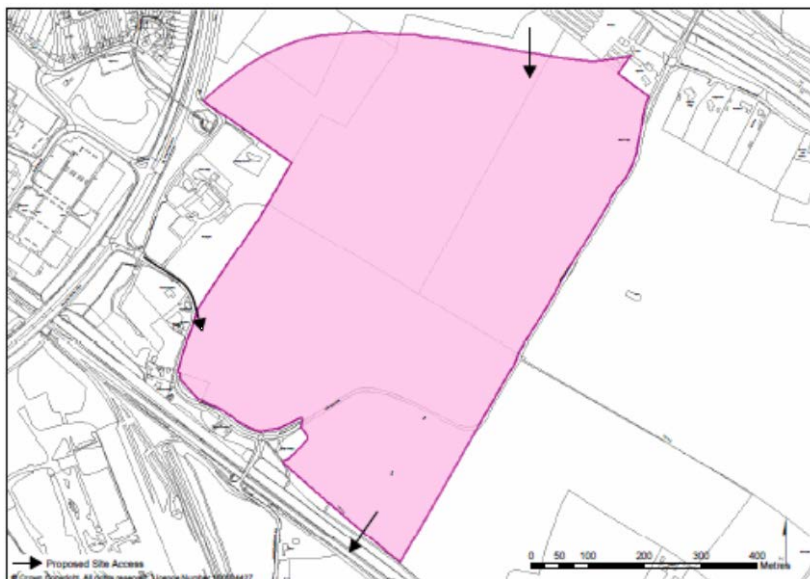
CS20 – Sustainable Drainage

CS21 – Water Supply and Treatment

**Urban Sites and Infrastructure DPD 2012**

U0 - Presumption in Favour of Sustainable Development

U19 – Sevington



6.152 - The Core Strategy identifies the Sevington site between the M20 and the CTRL as an expanded focus for employment development to the south-east of the town. Its location makes this an excellent opportunity for a range of employment types and uses and provides an opportunity to consolidate some of the larger scale employment uses that are less suited to higher density mixed use environments.

6.153 - This area lies at a key entrance to the town by road and rail and has an open aspect when viewed from the A2070. The topography of the landscape includes a gentle ridge aligned in an east - west direction through the middle of the site. It is clear that the development of this area will have a fundamental impact on its character and it is important to ensure that these changes evolve in a managed and controlled way that both delivers the necessary employment space to support Ashford's growth whilst giving some protection to the existing residents in the area and making clear the extent of development and the mitigation necessary to create a sustainable employment location.

6.154 - This area is specifically identified in the adopted Core Strategy 2008 (para. 7.10) as a site for larger scale employment development and this approach is supported in the ELR (para. 7.25). Unlike the other strategic employment locations in the Core Strategy, this site is more suited to the delivery of B2 and B8 uses and has the space to accommodate relatively large buildings. However, this site also has the potential to provide a variety of employment accommodation and it should not be limited to simply large warehousing and distribution proposals. Indeed, in order to provide sufficient supply in the overall available employment stock over the DPD period, it will be necessary to ensure that a range of opportunities can be delivered here.

6.155 - As the site is not initially proposed to be directly served by bus services, it is less suitable as a high density B1 office location compared to the town centre or Eureka Business Park for example. As such, B1 uses here should be focused on light industrial uses rather than large-scale offices. However, smaller or ancillary office accommodation would also be acceptable here. Retail uses will not normally be acceptable here unless they are only subsidiary to a B-class use or other sui-generis employment generating use.

6.156 - With the building out of the existing employment areas at Orbital Park and Henwood, it will be important to ensure that suitable alternative strategic employment opportunities can continue to be provided in the longer term. As such, a larger area of the site is allocated in this DPD than is purely necessary in simple quantitative terms to 2017 to provide both flexibility and confidence for the investment needed to bring the site forward into active use.

6.157 - Given the major change in the appearance and character of this area that will result from future development, and the scale of the site allocation being proposed here, the Council believes that it would be appropriate for a detailed masterplan for the site to be drawn up by the site developers in partnership with the Council. Such a masterplan should guide the phasing and release of different land parcels and provide the more detailed template against which individual applications could be considered.

6.158 - The full release of development at this site is dependent on the provision of new junction capacity at the M20. The site promoters are currently working with the Highways Agency to deliver an interim Junction 10a improvement that could be delivered within the Plan period. This would enable the provision of additional floorspace at Sevington beyond the indicative quantum in Appendix 2 of this Plan (HDSS&D Note: Appendix 2 from page 118 of the DPD is pasted below).

#### Appendix 2 - Employment Allocations

##### Employment Allocations

Policy	Site	Indicative Floorspace (sq.m.) that can be provided by 2017
U15	Henwood	7,596
U16	Orbital Park	25,400*
U17	Eureka Business Park	26,586*
U19	Sevington	11,920*
<b>TOTAL</b>		<b>71,502</b>

Reproduced from Table 5 of Employment Background Document

\* part of a larger site allocation which has the capacity to provide additional floorspace beyond 2017.



The principal access to the site will be from a signalised junction on the proposed link road from Junction 10a to the existing A2070. The highway corridor necessary to construct this link road (and Junction 10a itself) shall be retained free from development and this is shown indicatively on the Policies Map.

6.159 - Prior to the principal access being available, only a limited scale of development at the southern end of the site may come forward accessed from the Church Road junction on to the A2070. This indicative floorspace of 11,920 sq.m should generate no more than an aggregate of 150 two-way trips in the morning and evening peak hours combined although this will need to be confirmed through a Transport Assessment supporting the masterplan or any Transport Assessment related to a planning application for development of the site in order to avoid the potential overloading of the junction.

6.160 - Currently the Church Road / A2070 junction is a restricted junction but both Church Road and the junction arrangements will need to be improved if this is to be used as anything other than an emergency access only. These improvements would necessitate the provision of a signalised junction to enable right-turn movements on to the A2070 and the widening of Church Road to a single two-way carriageway adoptable standard. Church Road itself needs to be diverted in order to avoid the existing narrow bends along its length and mitigate the impact on existing residents along the street. Access to existing residential and commercial premises will need to be retained at all times.

6.161 - The layout of the site shall also enable the provision of a route southwards to link across the CTRL and Folkestone railway lines to the Cheeseman's Green / Waterbrook area. The precise alignment of this route shall be included as part of the masterplan for the layout of the site and shall need to be agreed with the appropriate railway authorities and operators and the adjoining landowners to the south. The route shall be of a single, two-way carriageway adoptable standard and shall be delivered by the developer of this site alongside the abutments for a crossing of the railways.

6.162 - Proposals greater than 2,500 sq.m. in floorspace will need to be accompanied by a Travel Plan as part of their Transport Assessment. Such a Travel Plan should demonstrate how private non-operational vehicle movements to the development will be minimised through the integration of sustainable transport measures. This will help to limit the potential traffic impact arising from the development on the surrounding highway network.

6.163 - The settlement of Sevington, the listed St Mary's church and several residential properties along Church Road, some of which are Listed, are located adjacent to the south west corner of the site. Although the setting of these buildings will inevitably change to some degree, it is necessary to provide suitable mitigation to limit the impact on these properties. This should be in the form of a significant landscape buffer which should include the planting of mature trees and the retention of existing vegetation and screening. No building or parking area should be located within 100 metres of these properties to minimise impacts on residential amenity from lighting, vehicle movements or operational activities. Similar mitigation will also be necessary at the north-eastern corner of the site where it adjoins the properties in Kingsford Lane.

6.164 - In order to encourage the potential for job creation at this site, it is recognised that there should be some flexibility to allow different occupier requirements to be met and the nature of the uses proposed here means that it is likely that there will be some large buildings proposed for this site. Nevertheless it will be important to limit the visual impact of such large structures through appropriate siting and design.

6.165 - To help achieve this, the masterplan should set out where buildings of various sizes will be located within the site. In order to provide a sufficient range of premises across the site, no individual building should normally exceed 80,000 sq.m. in external floor area. The masterplan should also reflect a limitation on site coverage across the whole site of no more than 40% in order to enable sufficient scope for the necessary flood attenuation, SUDS and structural landscaping.

6.166 - The location of this site adjacent to attractive open countryside at a key entrance to the town means that it is essential that development here is built to a high quality design and layout. Innovative designs will be encouraged and approaches which seek to soften the impact of large bulky buildings will be supported.

6.167 - A successful landscaping strategy for this site is a critical element in mitigating the impact on the wider landscape and creating an attractive commercial environment within the site. Therefore, a strategy for both the peripheral landscaping of the site boundaries and the approach to the landscaping of the internal parts of the site should be incorporated in the masterplan for the site. On the periphery, such a strategy should make provision for structural planting to create suitable buffers to the Church and the existing residential development to the north-east and south-west of the site and shall include details of the width of such buffers and the ecology within them.

6.168 - The landscaping strategy shall also specifically address the question of the planting of the eastern boundary of the DPD allocation. This is because the potential extent of an employment area at Sevington extends further eastwards (as identified in the Greater Ashford Development Framework). However, at this stage it is not appropriate or necessary to allocate the whole of this area for development in this DPD. It will instead be appropriate to review the future need for additional land to be released at Sevington in the First Review of the Core Strategy. As a result, the masterplan for the site shall make provision for the landscaping of the eastern boundary of this site allocation as part of a strategy for the landscaping of a wider potential area in the future should the need for additional land be identified in the First Review of the Core Strategy.

#### **Policy U19 – Sevington**

Land at Sevington is proposed for B1 light industrial, B2 and B8 uses. Prior to the granting of planning permission for development on this site, a masterplan for the development of the whole site shall be submitted to and agreed by the Borough Council. The content of the masterplan shall:-

- a) establish a layout for the site, including the proposed phasing of the site and identifying which parts of the site shall accommodate buildings of different scales and uses;
- b) indicate the route of a north-south link through the site from the Junction 10a link road to a crossing point at the railway lines on the southern boundary; and,
- c) incorporate a landscaping strategy for the site boundaries and within the site, including appropriate landscaped buffers to adjoining properties.

Development proposals should thereafter be in accordance with the approved masterplan.

Development of the site shall not prejudice the delivery of the Highways Agency's preferred route option for the proposed M20 Junction 10a scheme, including link roads and junctions with the A2070 (or any equivalent subsequent scheme).

Development of the site shall deliver a new link road through the site, from the access onto the Junction 10a link road to the point at the site boundary where it would cross the railway lines to the south.

Prior to any development being permitted on the site, a scheme for the improvement and upgrading of Church Road and the Church Road / A2070 junction shall have been agreed with the Council and the Highway Authorities and the approved scheme shall have been implemented prior to the occupation of any development.

Proposals in excess of 2,500 sq.m. in area shall include a Travel Plan as part of their Transport Assessment. The Travel Plan shall be agreed by the Borough Council in consultation with its partners and shall thereafter be carried out when the proposal is implemented.

Individual buildings shall not exceed 80,000 sq.m. in footprint and in aggregate, the footprints of buildings shall not exceed more than 40% of the total site area.

The design and external appearance of buildings will need to reflect the site's topography and prominent location at a key entrance to the town by road and rail.

U23 – Landscape character and design

U24 – Infrastructure provision to serve the needs of new development

131. The following are also material to the determination of this application:-

### **Supplementary Planning Guidance/Documents**

SPG6: Providing for transport needs arising from the South of Ashford Transport Study 2004

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Sustainable Design and Construction SPD April 2012

Public Green Spaces & Water Environment SPD 2012

Dark Skies SPD 2014

### **Government Advice**

#### **National Planning Policy Framework 2012**

132. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The NPPF identifies the importance of planning for employment generating development as part of achieving sustainable growth and highlights the planning balances that local planning authorities will need to make in so doing.

## **Assessment**

133. The main issues for consideration are:

- (a) The principle of the development
- (b) The relationship of the development to HE's proposed M20 J10A and associated link road, the acceptability of the scheme on the strategic highway network and the ability to grant permission in advance of that scheme being delivered by HE

- (c) The delivery of a single 2-way carriageway ('Orchard Way') to adoptable standards through the site to the site boundary with the railway lines
- (d) The acceptability of the proposals on the Local Road Network and ability to provide public transportation to serve the site
- (e) The impact of the development on St. Mary's Church (Grade 1 listed)
- (f) The impact of the development on the setting of other listed buildings
- (g) The acceptability of the master planning layout and landscape strategy
- (h) Design and external appearance of buildings
- (i) Other matters including drainage and ecology
- (j) Whether planning obligations are necessary

#### The principle of the development

134. I deal with strategic and local highway matters further below.
135. It is apparent that a significant component of the objections received from the local community relate to the fundamental acceptability of the site being developed for the employment floorspace that is proposed as a matter of principle. The objections mainly concern the visual and landscape impact of the development at what is considered to be an important eastern entrance to the town on the M20 motorway corridor. The scale and massing of some of the building plots shown on the illustrative master plan – being purposely designed to accommodate storage and distribution / logistic business uses needing large footprint buildings a heights to meet industry norms – is also an issue of considerable concern to many consultees. The applicant proposes Class B2 general industrial floorspace, Class B8 Storage and Distribution floorspace, Class B1 light industrial floorspace (including a maximum amount of office space), mixed-used floorspace with specific reference to Kent Woolgrowers and a small amount of Class A1 shopping floorspace.
136. The principle of developing the site for the types of uses contained within this application has long been agreed to by the Council through the adoption of its Core Strategy and the Urban Sites and Infrastructure DPD in October 2012 and Policy U19 therein. Paragraph 7.10 of Policy CS7 of the Core Strategy identifies that a new area at Sevington replaces the similar sized Local Plan allocation at Cheeseman's Green and that the location is high profile located close to proposed J10A and so will provide an opportunity for larger-scale

employment developments that are less suited to mixed use areas. The DPD was the subject of full stakeholder and community consultation in the normal manner and an Examination in Public.

137. Policy U19 establishes the subsequent detailed commitment by the Council to the site being developed for these employment purposes helping give certainty to those investing in the site and bringing forward development proposals to realise that investment. It identifies that the site is one that, unlike other strategic employment locations for the Ashford Urban Area in the Council's adopted Core Strategy 2008, is more suited to accommodation of relatively large buildings as part of an approach that would covers a range of employment generating uses at the site.
138. The delivery of employment generating development alongside the delivery of new homes has always been a fundamental tenet of the Council's approach leading up to the adoption of the Core Strategy in 2008. It remains a key element of the Council's Corporate Plan 2015-2020.
139. The adopted approach in Policy U19 of the DPD is one that deals with large floorspace general industrial (Class B2) and storage and distribution (Class B8) uses with some provision for light industrial uses (B1b and B1c) rather than high employment density Class B1a offices. The Policy identifies that smaller scale office accommodation would be acceptable as would ancillary office space. This approach seeks to create the circumstances for delivery of a range of opportunities at a strategic location that would deliver a different employment offer to approaches in other key locations in the Ashford urban area. Little weight can now be given to historic saved Policy ET3 but I am happy to refer the proposed grant of outline planning permission to the Secretary of State and making it clear this saved policy is in conflict with more up to date policies and that I have taken such matters into account in arriving at my Recommendation.
140. Members will be aware that out of centre high quality Class B1a office development has already taken place at Eureka Business Park near J9 of the M20 (with further additional floorspace likely to be developed in the future) and that following on from the acquisition of International House the Council is working hard to bring forward office employment development in the Commercial Quarter fronting Station Road thereby helping regenerate the town centre.
141. From the representations made, I appreciate that many objectors sincerely disagree with the Council's DPD site allocation in the first instance, and, in the second instance are not dissuaded from holding that opinion notwithstanding the amendments made to the scheme in 2015. However, the principle established by the DPD remains a key factor that cannot be ignored. The application is required to be determined by the Council in accordance with the

provisions of the development plan 'unless material considerations dictate otherwise'. A significant material consideration is the NPPF. The NPPF identifies the following key issues in relation to employment development;-

(i) be plan-led with local plans setting out a positive vision for the future and providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency,

(ii) proactively drive and support sustainable economic development to deliver business and industrial units infrastructure and thriving local places that the country needs, and

(iii) support existing business sectors and where possible identify and plan for new or emerging sectors likely to locate in the area with policies that are flexible enough to accommodate needs not anticipated in the local plan.

142. Objectively, I consider that the Council's DPD allocation remains strongly aligned with the approach advocated in the NPPF and I am not aware of any material consideration that would suggest it would be appropriate to depart from considering the site being developed for employment uses as originally envisaged in the adopted development plan.

143. Of course, Policy U19 sets out a number of more detailed requirements that an applicant will need to demonstrate have been taken into account in preparing a site wide master plan and other development strategies: acceptability in these terms is dealt with in sections further below. Subject to those being met, I conclude that the proposal would be acceptable against the general provisions of Policies CS1, CS2, CS7 and CS9 of the Core Strategy 2008 and Policy U19 of the Urban Sites and Infrastructure DPD 2012 and the provisions of the NPPF.

The relationship of the development to HE's proposed M20 J10A and associated link road, the acceptability of the scheme on the strategic highway network and the ability to grant permission in advance of that scheme being delivered by HE

144. Concerns from the local community as to how the proposed development would dovetail with the emerging HE's proposals for J10A (and the associated link road connecting that new junction with a reconfigured A2070 that approaches the motorway corridor) have been raised during the course of the application.

145. This is understandable given the slower than expected progress on the J10A scheme made by HE during the time the proposals for Policy U19 were subject of pre-application community involvement and then formally deposited with the Council as an application in 2014.

146. Nevertheless, at the beginning of 2016 HE began a comprehensive (s.42) stakeholder and community consultation on the content of its proposed application for a Development Consent Order (DCO) pursuant to the Regulations for Nationally Significant Infrastructure Projects. This consultation has helped give both the Council and the community greater clarity as to the proposed alterations to the SRN and how development of the site covered by Policy U19 would interface with that scheme. The Planning Committee specifically considered a report from Officers on the s.42 pre-application consultation at its meeting 09/03/2016. The report identified the importance of J10A due to the benefits it would deliver by creating the highways capacity for further development of homes and employment generating development assisting local economic development and allocated sites to be built out consistent with the local planning policies already shaped by the Council through its role as local planning authority. The report made reference to planning permissions granted by the Council that rely to some degree on J10A coming forward, notably Finberry where 400 dwellings are restricted from being completed until J10A is completed. Members' resolved that HE be informed that the Council supports the compelling need for J10A in principle. Since that time, HE have consulted on some amendments and matters of further detail (some of which are referred to above); officers are continuing to respond to these, in line with Members' resolution, and it is expected that the DCO application will be made this summer, allowing a decision on the DCO in autumn 2017 with commencement thereafter with anticipated opening to traffic in 2019 with all works completed in 2020.
147. Policy U19 identifies that employment development shall not prejudice the delivery of HE's J10A and the associated link road connecting it to the A2070. The DPD identifies that;-
- (i) the principal access into the site will be from the north from the new link road connecting J10A with the existing A2070 (para. 6.158),
  - (ii) a phased approach to guide the release of different land parcels would be necessary (para. 6.157),
  - (iii) prior to the principal access being available only a 'limited scale' of development at the southern end may come forward accessed from the Church Road/ A2070 junction in order to avoid overloading it (para.6.159),
  - (iv) 'limited scale' constitutes an aggregation of 150 two-way trips in the morning and evening peak hour periods which would equate to 11,920 sq.m of employment floorspace or 1DU (para. 6.159),
  - (v) used as anything more than an emergency access, the Church Road/A2070 junction will need to be signalised (para. 6.160), and



(vi) the full release of employment development at the site is dependent on the provision of new Junction capacity on the M20 (para. 6.158),

148. From the pre-application proposals subject of s.42 consultation by HE, I do not consider that the development of Site U19 as envisaged by the applicant would prejudice the delivery of the preferred route option of the proposed M20 J10A scheme including the link roads and junctions with the A2070 or equivalent subsequent scheme). The applicant and the HE have liaised and are clearly working together to ensure that the development of Site U19 does not prejudice J10A. In terms of paragraph 6.158 ('principal access'), the applicant's indicative master plan and the supporting parameter plans all acknowledge that the principal access into the site would be on its northern side from HE's proposed link road.
149. Whether that principal access should be signal based or a non-signalised roundabout based is not covered by the DPD Policy. The s.42 stakeholder and community consultation from HE earlier in 2016 suggested a T-junction arrangement.
150. A roundabout option as the principal access has now been prepared by HE to take forward as part of a DCO application. This has been discussed with the applicant and recently shared with the Council. The applicant has confirmed to the Council that the physical land take involved would not have any adverse implications on the illustrative master plan contained within the 2015 amendments in terms of the proposed building footprints at the adjacent development plots and so it could easily be accommodated if that arrangement is ultimately considered to be the better option access option by HE. The image below has recently been provided by the applicant to illustrate the HE's proposition overlaid onto the illustrative masterplan.



151. In conclusion, the requirements of paragraph 6.158 would be met. I cover further below in this report whether a roundabout at the principal access would have any issues in respect of the proposed landscaping strategy for the site.
152. In terms of paragraph 6.157 ('phased approach'), the application contains a phasing parameter plan and other supporting documentation setting out the applicant's approach to the site in three phases. Phasing is an issue not only related to the physical development of floorspace (and the traffic associated therewith) in each defined phase but is important in respect of the delivery of other key elements of development such as hard and soft landscaping etc.
153. The applicant's approach in the 2015 amendments promotes a quantum of development that could be served by the Church Road/A2070 junction in its present form (i.e. a simple priority junction) with Church Road upgraded immediately to the east of that junction to form a wider access road into Site U19. It promotes a further quantum based on signalisation of the junction as a 'fall back' arrangement dependent on HE's progress with J10 and the associated link road.
154. For the reasons that I set out further below in paragraphs, I do not consider that the application's current proposition contained within the 2015 amendments is an acceptable one in terms of phasing because Phase 2 shows a greater level of floorspace being occupied prior to the principal access from the link road and J10A being available for use than I am prepared to accept. However, the parameter plan is easily capable of being revised and re-submitted to the Council and so I have adopted this approach in my recommendation.
155. This brings me to the issue covered in paragraph 6.159 ('quantum of development from the Church Road access') informing the Policy requirement for Council agreement to improvements/upgrading thereof and the matter of 'signalisation' covered in paragraph 6.160.
156. The limited scale of development to which reference is made in paragraph 6.159 of the DPD equates to 1 Development Unit (being an aggregate of 150 two-way trips in the AM and PM peak periods) pursuant to the formula set out in the Council's adopted Supplementary Guidance Note 6: Providing for transport needs arising from the South of Ashford Transport Study 2004. Para 6.160 states the following;-

*"Currently the Church Road / A2070 junction is a restricted junction but both Church Road and the junction arrangements will need to be improved if this is to be used as anything other than an emergency access only. These improvements would necessitate the provision of a signalised junction to enable right-turn movements on to the A2070 and the widening of Church Road to a single two-*

*way carriageway adoptable standard. Church Road itself needs to be diverted in order to avoid the existing narrow bends along its length and mitigate the impact on existing residents along the street. Access to existing residential and commercial premises will need to be retained at all times.”*

157. The applicant's proposition contained within the 2015 amendments for improvement/upgrading of this junction was a three part strategy.
158. First, that up to a maximum 6.75 DUs of traffic could be accommodated with the junction still operating as a restricted junction but with the connecting element of Church Road improved through the identified realignment works.
159. Second, if the principal access into Site U19 from HE's link road was delayed for various reasons (no DCO / DCO granted but scheme delayed or postponed) then a fall-back signalisation of the junction would need to occur with two possible options set out in the supporting plans for agreement with the Council and the highway authorities. The fall back plans also show a combined pedestrian/cycle path crossing the A2070 utilising a stretch of the landscaped median.
160. Third, once the principal access into Site U19 is available, the removal of any signals installed at the A2070/Church Road junction and agreement with the Council and highway authorities on measures to restrict the use of this access into Site U19.
161. I have considered the acceptability of these proposals.
162. Given the history relating to the progress of a scheme to deliver J10A, I can understand the applicant's intention with the 2015 amendments to include 'fall-back' solutions involving signalisation.
163. However, the applicant has since accepted that the current programmes for both J10A and the development of Stour Park now mean that it is now highly likely that J10A (and the principal access into Site U19 from the new link road thereto) would be completed and available for use before the first business units would be complete at Stour Park. As such, their need is likely to be rendered superfluous. Dispensing with signals would help minimise the level of road work disruption to all users of the A2070 so is of general benefits to residents, visitors and those working in the town. Moreover, HE have stated that if signals have been installed, they will remove them as part of the J10a works.
164. The applicant's suggestion is that the respective development programmes of Stour Park and J10A are kept under review through a planning condition that only allows beneficial occupation before either the opening of J10A or approved works to the Church Road junction.

165. In terms of the quantum of traffic that can be safely accommodated by Church road / A2070 junction with the benefit of the proposed alignment upgrades but still otherwise operating as a restricted junction, I do not agree with the applicant's 2015 proposition that 6.75DUs of traffic could use this junction to gain access into Site U19 until the principal access is constructed and available for use.
166. That amount would be considerably in excess of the 'limited scale' which was envisaged by the Council at the time of adopting the DPD in 2012. However, the applicant is now prepared to accept that a lesser amount – being a maximum 2.75DUs - would be sufficient, at least, to accommodate traffic involved with Kent Woolgrowers relocating from premises at Tannery Lane to a new building as part of Phase 1 development at Stour Park and another potential occupation and that a planning permission granted on that more restricted basis would be acceptable.
167. My proposal is therefore as follows;-
- (i) Up to 1 DU of development at Stour Park being capable of being occupied using the Church Road access unfettered by a condition (on the basis that it is covered by existing J10 capacity); the junction of Church Road/A2070 would remain as is but Church Road itself would be upgraded,
  - (ii) Up to a further 1.75DU of development being able to be occupied post granting of a DCO for J10A and the associated link road i.e. giving 2.75DU of development able to be occupied but with certainty of the DCO being in place and able to be implemented by HE, also using the Church Road access. In the event that the DCO is confirmed but not implemented (which is considered remote) then signalisation of the junction of the A2070/Church Road would be put in place.
  - (iii) The remainder of development of Stour Park only being able to be occupied following the opening to traffic of J10A and the associated link road and the principal access road into Stour Park therefrom (whether in T-junction or roundabout format), and
  - (iv) the downgrading of the Church Road access through on-site traffic management so that even the traffic associated with the 2.75 DU's is encouraged to use the primary access when it is in place.
168. Although 2.75DUs would be greater than the 1DU set out at paragraph 6.159 of the DPD, and the 2.75 DU proposal might not involve signalisation, I consider that this would represent a pragmatic non-signalised solution enabling a limited amount of development to be commenced – with attendant socio-economic benefits - but the development of the wider site still being dependant on the delivery of the principal access.

169. It is important to emphasise that 2.75DUs would represent a maximum scenario figure. Indeed, if the DCO process goes according to plan it is likely that the principle access will be in place long before the occupation of 2.75 DU's. Furthermore, beyond the needs of Kent Woolgrowers my view is that it is likely that potential occupiers for other (larger) plots would only consider taking occupation once J10A, the link road and the principal access all in place because access and egress via the Church Road/A2070 junction would be directionally restricted. It should be noted that at the time of the DPD HE supported signalisation of the Church Road junction – they still do pre-J10a but would wish to see the signals removed then. In effect this would mean potentially installing signals only to very quickly take them out and as I say above this is not considered a good use of resources.
170. The supporting documents with the application suggest that the impacts of 6.75DUs of traffic would have no adverse impacts on the environment or the health and amenity of nearby residents. I do not dispute this. It follows that a considerably reduced quantum of traffic using the junction (2.75 DUs) would, by definition, also be acceptable in these terms.
171. Pedestrian and cyclist crossing of the A2070 is current provided by the existing bridge located to the north of the Barrey Road junction with the A2070. HE propose to upgrade this bridge as part of the DCO proposal and so that which exists and that which is proposed would therefore connect Willesborough and Sevington benefitting local residents generally and those seeking to walk or cycle to new buildings created at Stour Park specifically. The latter will help with the applicant's proposed FTP. However, I agree with KCC (PROW) that improvements are necessary in the Kingfisher Close area of Willesborough in order to help remove an existing network impediment to this type of sustainable movement. I propose that the sum requested by KCC (PROW) from an s.106 obligation. KCC (PROW) also request that that public footpath AE639 from Highfield Lane west to St. Mary's church and footpath AE639 east between Highfield lane and Blind Lane be upgraded to public bridleway status to a standard to be agreed with KCC. The existing PROW is unsurfaced across the fields in question. Upgrading the surface would help remove this practical impediment to those seeking to access the development site on foot or by cycle from the Mersham direction. The surface can be designed to fit sensitively into the rural context approaching Highfield Lane and the landscaped corridor context within the development site interior approaching St. Mary's church. Again, I propose that the sum requested by KCC (PROW) form an s.106 obligation.
172. The final views of the HE are awaited on the 2.75DU proposition. The HE requires additional analysis from the applicant on the impact of this maximum quantum of traffic from occupation of floorspace at Site U19 on the roundabout entrance to Orbital Park further to the south. Essentially, the issue here is whether this roundabout could safely operate with additional traffic

only able to turn left from Church Road onto the A2070 then using it to turn and head back northwards along the A2070 towards the M20 corridor. My recommendation takes into account the need to have the final views of the HE but in the meantime a set of comprehensive planning conditions are proposed.

173. Finally, and crucially, the ability to fully build out the development is identified in paragraph 6.158 as being dependant on J10A being open and available for use by traffic thus delivering the strategic highway capacity needed. Accordingly, a planning mechanism is needed to restrict how much can be built at the site before this additional capacity is made available by J10A.
174. This issue is one that has been raised by many objectors to the scheme who have questioned whether the Council can or should grant planning permission for the development of Site U19 until J10A is completed. The practicalities of adopting that approach would mean that planning decisions on many major developments would effectively be required to be held in 'sequential limbo'. This would hinder development moving forward expeditiously through the operation of a responsive town and country planning system.
175. It is for this reason that a so-called 'Grampian' or 'negative' planning condition can be lawfully attached to a grant of planning permission by a local planning authority. This type of planning condition limits the ability to occupy that which has been permitted until that which is necessary to support it has been delivered by others and is available for use. In effect, this allows planning proposals and associated infrastructure upgrades to move forward in parallel and provide greater certainty for all parties. An infrastructure provider has greater certainty of financial contributions towards upgrades coming forward through a grant of planning permission and an applicant has greater confidence on the level of development that can be developed and occupied relative to the progress of upgrading the supporting infrastructure. The Council has used Grampian conditions on many occasions: examples include restricting the full occupation of the Finberry development and development at Conningbrook Lakes.
176. Accordingly, the Council can grant planning permission without J10A yet completed (or the HE having a DCO in place) and in my opinion it would be right to do so. The HE's NSIP scheme is now moving forward and there is reasonable prospect that an application for DCO will be made shortly.
177. The condition would need to reference the maximum quantum of floorspace – expressed in DUs - that can be developed and occupied at the site using the sole available means of vehicular access into the site via the Church Road/A2070 junction before the principal access into the site from the HE's link road and J10A are completed and available for use as well as identifying

the maximum quantum of floorspace that can then be occupied post these events.

178. I adopt this approach in proposed Conditions 11 – 15.
179. Accordingly, I consider that the proposal is acceptable against the general provisions of Policies CS1, CS2, CS7 and CS15 the Core Strategy 2008 and the provisions of the NPPF. The policies seek to ensure high quality sustainable development achieving local economic growth through allocations of land for employment developments of differing character and in differing locations with acceptable upgrading of the highway network to accommodate traffic movements from growth balanced with promotion of public transportation and non-car based modes of travel. I also consider that the refinements from the position set out Policy U19 of the Urban Sites and Infrastructure DPD 2012 represents a pragmatic solution that is acceptable in planning terms for the reasons that I have given.

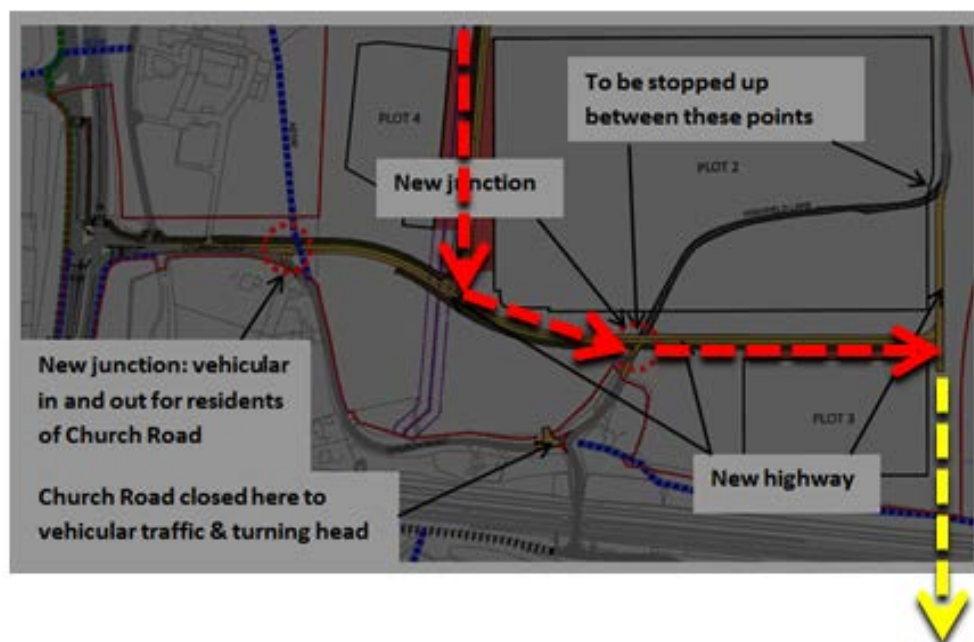
The delivery of a single 2-way carriageway ('Orchard Way') to adoptable standards through the site to the site boundary with the railway lines

180. Paragraph 6.161 of the DPD and the specific policy text for U19 require the master plan approach to site layout to be one that delivers the provision of a new single 2-way carriageway road link built to adoptable standard route southwards through the site to the point where it would abut a future bridge over the domestic and HS1 railway lines. There is, however, no requirement for a developer of Site U19 to fund the construction of the bridge.
181. In effect, this link road was envisaged as forming part of the so-called 'Orchard Way' that was first envisaged in the Greater Ashford Development Framework (GADF) as an outer ring road linking key development sites on the southern side of Ashford with a new motorway junction (and the highways capacity it would deliver). GADF was the primary background document to the Council's adopted Core Strategy Local Development Framework of 2008 with that Strategy (paragraphs 2.34 and 11.1) making reference to it as new infrastructure to be brought forward. As the Council's Urban Sites and Infrastructure DPD was required to be in accordance with the Core Strategy as 'parent document', the approach to Site U19 was one seeking to deliver part of that route and safeguard its arrival at a possible crossing point of the railway lines.
182. The applicant's originally deposited scheme sought to address these requirements notwithstanding the uncertainties with the J10A scheme at the time of pre-application community consultation and the deposit of the scheme in 2014. The applicant's original proposition was that Highfield Lane should form the alignment of this new road between the northern and southern sides of U19 with resultant significant changes to the character of that which is

present. The proposal safeguarded the bridge abutment/landing corridor at the end of this new road in the layout.

183. During consultation on the 2014 deposited scheme, objections were received from the local community about the loss of Highfield Lane as a rural narrow lane with a 'sunken' enclosed character along a significant portion of its length. At the same time, concerns were also expressed about whether this new road in place of Highfield Lane would be linked to a new J10A and whether traffic using it could then gain access to the village of Mersham via its connection with a reconfigured Kingsford Street. Concerns were expressed in respect of inappropriate traffic attempting to use this vehicular connection to access the development from the east and more general 'rat-running' both of which were viewed as having an adverse impact on the residential community.
184. Discussions with HE in 2015 identified that it did not regard Orchard Way as a strategic link needing to be safeguarded and that its development was instead a local issue for the Council to decide on in its role as local planning authority.
185. Against this background, the applicant's 2015 amendments to the scheme – in advance of HE's scheme - dispense with significant alterations to Highfield Lane as an enclosed sunken lane. The submitted plans identify modification to (a) its southern end so as to create development plots of a suitable size to accommodate the uses proposed and to (b) its northern end whereby it is suggested Highfield Lane would be reconfigured to link into Kingsford Street close to but not directly connected with J10A itself but otherwise leave a significant element as it presently exists accompanied by additional screen landscaping.
186. HE's s.42 consultation on J10A in early 2016 confirmed that HE does not seek to safeguard an arm to J10A to provide direct connection with 'Orchard Way' into Site U19.
187. Neither the Core Strategy nor the DPD contain any proposals as to how a bridge over the railway lines would actually be funded and delivered. Nevertheless, the applicant's illustrative master plan layout provides for the delivery of a single 2-way road built to adoptable standards running north to south through the U19 site (shown in red in the image below) to a point to the east of Plot 3 where, any bridge over the railway lines would theoretically land (shown in yellow in the image) thus providing potential for any required crossing as part of longer term development plans.





188. In my view, the illustrative master plan submitted in 2015 needs further clarification to make this potential connection with a potential future bridge over the railway lines clearer and I have built this requirement into my recommendation.
189. Notwithstanding all of the above, the 2015 amendments still left Highfield Lane connecting into Kingsford Street for the purposes of vehicular traffic.
190. Following discussions with the applicant and Kent Highways and Transportation, the applicant has accepted in 2016 the case for vehicular disconnection through bollards at the northern and southern ends with the sunken lane retained for general community pedestrian/ cycling / equestrian connectivity and submitted a plan to clarify that further refinement of the scheme. The bollards are proposed to be lockable and capable of being lowered in an emergency situation: I do not object to that proposition and consider the refinement made to be a major improvement to the scheme, and one that responds to the concerns of the residential community about vehicular traffic whilst retaining the benefits of street connectivity for walking and cycling etc. Kent Highways and Transportation raise no objection subject to the applicant funding the promotion of a road closure via Traffic Regulation Order.
191. Highfield Lane not being reconnected to Kingsford Street for the purposes of vehicular traffic would necessitate the provision of a turning facility at the western end of Kingsford Street to accommodate a delivery / refuse freighter sized vehicle serving homes on that street. The northern side of the western end of Kingsford Street is set to be altered through the creation of an off-slip

from the London bound carriageway of the M20 as part of HE's J10A scheme. There is sufficient space on the southern side of Kingsford Street to create a turning loop. The applicant owns / controls part of the land in question and has provided a plan to show how this refinement of the scheme can be physically accommodated west of Lagonda Lodge.

192. Kent Highways and Transportation raise no objection to this arrangement at the western end of Kingsford Street. An image of the land in question is shown below.



193. Given the limited nature of traffic that would need to use a turning loop I consider that its relationship with Lagonda Lodge would be an acceptable one in amenity terms. I do not consider that it would give rise to any adverse landscape impact given the changes that would result from the development of Site U19. However, I would wish to ensure that the design incorporates landscaping (including tree planting) to help soften its visual impact on the surroundings: this can be dealt with by planning condition.
194. Finally, the Church Commissioners for England have made an objection to the application. As identified above, HE do not now require Orchard Way as a strategic highway improvement. However, in any event, a north-south single 2-way road to be built to adoptable standards would connect site U19 at the northern end to the J10A link road and would be developed to the southern end of the site to a point where, theoretically, a future bridge delivered across the railway lines would land to the east of Plot 3 thus providing potential for any required crossing as part of longer term development plans. The safeguarding of this road as public highway can be provided for through an obligation pursuant to s.106. As previously identified, my recommendation also builds in the need for the master plans (and plans informing the master plans) to make this matter more clear than at present.
195. Accordingly, I consider that the proposal would be in accordance with the provisions of Policy U19 of the Urban Sites and Infrastructure DPD 2012 and

Core Strategy Policies CS1, CS2, CS7 and CS15 and the provisions of the NPPF.

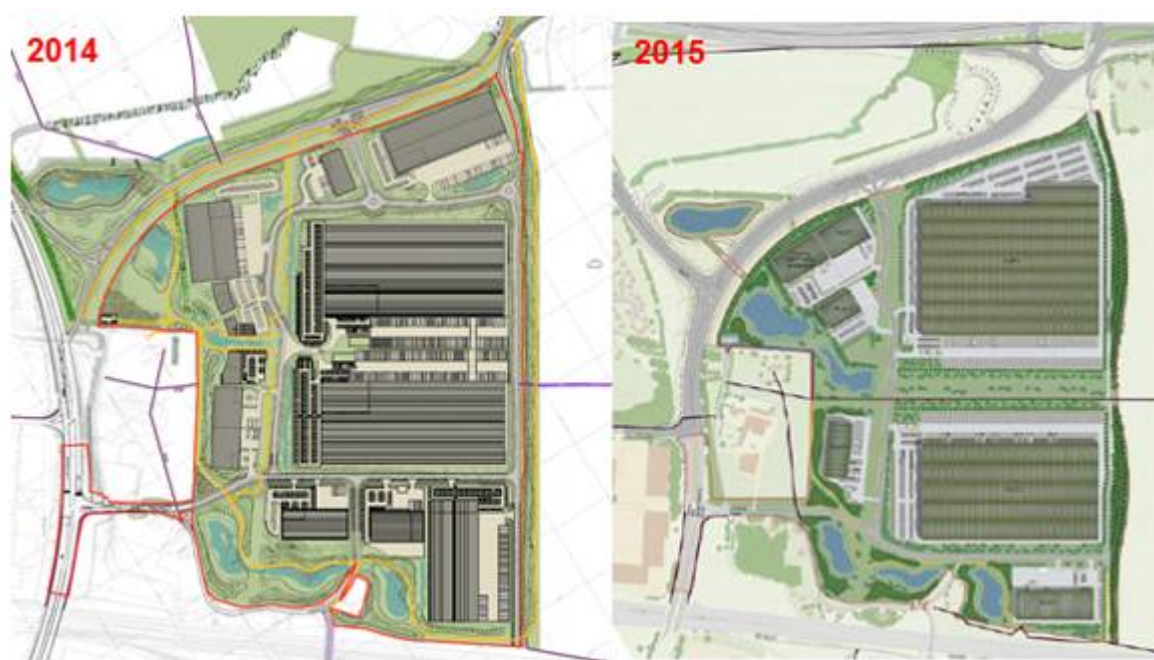
The acceptability of the proposals on the Local Road Network and ability to provide public transportation to serve the site

196. KH&T is the local highway authority and raises no objection to the proposal. As identified further above, the closure by TRO to prevent traffic moving through Highfield Lane between a section to be secured with lockable bollards is an arrangement that would be acceptable to KH & T. I agree with this approach.
197. The rearrangement of the southern-most section of Highfield Lane is also considered acceptable. Again, I agree with that approach.
198. Not covered expressly by KH& T in its response, but shown on the submitted drawings, is the applicant's intention to close the southern end of Church Road to through traffic but allow pedestrian and cyclist through movement. The plans show the provision of additional hard surface to enable a refuse-sized freighter to be able to turn and thus enable homes to be properly serviced. Closure would similarly require a TRO and lockable bollards to allow any additional access required in an emergency situation would be a sensible measure. In effect, this southern end closure would create a cul-de-sac. This has the effect of minimising the impact of local traffic on residents – which is catered for by new estate roads within the development site - and so is supported.
199. The other elements of the scheme such as the proposed road designs and the approach to ensuring public transportation balanced with parking provision are matters also agreed by KH&T. When applications for approval of reserved matters come forward parking provision will be assessed in detail to make sure the quantum is acceptable against the prevailing standards and policies at the time. However, for the purposes of the outline application the illustrative masterplan identifies that the required parking provision can be accommodated on the site alongside the maximum floorspace for which application is made and so I agree with KH&T's conclusion.
200. KCC (PROW) have requested connectivity enhancements which are dealt with elsewhere in this report that have the potential to reduce demand for employee parking for those able to walk or cycle to work from the surrounding urban and rural area. Again, those enhancements are agreed as being necessary to help minimise private vehicle usage in travelling to work through providing practical solutions to existing impediments to localised sustainable pedestrian and cycle movement.

201. Stagecoach have identified that public transportation should be able to be provided into the site once it reaches a critical mass in terms of build-out to make that a commercially viable proposition. An s106 obligation is suggested to cover this as well as the potential for the applicant to provide a service prior to that point being reached.
202. I therefore conclude that the proposal would be acceptable against the general provisions of the general Policy TP6 of the Ashford Borough Local Plan 2000, would be acceptable against the general provisions of Policies CS1, CS2, CS4, CS7, CS9, CS15 and CS18 of the Core Strategy 2008 and Policies U19 and U24 of the Urban Sites and Infrastructure DPD 2012 and the provisions of the NPPF.

The impact of the development on St. Mary's Church (Grade 1 listed)

203. Policy U19 of the DPD makes reference to the setting of listed buildings inevitably changing to some extent. The provision of a landscaped buffer is identified as being necessary. The physical separation of new building and parking areas more than 100m from listed buildings is also identified as a requirement but that is for purposes of amenity rather than concerned with the setting of listed buildings.
204. Historic England raised the matter of significant harm to St. Mary's church in its representation on the originally submitted parameter plans and illustrative master plan in 2014. Positive discussions with the applicant, the Diocese and the Historic England resulted in the revised approach in the 2015 amendments.
205. Historic England welcome the changes made to the layout which reduce, move and soften the edges of the development and provide for a substantial landscape penetration through the interior of the site along the east-west ridge and associated view corridor to the spire of St. Mary's when travelling in a westerly direction along the PROW. The 2014 masterplan and the 2015 are shown below to help illustrate the changes made.



206. Historic England also welcome the applicant's proposed mitigation of works to St. Mary's church to help address the impacts of the development on its long term sustainability and ensure that it can be upgraded and adapted so as to not only serve the existing residential community but also becomes a positive component of the emerging employment community at Stour Park. Reference is made by Historic England to the applicant's suggested £100,000 contribution needing to be determined by the needs of the building rather than a convenient round number and this matter has been helpfully taken forward by the Diocese leading to a package of measures costed at £250,000.
207. Historic England's conclusion is the although the harm to St. Mary's remains very serious, providing the layout changes made by the applicant and the works to assist the church can be secured then that harm may now be treated as 'less than substantial'. Accordingly, Historic England now accept that the application could now be considered against the advice in paragraph 134 of the NPPF and not paragraph 133 with the Council still needing to satisfy itself in respect of paragraphs 132, 129 and 134 of the NPPF. In addition
208. Paragraph 134 deals with 'less than substantial harm' situations and requires harm to be weighed against the public benefits of the proposal including securing its optimum viable use. The applicant's proposed mitigation, welcomed by both Historic England and the Diocese, is one that I consider would assist secure the optimum future use of the Church through the ability to connect it with the emerging employment community nearby whilst retaining its ecclesiastical function.

209. In respect of paragraphs 129, 132, 134 of the NPPF the strategic employment benefits of Site U19 being developed led the Council to allocate the site for development in the first instance. The Policy approach adopted as part of the development plan allows for development of buildings of substantial scale on the land adjacent to the Church. As part of ensuring a sensible balance to growth in terms of allocating sites for homes and a diverse range of employment generating uses, I am satisfied that the benefits of the site being developed in the manner envisaged in the DPD continue to outweigh the harm to the Church's setting. I am satisfied that the applicant's layout changes represent a significant and responsive mitigation in terms of impact on the Church's setting compared with the layout as originally deposited (and which more than meets the DPD requirement) and that the financial mitigation proposed would help preserve the future of the Church by equipping it to embrace and be embedded within the employment community that would emerge through the build out of Site U19. In reaching this conclusion I have had special regard to the desirability of preserving the Church and its setting as required by the Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
210. The applicant's Land Use and Layout Parameter Plan Drawing No. 9031 PL10\_160\_J identifies a substantial 133metre wide corridor through the centre of the site (aligning with the PROW and the view corridor to St. Mary's Church) within which buildings would not be permitted. I agree with this approach and the matter can be the subject of a planning condition.
211. I therefore conclude the proposal would be acceptable against the general provisions of Policies CS1, CS2, CS4, CS7, CS9 and CS18 of the Core Strategy 2008 and Policy U19 of the Urban Sites and Infrastructure DPD 2012 and the provisions of the NPPF.

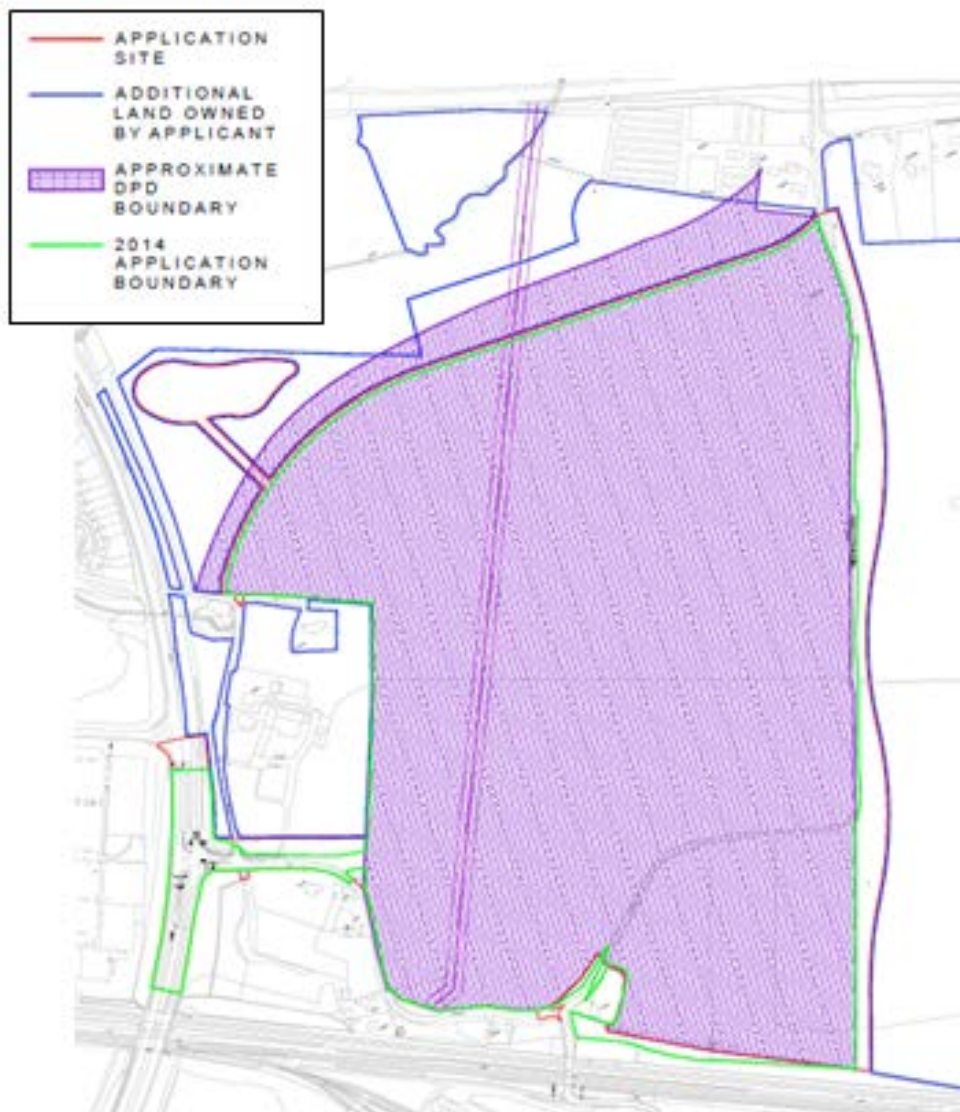
The impact of the development on the setting of other listed buildings

212. In terms of relationship with other nearby listed buildings, those on Church Road and the southern end of Highfield Lane are Grade 2 listed homes with the associated scale and massing. Inherently, they have an existing setting that is very different to St. Mary's Church and one which is considerably more localised. The applicant's proposal locates the proposed development plots away from the immediate site boundaries near to these homes, with open space (including screen tree planting, subtle ground re-profiling and sustainable drainage system features) forming an attractive landscape buffer between existing and new development as is required by Policy U19 in the adopted DPD. Accordingly, I am satisfied that the impact of the proposal on the more localised setting of those buildings is an acceptable one. In reaching this conclusion I have had special regard to the desirability of preserving the Church and its setting as required by the Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

213. I therefore conclude the proposal would be acceptable against the general provisions of Policies CS1, CS2, CS4, CS7, CS9 and CS18 of the Core Strategy 2008 and Policy U19 of the Urban Sites and Infrastructure DPD 2012 and the provisions of the NPPF.

The acceptability of the master planning layout and landscape strategy

214. The 2015 amendments evolve the master plan for the site considerably, taking on board comments raised by consultees as well as my own concerns. The master plan is also accompanied by alternative options demonstrating how the content of the parameter plans creates an acceptable layout and landscape strategy.
215. First, reference has been made by the Parish Council and other consultees to site coverage. The total/whole site is shown on page 79 of the DPD. Paragraph 6.165 identifies that the required master plan;-
- ‘should reflect a limitation on site coverage across the whole site of no more than 40% in order to enable sufficient scope for the necessary flood attenuation, SUDS and structural landscaping.’
216. Furthermore, the Policy text identifies that the aggregate of the individual footprints of buildings shall not exceed more than 40% of the total site area.
217. The floorspace applied for has remained constant at 157, 616 sq.m. The applicant has provided Drawing No. 9031 SK160509\_01 (Boundary Sketch Plan) that shows the DPD total/whole site boundary masked in purple and confirms it as having an area of 459,500 sq.m. An extract from the drawing is shown further below.
218. The floorspace for which application is made equates to 34.3% coverage of that total/whole site. The proposal therefore complies with the requirements of Policy U19 of the Urban Sites and Infrastructure DPD 2012. It is acknowledged that the application site now includes additional land for planting and a balancing pond.



219. Second, the applicant has sought to address the concerns of Historic England that the layout as originally proposed would lead to significant harm to the setting of St. Mary's church as a Grade 1 listed building. The negotiated solution in the 2015 amendments is that the landscape strategy required by Policy U19 not only deals with site boundaries but includes a substantial central landscape corridor running through the site along the central east-west ridge.
220. This corridor aligns with the long established - possibly historic - pedestrian movement corridor between churches in the rural landscape. It contains the PROW route linking Mersham to Sevington. Moving westwards along the corridor, views to the spire of St. Mary's are a visually attractive component of that PROW movement experience. By retaining a strong central corridor that free from built development and therefore protects those views to the church along the PROW, the master plan adopts as sensitive a layout as is realistically possible given the site allocation. The landscaping approach to



the corridor will obviously be important detail for the Council to consider further in order to achieve the delicate balance the screening of adjacent new building plots on the one hand and to avoid, on the other, the views to St. Mary's along the PROW corridor being obscured. KCC (PROW) wish to see the PROW through this corridor upgraded to yield accessibility benefits. Subject to a sensitive surface being created, I support that proposal.

221. Third, the applicant's strategy to creating level development plots through sensitive cut and fill activity is one that I support. Retaining material derived from that process on-site and seeking to sensibly re-use it is also supported: it helps avoid unnecessary heavy goods vehicle movements taking soil/ sub-soil from and to the site with attendant additional emissions, use of resources and disturbance. The applicant proposes to use soil as part of a subtle profiling of the existing landscape, itself gently undulating, within and immediately adjacent to Site U19. Re-profiling of levels is proposed to be accompanied by planting and work together with substantial belts of tree planting to help screen the scale and massing of buildings that are a consequence of the allocation for employment development that requires large floorspace.
222. The applicant owns and controls the land to the east of Highfield Lane. That land is not covered by Site U19 in the DPD. However, the applicant could plant the screen tree planting shown on the master plan on that land on the eastern side of the Lane without the need for any Council planning permission and the Council would then have no control over species or recourse should trees die. By the same token, the Council could also grant planning permission subject to a condition requiring a landscaping scheme for the same land so owned and controlled by the applicant but not forming part of the DPD site to be submitted for approval and then implemented.
223. I consider that the subtle profiling proposed on the eastern side of Highfield Lane would not only help retain Highfield Lane's character as a 'sunken lane' - an issue directly raised by the community and taken forward with the applicant - but would also work well with proposed tree planting in optimising screen landscaping views towards the large scale buildings that will be developed at Site 19. The illustrative master plan shows landscaping on both sides of the Lane and so this approach would work well in helping to retain sunken lane character and screen short and medium range views to new buildings. I do not agree with the views of some objectors that all landscaping must be in the DOD site boundary in order for the Council to find it the landscaping strategy acceptable.
224. Fourth, development plots are generally pulled inwards from the site boundary and minimise avoid 'hard edge's especially near the homes on Church Road and at the southern end of Highfield Lane.

225. Fifth, the master plan promotes the southern half of Church Road to become a cul-de-sac preventing through vehicular movement but allowing beneficial cycle and pedestrian through movement. This would have the benefit of limiting the impact of development site traffic (and through traffic travelling from the southern side of the railway lines via the existing bridge) on the occupiers of homes on that Road and so improving their amenity. The applicant has identified that sufficient space exists to allow a refuse freighter sized vehicle to turn at the southern end and so the proposal has similarities with the adoption of a similar approach at the western end of Kingsford Street to which I refer elsewhere in this report. I consider the approach to be a sensible evolution of the originally deposited scheme. The master plan creates a single north-south 2-way road to adoptable standards through Site U19 from the principal/main access on the J10A link road to the southern side of the site to a point east of Plot 3 where, theoretically, a bridge over the railway lines would land.
226. Sixth, the subtle land re-profiling and planting approach to which I have referred is also adopted closer to Church Road as a way of creating character to local pedestrian movement towards St. Mary's church by framing views to that building: I support this approach.
227. Seventh, the applicant's master plan identifies that the northern boundary to the site would have a screen tree planting belt fronting towards the J10A link road. The iterations of the HE link road suggest that the northern tree screen planting for Stour Park would be supplemented by tree planting as part of the HE's application for a DCO for the scheme. If the quantum of land needed by HE for the link road corridor is reduced by adjustment its boundary with Stour Park northwards then the space available for tree landscaping entirely within Stour Park would be enhanced as a consequence: the application already provides for a maximum scale of development and the HE link road to J10A passes through land owned/controlled by the applicant.
228. Lastly, while I acknowledge the views of the Kent Down's AONB unit on the application, the further a development site is located away from a precisely drawn AONB boundary then, subject to scale it follows that a development will naturally have less of an impact on it.
229. To suggest that an AONB with elevated topography allowing views over non-AONB land below creates a substantial AONB setting over that non-designated land preventing its development would of course, if followed logically, create a situation where much of Kent distant from an AONB would be sterilised for development. It would also raise the question why the AONB boundary was not drawn considerably larger in the first instance.
230. The application site is not adjacent or very close to the AONB boundary: it is 2.5 km away from it. On land closer to the AONB and closer when viewed

from the top of the Downs lie Tesco's superstore at Crooksfoot and buildings forming the William Harvey Hospital complex. In the specific context of this case, viewed at a distance of 2.5km, and with a combination of the screen tree landscaped boundaries to which I have referred and a sensitive approach to roof forms, the positioning of photovoltaic cells and roof and wall colour, I consider that the development of Site U19 should be able to be assimilated into the landscape able to be seen some distance outside of the AONB without having any adverse impact on it.

231. Accordingly, I conclude that the illustrative master plan (comprising the master plan and alternative master plan options informed by the applicant's parameter plans) and landscape strategy would be acceptable against the general provisions of Policies GP12 (protecting countryside and managing change), EN9 (setting and entrances), EN10 (development at the edge), EN31 (important habitats) and TP6 (cycle parking) of the Ashford Borough Local Plan 2000, would be acceptable against the general provisions of Policies CS1 (Guiding Principles), CS2 (Borough Wide strategy), CS7 (The economy and employment development), CS9 (Design quality), CS11 (Biodiversity), CS15 (Transport) and CS18 (meeting community needs), of the Core Strategy 2008 and would be acceptable against Policies U19 (Sevington) and U23 (landscape character) of the Urban Sites and Infrastructure DPD 2012 and would meet the provisions of the NPPF.

#### Design and external appearance of buildings

232. The applicant's Design and Access Statement contains comprehensive information supporting the scale and design approach in relation to the proposed buildings.
233. I agree that the softening of roofs to buildings through the use of curved and barrel vaulted forms would soften the impact of buildings on the skyline and I support the active integration of rain water goods as part of the external aesthetic. I agree that colour will be particularly important for roofs and walls to help ensure that the impact of the buildings in the landscape, whether viewed from short, medium or long range, is sensibly minimised. The positioning of any roof-top mounted photovoltaic cells as part of meeting the Council's Sustainable Design and Construction Policy CS10 will need to be carefully balanced to ensure that the objective of minimising landscape impact is not undermined.
234. The use of contrasting local and natural elements such as timber cladding and Ragstone elements at key vista-stops, entrances and at office areas is supported. It has the potential to both articulate and break up the facades of buildings and to help create an employment site with a strong sense of place.

Visual difference in key locations also has the potential to help with way-finding through the site and is supported.

235. The applicant suggests that smaller scale office buildings, office pods to larger warehouse buildings and the amenity hub building located near to St. Mary's church would incorporate green roofs. As smaller scale buildings and building elements, these would be likely to be most visible viewed from short and medium range viewpoints and discernible as attractive and innovative sustainable construction and I am pleased that the applicant considers these can be worked into detailed designs that come forward.
236. External appearance is a matter to be reserved for future consideration. Nevertheless, the information supplied by the applicant demonstrates that careful thought to matters of future design and I agree with the suggestion that a Design Code can be agreed as a requirement of a planning condition, thus helping steer those taking forward the detailed design of buildings within the maximum scale parameters identified. The submission of a Design Code for Council agreement can form the basis of a planning condition.
237. In conclusion, I am satisfied that the applicant has demonstrated how the design and external appearance of the proposed buildings could be acceptably accommodated at the site in a manner that would both meet market requirements and help reduce their visual and landscape impact notwithstanding the fact that Policy U19 envisages buildings of considerable footprint and scale and so inevitably would change the character of this entrance to the town by road and rail.
238. Accordingly, I conclude that the proposal would be acceptable against the general provision of Policies GP12, EN9, EN10, EN31 of the Ashford Borough Local Plan 2000, would be acceptable against the general provisions of Policies CS1, CS2, CS4, CS7, CS9, CS10, CS11, CS15, CS18 and CS19 of the Core Strategy 2008 and Policies U19 and U23 of the Urban Sites and Infrastructure DPD 2012 and would meet the provisions of the NPPF.

Other matters including drainage and ecology

239. The applicant's approach to surface water drainage through a comprehensive sustainable drainage system involving ponds and swales as a 'blue grid' embedded within open landscaped spaces forming a 'green grid' is fully supported. An above ground system providing a solution for managing surface water from the development would have additional visual softening benefits as well as helping support biodiversity.
240. The applicant's strategy is a flexible one that could allow for drainage split northwards (providing the HE's scheme can deliver a connection to the Aylesford Stream) and southwards or just southwards if the former cannot be

achieved. Ultimately, the proposed restricted run off rate of 1.8 litres / second / hectare better the policy basis of a maximum 4 litres / second / hectare and so is acceptable.

241. This applicant's approach aligns with the Council's adopted Sustainable Drainage SPD and Policies CS1 and CS20 of the Core Strategy 2008 and so is acceptable in my view.
242. Turning to ecology, I note the comments of Kent Wildlife Trust and KCC Ecology and agree that the applicant has provided comprehensive assessment of the site as it exists and how ecological mitigation can be provided through the proposed master planning layout. The proposals include specific on-site measures – such as care with site lighting and provision of green buffer and strategic green spaces within the site - to facilitate ecological mitigation Landscape and Ecology Management Plans and Ecological Monitoring Strategies will need to be agreed. These can be secured by planning conditions.
243. My conclusion is that the proposal meets the general requirements of the Core Strategy (Policy CS1) and the commitment to high quality design (Core Strategy Policy CS9) and also would avoid harm to biodiversity and habitat whilst providing appropriate mitigation (Core Strategy Policy CS11 and policies EN30 and EN31 of the Ashford Borough Local Plan 2000) and would have an acceptable impact on the landscape at an important edge (Ashford Borough Local Plan 2000 (Policies GP12, EN9 and EN10, Policy CS1 of Core Strategy and Policy U23 of the Urban Sites and Infrastructure DPD) and, as such, is acceptable. It also complies with the provisions of the NPPF.

### **Planning Obligations**

244. Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:
- (a) necessary to make the development acceptable in planning terms,
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development
245. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the

development. Accordingly, they may be a reason to grant planning permission in this case. .

**Table 1**

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1.	<b>Contribution for funding carbon savings (excluding infrastructure) based on the residual carbon emissions of the buildings set out in the approved energy performance certificates and quantified over 10 years</b>	To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD.	Payable on substantial completion of each individual building	<p><b>Necessary</b> in order to ensure the development is carbon neutral pursuant to Core Strategy policies CS1 and CS10 (C), the Sustainable Design and Construction SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as only carbon emissions from this development would have to be off-set.</p> <p><b>Fairly and reasonably related in scale and kind</b> as off-setting would not be required in the absence of carbon emissions from this development and any payment is based on the amount of carbon dioxide to be offset.</p>
2.	<b>Bus strategy. Agreement of a strategy to ensure a bus</b>	To be agreed	To be agreed	<b>Necessary</b> to ensure that the connection of the development

1.135

	<p><b>service for the site – whether a service provided directly by the applicant OR by a commercial operator OR a combination of the two approaches calling at the site at a location or locations to be agreed and at an acceptable frequency – connecting the development with the urban area and ultimately the town centre and railway stations, commencing 6 months after the completion of the link between the main site access and Church Road to a frequency to be agreed and funding for that service for a minimum period of 5 years.</b></p>			<p>with a bus service is provided thereby helping encourage and maximise sustainable movement choices available to site employees and site visitors.</p> <p><b>Directly related</b> to the proposal as the necessity to provide a modal shift in private transportation by means other than the private motor vehicle arises from the impact of the proposed development in its location.</p> <p><b>Fairly and reasonably related in scale and kind</b> taking into account the scale of the development and the nature of its impact on the surrounding highway infrastructure in accordance with Policy U24 of the Urban Sites and Infrastructure DPD.</p>
3.	<p><b>Framework Travel Plan (including public transport strategy and other green transport measures to serve the site)</b></p>	<p>Not applicable</p>	<p>Framework Travel Plan to be approved at a trigger to be agreed in relation to occupation of new floorspace and the</p>	<p><b>Necessary</b> in order to encourage a modal shift away from private car for visitors and employees (and as parking is provided on an 80% basis in accordance with the provisions of SPG6) through a</p>



			<p>agreed Travel Plan to be implemented within 3 months of that event. Time period of review to be agreed.</p>	<p>Framework Travel Plan containing agreed objectives, an agreed strategy for delivery of defined modal shift targets and an agreed mechanism for periodic review and any required revisions to modal shift targets. The Framework Travel Plan to include a public transport strategy. All of the above being necessary pursuant to policies CS1, CS2, CS15 and CS18 of the Core Strategy, Policy U24 of the Urban Sites and Infrastructure DPD, the provisions of the Kent Local Transport Plan and guidance in the NPPF.</p> <p><b>Directly related</b> as employees and visitors will travel to the site and how they travel is appropriate to plan for and monitor and the agreed measures within the Travel Plan will be available to them. A public transport strategy is a related requirement.</p> <p><b>Fairly and reasonably related in</b></p>
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				<p><b>scale and kind</b> taking into account the scale of the development and the need to ensure that appropriate measures are put in place to minimise the environmental impact of travel to and from the development.</p>
4.	<p><b>The funding of improvements to facilitate improved pedestrian and cycle connection between the site and Kingfisher Close, Willesborough</b></p>	£30,000	To be agreed	<p><b>Necessary</b> in order to assist a modal shift in travel patterns, as is required by Travel Plans for the site, by overcoming a known poor onward pedestrian and cycle connection to the west of the application site that in its current form would dissuade adoption of sustainable movement choice to and from the site by staff and visitors. Improving this poor connection is necessary pursuant to policies CS1, CS2, CS15 and CS18 of the Core Strategy, Policy U24 of the Urban Sites and Infrastructure DPD, the provisions of the Kent Local Transport Plan and guidance in the NPPF.</p>

				<p><b>Directly related</b> as employees and visitors will travel to the site and how they will travel is appropriate to plan for and resolve any connection problems that currently exist and which left unresolved would be likely to impact on meeting Travel Plan objectives.</p> <p><b>Fairly and reasonably related in scale and kind</b> taking into account the scale of the development and the need to ensure that appropriate enhancements are put in place to minimise the environmental impact of travel to and from the development.</p>
5.	<p><b>The upgrading of public footpath AE639 and public footpath AE363 between Highfield Lane and Blind Lane to public bridleway status (both physically and legally) to a standard to</b></p>	To be agreed	To be agreed	<p><b>Necessary</b> in order to assist a modal shift in travel patterns, as is required by Travel Plans for the site, by the upgrading of PROW - connecting the application site to the nearest residential community to the east of the site and</p>

1.140	<p><b>enable all-weather usage by pedestrians and cyclists to be agreed with KCC in consultation with the local planning authority</b></p>		<p>upgrading the PROW that runs through the centre of the application. The PROW, in their current form dissuades adoption of sustainable movement choice to and from the site from the east by staff and visitors. Improving sustainable movement connectivity is necessary pursuant to policies CS1, CS2, CS15 and CS18 of the Core Strategy, Policy U24 of the Urban Sites and Infrastructure DPD, the provisions of the Kent Local Transport Plan and guidance in the NPPF.</p> <p><b>Directly related</b> as employees and visitors will travel to the site and how they will travel is appropriate to plan for and resolve any connection problems that currently exist and which left unresolved would be likely to impact on meeting Travel Plan objectives.</p> <p><b>Fairly and reasonably related in</b></p>
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				<p><b>scale and kind</b> taking into account the scale of the development and the need to ensure that appropriate enhancements are put in place to minimise the environmental impact of travel to and from the development.</p>
6.	<p><b>Obligation to enter into a s.278 agreement with Highways England pursuant to the Highways Act 1980 to (a) make a SPG6 contribution towards increasing strategic highway capacity to accommodate the traffic movements arising from the development of the site through the provision of J10A to the M20 motorway and (b) safeguard the land necessary for Highways England to deliver the J10A scheme (including the link road and allied routes for non-motorised traffic,</b></p>	<p>SPG6 based sum to be calculated</p>	<p>Obligation to enter s.278 agreement prior to first occupation of new floorspace</p>	<p><b>Necessary</b> as the strategic highway network will be impacted by the proposed development and mitigation of that impact and in the interest of highway safety will be through an enhancement of strategic highway network capacity in the form of new J10A to the M20 pursuant to Core Strategy policies CS1, CS2, CS15 and CS18, Policies U19 and U24 of the Urban Sites and Infrastructure DPD, the provisions of the Kent Local Transport Plan and guidance in the NPPF.</p> <p><b>Directly related</b> to the development proposed, the result of which has been identified</p>

	<p><b>landscaping, drainage and other rights over land) when required</b></p>			<p>through the applicant's Traffic Assessment as having an impact on the strategic highway network. Occupiers of new floorspace will travel and the facilities to be funded will be available to them as part of transportation choice.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because the amount has been calculated based on the scale of the development and the estimated number of relevant trips and the need not to prejudice the J10A scheme in accordance with Policy U24 of the Urban Sites &amp; Infrastructure DPD.</p>
7.	<p><b>The funding by the applicant of the promotion and implementation by the local highway authority of road closures via Traffic Regulation Orders (TROs) to</b></p>	<p>To be agreed with the local highway authority.</p>	<p>To be agreed with the local planning authority in consultation with the local highway authority.</p>	<p><b>Necessary</b> in order to (A) retain the majority of Highfield Lane as part of the local public highway for cyclists and pedestrians and equine users only but otherwise close the Lane to vehicular traffic thereby helping ensure that</p>

	<p><b>(A) prevent through vehicular traffic moving between Highfield Lane and Kingsford Street and retain a local public highway for cyclists and pedestrians and equine users only (using lockable bollards or similar measures to maintain an access for emergency vehicles only) as shown on Drawing No. 22233105-32</b></p> <p><b>and</b></p> <p><b>(B) prevent through vehicular traffic at the southern end of Church Road (using lockable bollards or similar measures to maintain an access for emergency vehicles only)</b></p>		<p>inappropriate traffic does not seek to access the development site from Mersham along Kingsford Street along a narrow and long rural lane unsuited to accommodate traffic associated with the development site to the detriment of the amenities of local residents and (B) prevent through traffic at the southern end of Church Road benefitting the amenities of the occupiers of homes along that stretch of road by reducing the impact of through traffic which will, in any event, be catered for by new estate roads within the development site. Ensuring development sites are acceptably connected to the surroundings is necessary pursuant to the provisions of Policies CS1, CS4 and CS15 of the Core Strategy and Policy U24 of the Urban Sites &amp; Infrastructure DPD.</p> <p><b>Directly related</b> to the</p>
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				<p>development proposed as the movements arise from the operation of the development site and the quantum of traffic that it generates onto the local highway network.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development site and the traffic that it will generate when in use.</p>
8.	<p><b>To fund and provide land for the associated implementation of a refuse freighter-sized turning facility to enable a turn and return in an easterly direction along Kingsford Street (with associated landscaping) to a specification and in accordance with agreed long term maintenance (including potential adoption by the</b></p>	<p>To be agreed with the local highway authority.</p>	<p>To be agreed with the local planning authority in consultation with the local highway authority with the land as is necessary to construct the facility to be provided by the applicant at nil consideration.</p>	<p><b>Necessary</b> in order to ensure that the closure of Highfield Lane to vehicular traffic (save for emergency vehicles requiring access via lockable bollards) is accompanied by the provision of a suitable facility to enable a refuse sized freighter to turn and return and thus protecting amenities of those living on Kingsford Street in accordance with Policy CS1 of the Core Strategy and Policy U24 of the Urban Sites &amp; Infrastructure DPD.</p>



	<p><b>local highway authority) to be agreed with the local highway authority in consultation with the local planning authority</b></p>		<p><b>Directly related</b> to the development proposed as the need to provide a turning facility arises directly from preventing the vehicular movements that would otherwise arise from the operation of the development site that could use Kingsford Street to access the site. The making of a Traffic Regulation Order to prevent those movements and the adverse impact they would have is required to be accompanied by the provision of a turning facility to enable the everyday servicing needs of homes on Kingsford Street being able to be met and the provision of a turning facility is in accordance with Policy CS1 of the Core Strategy.</p> <p><b>Fairly and reasonably related in scale and kind</b> to ensure that the potential adverse traffic impacts without closure of Highfield Lane to vehicular traffic are</p>
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				accompanied by the provision of a turning facility.
9.	<b>The funding by the applicant to the Diocese, via the Council, to cover the costs of the Diocese carrying out the agreed internal upgrade works necessary to St. Mary's Church to enable it to meet the needs of the emerging community arising through the development of Site U19</b>	£186, 875	To be agreed in consultation with the Diocese.	<p><b>Necessary</b> in order to enable the impacts of development on the Church to be mitigated through the provision of funding enabling the Diocese to upgrade and adapt St. Mary's to both enhance its viability and meet the needs of the community that will be created through the development of the application site thereby ensuring that the Church is integrated with that community rather than being isolated from it. The proposal is in accordance with Policies CS1, CS9 and CS18 of the Core Strategy 2008 and Policy U24 of the Urban Sites &amp; Infrastructure DPD.</p> <p><b>Directly related</b> as the development site is located on both adjoining land and land close to St. Mary's church and the community needs generated by the development can therefore be</p>

				<p>addressed through the upgrading and adaptation works discussed with the Diocese.</p> <p><b>Fairly and reasonably related in scale and kind</b> as the development will generate community needs that can be addressed through the upgrading and adaptation of St. Mary's church.</p>
10.	<p><b>The construction by the applicant within a timescale to be agreed of a suitably surfaced, all-weather, 30 space off-street car park (to an agreed specification) to serve St. Mary's Church together with access alterations and footpath connections also to be agreed</b></p>	To be agreed.	To be agreed,	<p><b>Necessary</b> in order to enable the impacts of development on the Church to be mitigated through (a) the provision of a car park thereby enabling car borne users of the upgraded and adapted Church to be able to park in all weathers and without disrupting Church Road and (b) ensuring that the appropriate access and footpath connections are put in place. The proposal is in accordance with Policies CS1, CS9 and CS18 of the Core Strategy 2008 and Policy U24 of the Urban Sites &amp; Infrastructure DPD..</p>

				<p><b>Directly related</b> as the proposed car park and footpath connections are a component part of the necessary upgrading and adaption works necessary to mitigate the impact of development on St. Mary's and to ensure that it can properly meet the needs of the community that will be created through the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> as the development will generate community needs some of which will need to access St. Mary's by car and therefore need an all-weather off-street car parking facility together with footpath and access connections.</p>
11.	<p><b>Reservation of land through the site - from the principal access connection with the J10A link road on the northern side to the southern boundary broadly</b></p>	Not applicable	To be agreed	<p><b>Necessary</b> in order to ensure that the 2 lane estate road designed to adoptable standards is safeguarded as public highway running through the site from the northern boundary to the southern side of the site to the point where it</p>

1.149	<p><b>in the position shown on the master plan to enable a potential 2-lane vehicular highway connection over the railway to the south - to be provided and adopted as public highway.</b></p> <p><b>Development of the site shall deliver the new link road to the southern boundary if and when a scheme for the delivery of a railway crossing and matching road on the southern side of the railways to serve future growth has been secured</b></p>			<p>could then connect with a future bridge open to motor vehicle traffic over the railway lines in accordance with Policy U19 of the Urban Sites &amp; Infrastructure DPD.</p> <p><b>Directly related</b> as the 2 lane highway is proposed by the applicant, is necessary to serve the proposed development and its delivery and safeguarding as public highway will allow for potential onwards connection via a bridge open to motor vehicle traffic over the railway lines to be explored and taken forward as necessary and delivered if and when required in accordance with Policy U19.</p> <p><b>Fairly and reasonably related in scale and kind</b> as the 2 lane highway is proposed by the applicant to be constructed to adoptable standards and needs to be safeguarded.</p>
12.	<b>Implementation notice</b>	Not applicable	On commencement	<b>Necessary</b> to ensure clarity as to

			of development through the making of a material operation as defined in the Town and Country Planning Act 1990 (as amended)	<p>the date that the associated planning permission was implemented.</p> <p><b>Directly related</b> as relates to the works being carried out by the applicant as part of the authorised development.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the necessity for certainty on the date concerned, especially for monitoring purposes.</p>
13.	<b>Monitoring fee A: travel plan</b>	Index linked £1,000 p.a. (including part thereof) for 5 years	£1,000 to be paid to the Council upon submission of the draft Travel Plan and £1,000 on the anniversary thereof for a period of 4 years.	<b>Necessary</b> as (i) a contribution towards KCC's costs in monitoring compliance with the Travel Plan required to be submitted pursuant to a proposed planning condition and (ii) to ensure that the performance of said Travel Plan subject of Regulation 122 Assessment under Item 3 above is actively monitored under the auspices of policies CS1, CS2, CS15 and CS18 of the Core Strategy, Policy U24 of the Urban Sites & Infrastructure DPD, the provisions of the Kent Local

				<p>Transport Plan and guidance in the NPPF.</p> <p><b>Directly related</b> as the Travel Plan needs to be implemented in order to ensure that the development helps create sustainable development through assisting the maximisation of transport choice to and from the site for staff and visitors.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the Travel Plan to be monitored over a defined time period.</p>
14.	<b>Monitoring fee B: other</b>	Index linked £5,000 p.a. (including part thereof) for the duration of the build	Upon commencement of the development authorised by the permission.	<p><b>Necessary</b> in order to ensure the planning obligations are complied with.</p> <p><b>Directly related</b> as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p>

				<b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the obligations to be monitored
15.	<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the <a href="#">council web site</a> in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>			



## Human Rights Issues

246. I have also taken into account the human rights issues relevant to this application. In my view the "Assessment" section above and the Recommendations below represent an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

## Working with the applicant

247. In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

## Recommendation

- (A) Subject to the receipt of an amended master plan showing the reservation of land for a potential public highway connection across the Ashford to Folkestone and HS1 railways, Members approve the master plan (being a combination of the amended illustrative master plan, the amended illustrative master plan alternatives and the parameter plans informing such amended master plans) submitted by the applicant pursuant to the requirement of Policy U19 of the Urban Sites and Infrastructure DPD 2012**
- (B) Subject to the development remaining in accordance with the amended master plan pursuant to the requirement of Policy U19 of the Urban Sites and Infrastructure DPD 2012, and**
- (C) Subject to the receipt of the final written views of Highways England raising no objection to the proposals, and**
- (D) Subject to the receipt of any necessary updated plans, including phasing plan, dealing with matters relating to (B) above and to accord with the approach at (E) below, and**
- (E) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to**
  - a. Contribution for funding carbon savings (excluding infrastructure)**
  - b. Bus strategy**
  - c. Framework Travel Plan (including public transport strategy)**

- d. The funding of improvements to facilitate improved pedestrian and cycle improvements between the site and Kingfisher Close, Willesborough**
- e. The upgrading of public footpath AE639 and public footpath AE363 between Highfield Lane and Blind Lane to public bridleway status to a standard to be agreed with KCC in consultation with the local planning authority**
- f. Via an obligation to enter into a s.278 agreement with Highways England pursuant to the Highways Act 1980 to make a SPG6 contribution towards increasing strategic highway capacity to accommodate the traffic movements arising from the development of the site through the provision of J10A to the M20 motorway**
- g. The funding by the applicant of the promotion and implementation by the local highway authority of road closures via Traffic Regulation Orders (TROs) to (A) prevent through traffic moving between Highfield Lane and Kingsford Street as shown on Drawing No. 22233105-32, and (B) prevent through vehicular traffic at the southern end of Church Road (using lockable bollards or similar measures to maintain an access for emergency vehicles only)**
- h. The associated implementation a refuse freighter sized turning facility (with associated landscaping) to a specification and in accordance with agreed long term maintenance (including potential adoption by the local highway authority) to be agreed with the local highway authority in consultation with the local planning authority**
- i. The funding of £186, 875 by the applicant to the Diocese, via the Council, to cover the costs of the Diocese carrying out the agreed internal upgrade works necessary to St. Mary's Church to enable it to meet the needs of the emerging community arising through the development of Site U19**
- j. The carrying out by the applicant within a timescale to be agreed of a 30 space car park (to an agreed specification) to serve St. Mary's Church together with access alterations and footpath connections also to be agreed**
- k. Reservation of land through the site - from the principal access connection with the J10A link road on the northern side to the southern boundary broadly in the position shown on the master**

**plan to enable a potential highway connection over the railway to the south - as public highway**

- I. Implementation and development completion notices to be served on ABC**
- m. Monitoring fee A: travel plan (index linked £1,000 p.a. for 5 years)**
- n. Monitoring fee B: (index linked £5,000 p.a. for the duration of the build)**

**as detailed in table 1, in terms agreeable to the Head of Development Strategic Sites and Design in consultation with the Corporate Director (Law & Governance), with delegated authority to the Head of Development Strategic Sites and Design to make or approve changes to the planning obligations and planning conditions (including adding additional conditions or deleting conditions as necessary), as she sees fit.**

- (F) Subject to the application being advertised as it does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated in terms of the requirements of Policy ET3 of the Ashford Borough Local Plan 2000, and subsequently notification to the Secretary of State in terms of the quantum of office floorspace proposed and to his having indicated that he is content for the Council to determine the application, or not responded,**
- (G) Grant outline planning permission**

Subject to the following conditions and notes:

Time periods

1. (A) Approval of the phase 1 works involving the siting, design, appearance and landscaping of the estate roads, the sustainable drainage system embedded within open space and the landscaping and layout of that open space (including measures specifically designed for ecological/biodiversity enhancement purposes within that open space) shall be obtained from the local planning authority prior to the approval of the first new building to be constructed within the site and thereafter the phase 1 works shall be carried out in accordance with such approval unless the Local Planning Authority has agreed to any variation in writing.
- (B) Approval of the siting design and external appearance of each of the buildings, the means of access thereto within the site interior, and the landscaping of each individual building plot to be constructed, hereinafter called "the reserved matters" shall be obtained from the local planning authority in

writing before the development of the site or any individual plot within the site is commenced.

**Reason:** To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 (as amended) and in order to ensure that phase 1 works are considered in advance of the approach to individual areas of the site containing development plots coming forward for approval.

2. (A) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of 7 years from the date of this permission.

(B) The development hereby permitted shall be first begun no later than 2 years from the date of this permission and any development permitted pursuant to reserved matters approvals shall be begun either not later than the expiration of 7 years from the date of this permission, or before the expiration of 2 years from the date of approval of the reserved matters, whichever is the later.

**Reason:** To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 (as amended)

Content of applications for approval of reserved matters

3. All proposals submitted pursuant to condition 1(B) of this permission shall be accompanied by a statement demonstrating how the proposals;-

(i) conform generally with the layout and building design principles set out in the Design and Access Statement, the Development Specification and the illustrative master plan with any proposed departures being justified,

(ii) conform specifically with the Design Code subject of condition 6 of this permission,

(iii) conform specifically with the Local Ecological Management Plan subject of condition 49 of this permission, and

(iv) conform specifically with the Lighting Strategy subject of conditions 8 and 9 of this permission.

**Reason:** To ensure that the fine detail of the site's development is appropriate in order to mitigate its visual, landscape, amenity and ecological impacts.

4. Details of the final finished level to ground floors of any proposed building shall be submitted to and approved in writing by the Local Planning Authority at the same time as the details submitted pursuant to condition 1(B) and the development shall be carried out to the approved level.

**Reason:** In the interests of visual amenity.

5. Written details and sample boards of all external cladding materials shall be submitted to and approved by the Local Planning Authority in writing at the same time as the details required by condition 1(B) of this permission and the development shall only be carried out using the approved external cladding materials.

**Reason:** In the interests of visual amenity.

Design Code

6. (A) Prior to the approval of any floorspace proposed pursuant to this permission, a Design Code shall have been submitted to and approved in writing by the Local Planning Authority containing the following minimum elements to inform detailed building, plot and site design;-

(i) plot configuration (including the position of buildings, yards and car parks and surfacing materials),

(ii) plot boundary demarcation (including differing approaches according to context and innovative ways of softening visual impact thereof)

(ii) general building form (including shape, configuration, and heights),

(iii) roof and eaves profiles (including materials, types including green roofs, eaves treatments to soften the impact of concealed rain water goods),

(iv) approach to office elements (including both separate pod and integral arrangements, entrances, materials, adaptability, articulation, site-wide and on-plot legibility),

(v) building appearance, aesthetic and creation of a strong sense of place (cladding and materials, wall / eave / roof colours, green walls, doors and openings, signage, façade illumination),

(vi) materials (car parks, yards, roads, paths), and

(vii) street furniture (including bus shelters, approach to way-finding and public art, street and open space furniture.

The Design Code shall include a time period for its future review.

(B) All applications submitted pursuant to Condition 1(B) of this permission shall include a written statement identifying how the detailed design that is proposal complies with the provisions of the Code.

**Reason:** To help ensure that the principles of development set out in the application are translated by subsequent designers to help mitigate the impact of the development on its surroundings.

Sustainable design & construction

7. (A) Each and every building at the development hereby approved shall be carbon neutral and shall be constructed to achieve a target Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Excellent' standard comprising the following minimum credit requirements:-

- (i) 'Excellent' standard in respect of energy credits,
- (ii) 'Maximum standard in respect of water credits,
- (iii) 'Excellent standard in respect of materials credits, and
- (iv) under criterion Ene4 (Low and Zero Carbon Technologies) (or subsequent equivalent criterion) 1 credit for a feasibility study and 2 credits for a 30% reduction in carbon emissions.

(B) Unless otherwise agreed in writing by the Local Planning Authority, no work on any building floorspace hereby permitted shall commence until the following for that new building floorspace has been submitted to and approved in writing by the Local Planning Authority:-

(i) A feasibility study to establish the most appropriate local low and zero carbon ("LZC") technologies to install and which shall be in accordance with the feasibility study requirements set out within BREEAM 2011 New Construction (or subsequent equivalent requirements),

(ii) Standard Assessment Procedure ("SAP") calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed,

(iii) A BREEAM 'Design Stage' report and related certification produced by a registered assessor, and

(iv) Details of the measures, LZC and other technologies to be used to achieve the BREEAM standard and credit requirements specified above.

(C) Thereafter, each approved new building shall be carried out in accordance with the approved report and details and the approved measures and LZC and other technologies for achieving the BREEAM standard and credit requirements specified above shall thereafter be retained in working order in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

(D) Unless otherwise agreed in writing by the Local Planning Authority, each approved new building shall not be occupied until (i) and (ii) below have been submitted to and approved in writing by the Local Planning Authority for that building:

(i) SAP calculations from a competent person stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions, and

(ii) a BREEAM 'Post Construction Stage' report and related certification produced by a registered assessor confirming the BREEAM standard that has been achieved and the credits awarded under Ene4.

**Reason:** In order to (a) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (b) seek to achieve a carbon neutral development through sustainable design features and on-site low and/or zero carbon technologies and (c) confirm the sustainability of the development and a reduction in the consumption of natural resources and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and NPF.

Street, amenity/open space and development plot lighting

8. All proposals submitted pursuant to conditions 1(A) and 1(B) of this permission shall be accompanied by a statement demonstrating how the proposals conform with the Lighting Design Specification as set out in Appendix D of the Development Specification October 2015, with particular attention being paid to ensuring that the proposals minimise the impact on wildlife and reduce unnecessary light spillage in areas that need to be lit. The statement shall include confirmation from a qualified ecologist that the proposals would minimise the impact on wildlife.

**Reason:** To ensure that the approach to site lighting is appropriate and reduces the impact of the development.

9. The following details shall be submitted to the Local Planning Authority at the same time as the details required by conditions 1(A) and 1(B) and (following consultation with the Kent Wildlife Trust and KCC Ecology) be approved by the Local Planning Authority in writing;-

(a) 1:50 scale elevations of lighting (and any other) columns to be installed and details of final colour finish,

(b) a 1:500 scale layout plan showing the location of lighting (and any other columns), and

(c) full details of levels of luminance for columnar lighting and measures and specifications employed to limit light spillage and minimise impact on bats within the locality.

Only the approved details shall thereafter be implemented and shall be subsequently retained in perpetuity unless the Local Planning Authority has subsequently agreed otherwise in writing.

**Reason:** No such fine details have yet been supplied and in order to ensure, generally, that the approach to lighting and any other columns is contextually appropriate for the urban edge location taking into account the relationship with

the undeveloped surrounding land and residential uses and, specifically, takes into account the need to minimise impact on bats present in the locality.

Bat roosting, bird nesting and hibernacula

10. Prior to any approved floorspace being made available for use, the following details shall have been submitted to and approved by the Local Planning Authority in writing;-

(a) full details of proposed bat roosting and bird nesting boxes to be provided on the plot including number, location, method and height of fixings, visual appearance and external colour finish, and

(b) full details of proposed hibernacula to be provided including number, location and appearance. Unless any subsequent variation is agreed in writing by the Local Planning Authority, the approved details shall be installed prior to the car park being available for use and shall thereafter be retained.

**Reason:** No such fine detail has been submitted. To ensure that protected and important species are adequately provided for as part of the proposed development mitigation and in the interests of biodiversity and habitat protection and enhancement.

Site access arrangements and quantum of development so served

11. Prior to the occupation of any development on the site, Church Road shall be upgraded in accordance with the details shown on the application drawings and the works opened to traffic

**Reason:** In the interests of highway safety.

12. No more development than is equal to 1 DU of traffic impact (in accordance with the provisions of SPG6: Providing for transport needs arising from the South of Ashford Transport Study) shall be occupied on the site prior to the granting of a Development Consent Order (DCO) for the works to form J10A of the M20 motorway and the link road from J10A to the A2070.

**Reason:** The traffic impact of development at the site (in excess of 1DU of traffic already catered for to serve development of the site via J10 as upgraded) can only be accommodated by enhanced capacity of the strategic highway network achieved through the granting of a DCO consenting the construction of J10A and the link road from J10A to the A2070.

13. No more development than is equal to 1 DU of traffic impact (in accordance with the provisions of SPG6: Providing for transport needs arising from the South of Ashford Transport Study) shall be occupied on the site unless either (A) the



works to form J10A of the M20 motorway have formally commenced or (B) the Church Road/A2070 junction has been signalised and is open to traffic in accordance with a scheme that shall previously have been agreed by the Local Planning Authority in consultation with Highways England.

**Reason:** The traffic impact of development at the site (in excess of 1DU of traffic already catered for to serve development of the site via J10 as upgraded) can only be accommodated by enhanced capacity of the strategic highway network to be achieved through the implementation of a DCO consenting the construction of J10A and the link road from J10A to the A2070 OR the signalisation of Church Road/A2070 whilst the works subject of DCO are under construction but not yet open to traffic.

14. No more development than is equal to 2.75 DU of traffic impact (in accordance with the provisions of SPG6: Providing for transport needs arising from the South of Ashford Transport Study) shall be occupied on the site unless the works for J10A and the link road to the A2070 and the principal/main access into the site from the link road have all been opened to traffic.

**Reason:** Until strategic highway capacity is enhanced in this manner, the traffic impacts of development at the site in excess of 2.75DU cannot be satisfactorily accommodated.

15. Within 6 months of the principal/main access into the site being opened to traffic any signals installed at the Church Road/A2070 junction shall have been removed and that access to the development site shall have been downgraded by means of traffic management measures to be carried out within the site (in accordance with a scheme previously agreed with the Local Planning Authority in writing following consultation with the highway authorities) with such measures within the site to thereafter be retained in order that priority is given to use of the principal/main site access by all traffic generated by the development.

**Reason:** The quantum of traffic generated by the development site should be served primarily by the principal/main access from the new road to J10A with the Church Road/A2070 junction having only a limited role in meeting the needs of the development.

#### Visibility splays and access

16. Any pedestrian and vehicular visibility splays approved pursuant to the details within the reserved matters shall be provided prior to commencement of work for that part of the development and shall be subsequently maintained clear of any obstruction over 0.6 metres above footway level.

**Reason:** In the interests of highway safety.

17. No building shall be occupied until the means of vehicular and pedestrian access for that part of the site has been constructed in accordance with the approved plans.

**Reason:** In the interests of highway, pedestrian and cycle safety.

Construction phase(site set up and operation): construction traffic routeing, construction compounds, hours of operation, wheel washing to be agreed

18. Prior to any development commencing at the site, details shall be submitted to and approved in writing by the Local Planning Authority which show;-

(i) the location of any proposed site compound in addition to those that may be required in connection with the development of specific development plots,

(ii) routing of large goods vehicles to and from the site via the M20 and associated measures to be put in place to ensure compliance with that routing,

(iii) hours of site access for long goods vehicles.

Thereafter, unless any variation is agreed in writing by the Local Planning Authority, the approved site compound and lorry routing shall be implemented in accordance with the approved details and shall be retained as such for the duration of the works hereby approved.

**Reason:** In the interests of highway safety and the amenities of neighbouring residents.

19. Prior to works commencing on site, the following details shall be submitted to and (following consultation with the local highway authority as appropriate) shall be approved by the Local Planning Authority in writing;-

(i) details of parking for site personnel and visitors during construction,

(ii) details of access points, loading / unloading and turning areas for all construction related traffic,

(iii) details of proposed dust suppression, odour suppression and vapour suppression methods,

(iv) details of proposed surrounding fencing / hoardings to any compounds,

(v) details of proposed structures to be located within compounds and any proposed lighting (including measures to limit light spillage to the public highway and to nearby residents), and

(vi) details of any plant, equipment and machinery to be installed as part of the compound including details of hours of operation and noise during operation.

Thereafter the approved details shall be provided prior to the commencement of

works and retained for the duration of the construction of the permitted development unless the Local Planning Authority has agreed otherwise in writing.

**Reason:** To ensure provision of adequate parking, loading and turning facilities for vehicles in the interests of highway safety and to protect the amenities of local residents in accordance with policy.

20. (A) Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall have been submitted to and approved by the Local Planning Authority in writing. The SWMP shall include a detailed management plan for reducing construction waste during the construction phases of development in the form of site management, waste management and project design and planning. The approved SWMP shall be implemented throughout the period of demolition and construction work within the application site.

21. (B) Before any construction commences a Scheme of Minimum Environmental Requirements for Construction (SMERFC) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall be implemented in accordance with the SMERFC.

The matters to be addressed in the SMERFC shall include the following:-

(i) design, implementation and protection of landscaping to relevant British Standards,

(ii) Considerate Contractors / Code of Construction Practice,

(iii) methodology of protecting existing and new trees to the relevant British Standard during construction, and

(iv) a method statement for any piling or other noisy construction activities, or the installation and removal of any large static construction equipment such as cranes.

**Reason:** To ensure that the impacts of construction on adjoining areas are minimised for the benefit of the local environment and the amenities of nearby residents.

22. No site clearance or construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on any Sunday or Bank or Public Holiday unless first agreed in writing by the Local Planning Authority.

**Reason:** To protect the amenity of local residents in accordance with Policy CS1 of the Local Development Framework Core Strategy.

23. Prior to the commencement of any works on site, details of facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and

washed free of mud and similar substances at the application site, shall be submitted to and approved in writing by the Local Planning Authority. Unless any subsequent change has been agreed in writing by the Local Planning Authority, the approved facilities shall then be provided prior to the works commencing on site and thereafter shall be maintained in an effective working condition and used before vehicles exit the site and enter onto the adopted highway for the duration of the works.

**Reason:** To ensure that no mud, spoil, surface water or other material is taken from the site onto the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety and the amenities of local residents.

Construction (and operational) phase: remediation, environmental and waste management plans/strategies to be agreed

24. Prior to the commencement of works, a detailed Remediation Strategy (RS) to ensure that the site is suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall have been submitted to and approved by the Local Planning Authority in writing. The RS must describe all the relevant works to be undertaken during construction and post-completion operation stages and include the following;-

- (i) proposed remediation objectives,
- (ii) performance criteria,
- (iii) a schedule of works, and
- (iv) site management protocols.

The RS is required to deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation. The RS shall only be carried out in accordance with the approved details unless any subsequent change has been agreed in writing by the Local Planning Authority.

The Local Planning Authority must be notified in writing at least two weeks prior to commencement of the approved RS works.

**Reason:** To ensure that risks from land contamination to the future users of the site and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

25. Within 3 months of the completion of the approved RS measures applicable to the demolition and construction stages, a verification report that demonstrates the effectiveness of the remediation carried out by must be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To verify the effectiveness of the approved RS and to ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

26. Prior to the commencement of development, a Construction and Environmental Management Plan (CEMP) shall have been submitted to and approved by the Local Planning Authority in writing. The CEMP shall include;-

(i) Code of Construction Practice,

(ii) hours of working for noisy activities and details of the installation and removal of any large equipment such as cranes relating to those works,

(iii) details of all general measures to be put in place to ensure that during construction phases all works are managed so as to minimise their environmental impact in terms of noise, pollution and protection of natural resources including the use of petrol interceptors and on-site protection of temporary chemical and fuel stores,

(iv) details of specific measures that will be put in place in the event that on-site construction works identify contamination including the prevention of onward contamination, suppression of contamination, removal of contamination and the use of personal protective equipment for construction workers,

(v) details of specific measures that will be put in place to prevent damage to the riparian habitats in the locality from works taking place on site, and

(vi) details of all measures to be put in place and thereafter retained during the operational phase of the development permitted, including the use of petrol interceptors.

Thereafter, the approved CEMP shall be implemented in full unless the Local Planning Authority has agreed in writing to any subsequent variation or iteration of the Plan.

**Reason:** To ensure appropriate environmental management systems are put in place during the construction and operational phases of the development in order to prevent adverse impacts on the environment and to ensure that the impacts of construction on adjoining areas are minimised for the benefit of the amenities of nearby residents.

Design to encourage and facilitate cycling

27. No building shall be occupied until space has been laid out within that site for bicycles to be parked under cover in accordance with details that shall have been submitted to and approved by the Local Planning Authority and such cycle parking facilities shall subsequently be retained available for use by staff and visitors to the premises.

**Reason:** In the interests of promoting alternative modes of transport generally and, specifically, to ensure that each development plot provides an acceptable number of good quality cycle parking facilities to help facilitate transport choice for staff and visitors, to reduce reliance on the private car and to accord with the approach to car parking on the site pursuant to the SPG6 South of Ashford Transport Study.

28. Unless otherwise agreed with the Local Planning Authority, no building shall be occupied until cycle changing/shower facilities/drying facilities/locker facilities have been provided for that building (whether in that building or in an adjoining one or in a centralised facility within the site) in accordance with details that shall have been submitted to and approved by the Local Planning Authority and these facilities shall subsequently be retained available for use by staff and visitors to the premises.

**Reason:** In the interests of promoting alternative modes of transport generally and, specifically, to ensure that the necessary facilities for cyclists, both staff and visitors, are provided in order to reduce reliance on the private car and to accord with the approach to car parking on the site pursuant to the SPG6 South of Ashford Transport Study.

Framework and Workplace Travel Plans

29. (A) Prior to the first occupation of any building at the site, a Framework Travel Plan (FTP) shall have been submitted to and approved in writing by the Local Planning Authority. The FTP shall set the long term management arrangements for the FTP.

(B) The FTP shall include the overarching Travel Plan approach for the whole site and establish a threshold whereby occupiers of floorspace either are required to produce an individual Workplace Travel Plan taking forward the content of the FTP, or, due to small size, are required to adopt and work towards the targets and objectives of the FTP via a pro-forma/template (with said pro-forma/template to be agreed in writing by the Local Planning Authority as part of the FTP).

**Reason:** In order to help realise a sustainable pattern of development in the area, comply with the provisions of the NPPF and the principles of sustainable development, assist smaller scale occupants of the site work towards Travel Plan objectives and targets and assist all other occupiers in the formulation of

individual Workplace Travel Plans.

30. Within 7 months of first occupation of a building or any part of a building of a size identified in the FTP as necessitating a Workplace Travel Plan (WTP), WTP for the occupier of that floorspace that accords with Best Practice and the principles of (i) encouraging sustainable movement and (ii) reducing the reliance on the private motor vehicle as set out in the NPPF and builds on baseline survey work carried out by the occupier within a maximum 6 months of first occupation shall have been submitted to and (following consultation with the local highway authority) be approved by the Local Planning Authority. WTPs shall contain:

(a) Details of measures designed to achieve and maintain an appropriate target modal split of travel to and from that building,

(b) The contact details of an individual who will be appointed as WTP Co-ordinator within his/her job description and who will act as the contact point for the Local Planning Authority and the measures set out within the WTP,

(c) A mechanism for information to be provided to the Local Planning Authority annually (or as agreed in writing) as to the implementation of the measures set out in the WTP, and

(d) Proposed measures to maintain the appropriate modal split for the site and to monitor the performance of the WTP and appropriate measures to cover against failure to meet the agreed targets.

The agreed WTP for each occupier shall subsequently be implemented in full within 3 months of written approval by the Local Planning Authority and thereafter shall be maintained unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to realise a sustainable pattern of development in the area, to comply with the provisions of the NPPF and the principles of sustainable development and take forward the provisions of the FTP for the site.

#### Archaeology

31. No development shall take place until the applicant (or the applicant's agents or successors in title) has secured the implementation of a programme of archaeological work in accordance with a plan covering the site, a written specification and timetable which has previously been submitted to and approved by the Local Planning Authority in writing.

**Reason:** To ensure that features of archaeological interest are properly examined and recorded across the site.

32. Within 3 months of the completion of the approved archaeological works a report containing details of the final archaeological recording work and the

archaeological work report from the appointed archaeological contractor shall be submitted to and approved by the Local Planning Authority in writing.

**Reason:** To ensure that features of archaeological interest are properly examined and recorded across the site.

#### Fenestration

33. No building permitted pursuant to this permission shall be commenced until details of doors and fenestration, including cross sections of the elevation to show cills and reveals, eaves and parapets and jointing of any cladding or brickwork has been submitted to and approved in writing by the Local Planning Authority at a scale of 1:20. Thereafter the development of each building shall be undertaken in accordance with the approved details.

**Reason:** In the interests of visual amenity and to ensure a satisfactory appearance of the building.

#### Surface water drainage

34. No development shall be commenced until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without increase to on-site or off-site flood risk and shall ensure all surface water is directed to its natural catchment unless agreed in writing with the local planning authority following prior consultation with Kent County Council as the Lead Local Flooding Authority and the River Stour Inland Drainage Board.

**Reasons:** To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

35. Prior to commencement, the arrangements for the disposal of surface water and flows from excavation dewatering shall be approved by the local planning authority in writing. These details shall be included within a sediment and erosion control plan to ensure run-off is managed adequately without pollution to receiving waters or increase to flood risk during construction.

**Reasons:** To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with



the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

36. No building shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

(i) a timetable for its implementation, and

(ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

**Reasons:** To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

37. No infiltration of surface water drainage into the ground is permitted other than with the written approval of the local planning authority (following prior consultation with the Environment Agency); this may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reasons:** To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

Preventing pollution of the water environment when premises are in use

38. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bund walls. The volume of the banded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets

should be detailed to discharge downwards into the bund.

**Reason:** To prevent pollution of the water environment.

39. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

**Reason:** To prevent pollution of the water environment.

Public rights of way

40. No development should take place over any public right of way until the confirmation of its diversion or extinguishment and certification of the new route has been provided by Kent County Council.

**Reason:** To ensure that public rights of way are properly safeguarded in the public interest.

Landscaping (including protection)

41. At the same time as the submission of details pursuant to condition 1, a survey of the development site as existing shall be submitted to the Local Planning Authority concurrently with the submission of the site layout drawings and shall include, as appropriate, the following information at a suitable scale:

(a) Location, species, girth or stem diameter, accurately planned crown spread and reference number of all trees on and adjoining the site with a stem diameter of 75mm or greater at a point 1.5 metres above ground level.

(b) A numbered tree condition schedule with proposals for removal of trees and for surgery or other works, where applicable, to retained trees.

(c) Existing and proposed levels including, where appropriate, sufficient detail to allow proper consideration of existing tree protection.

(d) Location, spread and other relevant details of existing hedgerows, hedges and other significant areas of vegetation.

(e) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate.

(f) Existing boundary treatments and forms of enclosure.

(g) Existing structures, services and other artifacts, including hard surfaces.

(h) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site.

(i) Route of existing footpaths and public rights of way on and adjoining the site.

(j) North point and scale.

(k) Location map.

**Reason:** To allow the proper consideration of the impact of the proposed development on the amenity value of the existing site.

42. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 10 years from the date of the completion of the development.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason:** In order to protect and enhance the amenity of the area.

43. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any parts of hedges or hedgerows removed without the Local Planning Authority's prior consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within ten years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

**Reason:** To ensure the continuity of amenity afforded by existing hedges or hedgerows.

44. All trees planted shall be protected against stock and rabbits when planted in accordance with details that shall have been previously agreed with the Local Planning Authority and such protection shall be maintained at all times.

**Reason:** In the interests of good forestry and amenity.

45. (A) The landscaping scheme approved in relation to the phase 1 works pursuant to Condition 1 (A) of this permission shall be carried out within a timescale that shall have been previously agreed in writing by the Local Planning Authority.

(B) The Local Planning Authority shall be notified in writing of the completion of those phase 1 works.

(C) Any tree or plants which, within a period of 10 years from the completion of those phase 1 works, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless agreed otherwise by the Local Planning Authority in writing.

**Reason:** In order to mitigate the impact of the development through the implementation of agreed phase 1 works landscaping.

46. (A) The landscaping schemes approved in relation to individual development plots pursuant to Condition 1 (B) of this permission shall be carried out within 12 months of the building on the plot being substantially complete and available for occupation.

(B) The Local Planning Authority shall be notified in writing of the completion of the approved landscaping works.

(C) Any tree or plants which, within a period of 10 years from the completion of those works, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless agreed otherwise by the Local Planning Authority in writing.

**Reason:** In order to mitigate the impact of the development through the implementation of agreed landscaping for individual plots.

#### Hard landscaping

47. Full details of hard landscape works shall be submitted to the Local Planning Authority at the same time as the details required by Condition 1(A) and Condition 1(B) of this permission and shall be approved in writing by the Local Planning Authority prior to commencement of hard landscaping works and the

works shall only thereafter be carried out as so approved.

The hard landscape details shall include proposed finished levels or land contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas, hard surfacing materials; minor artefacts and structures (e.g. furniture, art, refuse or other storage units (including litter and dog bins), signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables etc indicating lines, manholes, supports etc) together with full details of maintenance.

**Reason:** In order to ensure that hard landscaping works are appropriate to the context of the site.

#### Management Strategy and Management Plans

48. (A) Prior to commencement of development, a Framework Ecological Management Strategy (FEMS), shall have been submitted to and approved by the Local Planning Authority in writing, The FEMS shall include;-

- (i) a timescale for implementation of the measures identified,
- (ii) a time period for the active management of those ecological measures, and
- (iii) a timetable for regular reports to be made to the Local Planning Authority identifying the success of the measures identified in the FEMS as a result of on-going ecological surveys during the active management period and,
- (iv) a methodology for any proposed variations to the FEMS (in order to deal with the findings of said ecological surveys) to be proposed to the Local Planning Authority.

(B) Thereafter, the approved FEMS (including any agreed revisions arising from (iv) above) shall be carried out in accordance with the details in (A) above unless the Local Planning Authority has agree to any other variation in writing.

**Reason:** In order to ensure an appropriate ecological management strategy is put in place to properly mitigate the ecological impacts of the development.

49. (A) Prior to commencement of development, a Landscape Environmental Management Plan (LEMP), shall have been submitted to and approved by the Local Planning Authority in writing, The LEMP shall include;-

- (i) a timescale for implementation of the measures identified,
- (ii) a time period for the active management of those landscape measures, and
- (iii) a timetable for regular reports to be made to the Local Planning Authority identifying the success of the measures identified in the LEMP as a result of on-

going landscape environmental surveys during the active management period and,

(iv) a methodology for any proposed variations to the LEMP (in order to deal with the findings of said landscape environmental surveys) to be proposed to the Local Planning Authority.

(B) Thereafter, the approved LEMP (including any agreed revisions arising from (iv) above) shall be carried out in accordance with the details in (A) above unless the Local Planning Authority has agreed to any other variation in writing.

**Reason:** In order to ensure an appropriate landscape environmental management plan is put in place to properly mitigate the landscape impacts of the development.

#### Use of the premises

50. The buildings permitted shall not be used for any purposes other than Class B1 business use (including a maximum of 20,000sq.m of Class B1a use), Class B2 general industrial use, Class B8 storage and distribution use, Class A1 shop use (to a maximum 250 sq.m) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and the Kent Woolgrowers sui generis use and no alternative use whether permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that Order shall occur without the prior written approval of the Local Planning Authority.

**Reason:** In order to preserve the amenity of the locality and ensure that the uses remain appropriate to the planning context of the site.

51. (A) The total building floorspace shall not exceed that which is applied for and which is detailed on the application form dated 30/10/2015.

(B) No new building floorspace shall be created within the 133m landscape corridor shown on the Land Use and Layout Parameter Plan Drawing No. PL10\_160\_J (or any subsequent iteration thereof) and, in any event, no individual building to be used for Class B8 storage and distribution uses shall be created exceeding 80,000 sq.m.

(C) Site coverage of the total site area forming the DPD allocation as shown on Drawing 9031 SK160509\_01 (Boundary Sketch Plan) shall through the aggregate of individual building footprints not exceed more than 40% of that total site area.

(D) Any proposal for B1 office development that is not ancillary to or allied to B1a/B2/B8 uses proposed or existing on the site, shall be required to demonstrate why that floorspace cannot be accommodated in the town centre. In any event no stand-alone B1 office building shall exceed 5,000 sq m in gross floorspace.

**Reason:** In order to preserve the amenity of the locality and mitigate the impact of the development on the setting of St. Mary's church and as the impact of any additional floorspace has not been assessed by the local planning authority and in order to give priority to Ashford Town Centre for B1 employment purposes.

#### Services

52. Underground ducts shall be installed before each of the buildings hereby permitted are occupied, to enable telephone services, electricity services and communal television services to be connected to any premises within the application site without recourse to the erection of distribution poles and overhead lines and notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995 or any other Order or any subsequent Order revoking or re-enacting that Order no distribution pole or overhead line within the application site shall be erected without the express consent of the Local Planning Authority.

**Reason:** In the interests of visual amenity.

#### Availability for inspection

53. The development shall be made available for inspection, at a reasonable time, by the local planning authority to ascertain whether a breach of planning control may have occurred on the site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

**Reason:** In the interests of ensuring the proper planning of the locality and the protection of amenity and the environment, securing high-quality development through adherence to the terms of planning approvals, and ensuring community confidence in the planning system.

#### **Note to Applicant**

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.
2. Public rights of way cross the site. The granting of planning permission confers on the developer no other permission or consent or right to close or divert any public right of way at any time without the express permission of Kent County Council as the highway authority. Additionally, no furniture may be erected on or across public rights of way without the express consent of Kent County Council as the highway authority, there must be no disturbance of the surface of the right of way or obstruction of its use either during construction of development or thereafter and no new hedging or shrubs should be planted within 1.5metres of the edge of the public path.

3. This permission requires the submission of a Design Code for approval by the local planning authority. Following approval, the Code will build on the detail submitted with the outline application and act as a framework to assist those taking forward the fine detail of new development for various parts of the site. The local planning authority will expect the Code to require innovative, sensitive and responsive architectural solutions to help mitigate the visual impact of new development in the landscape at an importance entrance to the Ashford and to help create a coherent and clear sense of place within the site. The local planning authority will expect the Code to set a clear quality standard. Poor quality design will not be acceptable and will be refused.
4. A High Pressure Gas Main crosses the site and the applicant should comply with PADHI requirements and best practice at all times.
5. Working with the applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant was provided with pre-application advice,
- the applicant was provided with feedback on the deposited application
- The applicant was provided the opportunity to submit amendments to the scheme in order to address issues.
- The application as amended was moved forward without delay
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.



## **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)) . Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 14/00906/AS.

**Contact Officer:** Roland Mills    **Telephone:**(01233) 330334

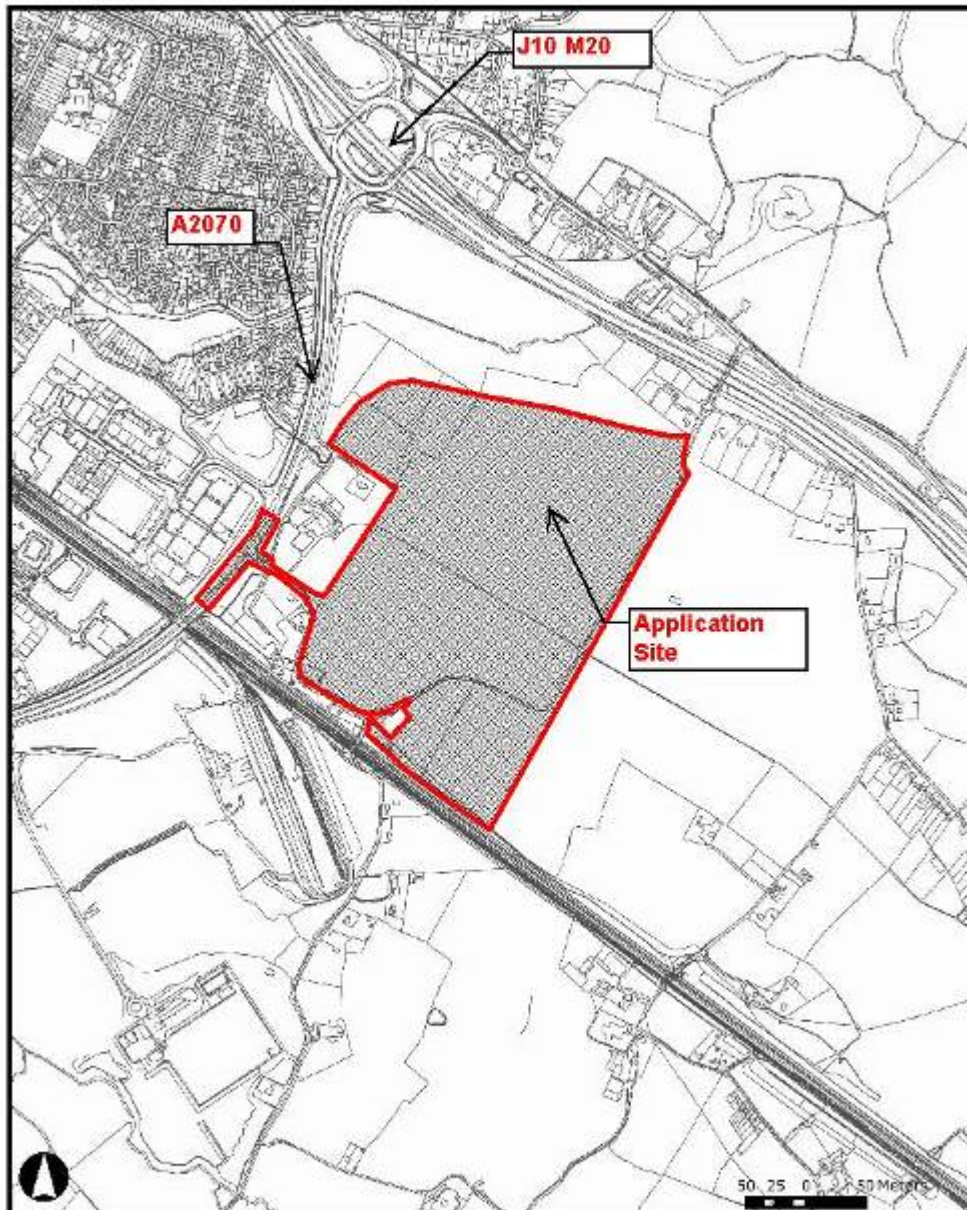
**Email:** roland.mills@ashford.gov.uk

14/00906/AS Site Location Plan

Annex 1



# Ashford Borough Council



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Annex 2

